

*Leave Of Absence**Friday, June 13, 2008***HOUSE OF REPRESENTATIVES***Friday, June 13, 2008*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I have received requests from the following Members for leave of absence: the hon. Ramesh Lawrence Maharaj, Member of Parliament for Tabaquite, from today's sitting of the House; the hon. Jack Warner, Member of Parliament for Chaguanas West from today's sitting of the House; the hon. Donna Cox, Member of Parliament for Laventille East/Morvant, for the period 7—21 June, 2008; the hon. Kamla Persad-Bissessar, Member of Parliament for Siparia, from today's sitting of the House. The leave which these Members seek is granted.

Hon. Members, I am to inform you that we are having a little difficulty with the sound system so that when you are speaking, press the “on” button on your desk.

PAPERS LAID

1. The Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Agricultural Development Bank of Trinidad and Tobago for the year ended September 30, 2006. [*The Minister of Finance (Hon. Karen Nunez-Tesheira)*]

To be referred to the Public Accounts Committee.

2. The annual audited financial statements of the Caribbean New Media Group Limited for the year ended December 31, 2005. [*Hon. K. Nunez-Tesheira*]
3. The annual audited financial statements of the Caribbean New Media Group Limited for the year ended December 31, 2006. [*Hon. K. Nunez-Tesheira*]

Papers 2 and 3 to be referred to the Public Accounts (Enterprises) Committee.

4. The Report of the Elections and Boundaries Commission on the parliamentary elections held on Monday, November 05, 2007. [*The Deputy Speaker (Hon. Penelope Beckles)*]

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Government is able to answer question No. 157 today and asks that the others be deferred for a period of two weeks.

The following questions stood on the Order Paper:

**Mayaro Police Station
(Details of)**

- 140.** With respect to the Mayaro Police Station, could the hon. Minister of National Security state:
- (a) what is the initial estimated cost of the project, the cost on completion, the reasons for the overruns, the initial project date of completion, the actual date of completion, the names of the contractors and subcontractors employed on the project, the value of their contracts and the actual amounts paid to each;
 - (b) the number of police officers to be assigned to the police station, the ranks of these officers;
 - (c) the number and types of vehicles to be assigned to the station; and
 - (d) other resources to be assigned to the station? [*Mr. W. Peters*]

**Inauguration of the President
(Money Expended)**

- 143.** Could the hon. Minister of Finance state:
- (a) how much money was spent on the functions for the inauguration of His Excellency, the President of the Republic of Trinidad and Tobago in 2008; and
 - (b) give a breakdown of the expenses in (a) under the different items of expenditure? [*Dr. H. Rafeeq*]

**Swearing in Ceremony of Prime Minister and Ministers
(Breakdown of Expenses)**

- 144.** Could the hon. Minister of Finance state:
- (a) how much money was spent on the swearing in ceremony for the Prime Minister of Trinidad and Tobago in 2007;

- (b) how much money was spent on the swearing in ceremony for the Ministers of Government in 2007; and
- (c) give a breakdown of the expenses in (a) and (b) under the different items of expenditure? [*Dr. H. Rafeeq*]

**Former Employees of Caroni (1975) Limited
(Government Intentions to Increase Pension)**

145. Could the hon. Minister of Finance state:

- (a) whether the Government intends to increase the pension paid to former employees of Caroni (1975) Limited; and
- (b) if the answer to (a) is in the affirmative, when will the increase be effected and by how much? [*Dr. H. Rafeeq*]

**South-West Regional Health Authority
(Details of Vehicular Purchase)**

158. Could the hon. Minister of Health state:

- (a) the names of the companies from which the South-West Regional Health Authority under the present Chairman has been purchasing vehicles;
- (b) the make and model of each vehicle purchased; and
- (c) the cost to the South-West Regional Health Authority of each vehicle purchased? [*Mr. S. Panday*]

**Programme for Upgrading Road Efficiency
(Details of Repairs)**

159. Could the hon. Minister of Works and Transport state;

- (a) what roads have already been repaired or proposed to be repaired by the Programme for Upgrading Road Efficiency (PURE) in the constituency of Cumuto/Manzanilla;
- (b) the length of the roads already repaired or proposed to be repaired; and
- (c) the cost or estimated cost involved in each? [*Mr. H. Partap*]

Fishing Pond Turtle Patrol

160. With regard to the Fishing Pond Turtle Patrol, could the hon. Minister of Public Utilities state:

- (a) why employees on the patrol gang have been forced to pay \$30 from their wages to meet the salary of the patrol supervisor; and

- (b) what steps would be taken to stop this practice and refund money deducted to affected employees? [*Mr. H. Partap*]

Questions, by leave, deferred.

Crime and Justice Commission
(Details of)

157. Mr. Subhas Panday (*Princes Town North*) asked the hon. Minister of National Security:

Could the hon. Minister of National Security state:

- (a) the date of the establishment of the Crime and Justice Commission;
- (b) whether the Crime and Justice Commissioner presented any recommendations for the solving of crimes and/or alleviation of the crime situation in Trinidad and Tobago;
- (c) if the answer to (b) is in the affirmative, has the Government acted upon any of these recommendations;
- (d) if the answer to (c) is in the affirmative, what have been the results;
- (e) if the answer to (c) is in the negative, why not; and
- (f) if the answer to (b) is in the negative, what are the reasons for same?

The Minister of Works and Transport (Hon. Colm Imbert) Mr. Speaker, in the absence of the Minister of National Security I will deliver the answer.

The answer to part (a) is as follows: Hon. Members are advised that the recommendation to establish the Crime and Justice Commission which emanated from public consultations on crime was approved by Cabinet in July 2007. The Commission was subsequently constituted and members appointed on August 23, 2007.

The answer to part (b) is as follows: At its first meeting held on September 07, 2007, the Commission agreed that its first six months would be spent meeting with stakeholders. Towards this end, meetings were held with the Attorney General, the Minister of National Security, the Commissioner of Prisons, the Director of the Forensic Science Centre, the principal investigator of the Police Transformation Initiative, Professor Stephen Mastrofski, the Chief Justice and a retired Deputy Commissioner of Police.

Based on input from the various stakeholders and the deliberations among its members, the Commission recently completed an interim report which includes recommendations focusing on closed circuit television, deportees—

[Cellphone rings]

Mr. Speaker: One minute, please. Is that music coming from inside or outside of the Parliament Chamber? It seems to be a cellphone. Let me remind Members to take off their cellphones, please. Members and also members of the press and public gallery, if you have cellphones on, please take them off now.

Hon. C. Imbert: Thank you, Mr. Speaker.

Based on input from the various stakeholders and the deliberations among its members, the Commission recently completed an interim report which includes recommendations focusing on closed circuit television, deportees, community policing, the Police Complaints Authority, forensics, computerization of licensing records and prison reform, among other issues.

[Cellphone rings again]

We seem to be a bit jinxed. It is Friday 13.

Mr. S. Panday: Black Friday.

Hon. C. Imbert: Friday, June 13; no ethnic assertions here.

The Commission, in recognition of the fact that the problem of crime involves the home, school and social services, also recommended the utilization of counselling services for children who exhibit “at risk” behaviour. It was suggested that all students be engaged in some form of extra-curricular activity from entry into pre-school to secondary school exit at Form 5.

This should be done in collaboration with the reintroduction into schools of groups which build responsibility, such as the Brownies, Cubs, Rangers, Cadets and Red Cross, among others. In addition, the Crime and Justice Commission functions in an advisory capacity in the drafting of crime-related legislation and will continue to provide valuable assistance in this regard. The interim report of the Commission also indicated the Commission’s willingness to accede to Cabinet’s request that one of its members sit on a team appointed by the Attorney General with the specific purpose of reviewing and revising the Police Complaints Authority Act.

The answer to parts (c) and (d) is as follows: At present, the Commission’s interim report is being studied by the Minister of National Security prior to its submission to Cabinet. Parts (e) and (f) are thus not applicable.

Mr. Speaker: Let me again remind Ministers that these questions have been languishing on the Order Paper for quite some time and I am appealing to you to use your best endeavours to have these questions answered on a timely basis. May I also remind you that there are 21 written questions for answers.

Dr. Rafeeq: Mr. Speaker, the very first question for written answer was filed at the very first sitting of the Ninth Parliament. I think we are going for a record on this one.

**DEFINITE URGENT MATTERS
(LEAVE)**

Government's Attitude Towards Crime

Mr. Subhas Panday (*Princes Town North*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek leave to move the Adjournment of this honourable House for the purpose of discussing a definite matter of urgent public importance, namely, the attitude of the Government towards the current high rate of serious crimes, including murders and in particular the recent heinous, brutal, violent and senseless slaying of a five-month-old baby, Zion Jones.

The matter is definite because it relates to the murder of baby Zion Jones while he was asleep in his father's arms.

The matter is urgent because the murder rate is increasing at such an alarming proportion and murderers are committing these crimes with impunity as the Government seems to be totally paralyzed and does not appear to have a clue as to what steps should be taken to handle this problem.

The matter is of public importance because members of the public are horrified as to the manner in which an innocent five-month-old baby was gunned down during the evening whilst in a taxi on a public road in the presence of members of the public.

Mr. Speaker: Hon. Members, regrettably, this matter does not qualify under Standing Order 12 but under Standing Order 11.

**Guanapo Dump Site
(Toxic Waste Emanating From)**

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House at today's sitting, Friday June 13, 2008, for the purpose of discussing a definite matter of urgent public importance, namely, airborne and

water-borne disastrous chemical and toxic effects from the industrial waste and voluted Guanapo dump site in Arima to the citizens of Arima and the eastern corridor.

The matter is definite as it pertains to a specific matter, namely, the release of toxic chemicals into the drinking water and also into the air from the landfill dump site.

The matter is urgent because of the chemical reactions occurring at the site, releasing dense toxic vapour and fumes into the atmosphere and chemical teratogenic contaminants into the drinking water supplied by the Guanapo Water Plant and the Piarco Water Treatment Plant.

The matter is of public importance because Arima, Tunapuna and East-West Corridor citizens, even up to Diego Martin, are affected by the toxic teratogenic chemicals and waste released from the Guanapo dump site into the surface water of the Blanchisseuse River, into the Pinto River, draining into the Guanapo Water Treatment Plant and ultimately into the Piarco Water Treatment Plant supplying the East-West Corridor.

Airborne chemicals and gas vapours released at the site are causing cancer and asthma-related deaths and serious eye, throat and skin pathologic conditions, not only to the nearby residents but also Arima and Tumpuna citizens.

Mr. Speaker: Hon. Members, it is abundantly clear that this matter qualifies under Standing Order 11.

1.45 p.m.

STRENGTHENING LIQUIDITY MANAGEMENT

The Minister of Finance (Hon. Karen Nunez-Tesheira): Mr. Speaker, Trinidad and Tobago's economic performance today is characterized by the pace of our economic expansion. The country is now experiencing fiscal surpluses and sound public finances. We now have investment and lending based on sound economic fundamentals which minimize capital flight. Instead of negative growth rates and declines in economic activity, Trinidad and Tobago is enjoying more than a decade of economic growth. Instead of debt rescheduling, there has been a restoration of relations with investors resulting in private capital flows, in particular, foreign direct investment. Our commercial banks are stronger and have been developing both regional and extraregional linkages.

Trinidad and Tobago has the largest energy and manufacturing sectors in the Caribbean region, as well as a rapidly emerging financial services industry. The

present state of and the prospects for the economy are exceptionally favourable. Trinidad and Tobago is now into its second decade of continuous strong economic growth, with a medium-term outlook for (GDP) growth of 6 per cent forecast for 2008. This strong economic performance is being fuelled mainly by the energy sector. More than 60,000 jobs have been created in Trinidad and Tobago since 2002. That is almost 12,000 jobs per year or 1,000 jobs per month.

Per capita income has more than doubled from US \$6,890 in 2001 to US \$16,090 in 2007. These results were achieved even as Trinidad and Tobago was amassing substantial foreign reserves which amounted to US \$6.658 billion representing 9.4 months of import cover at the end of 2007. In 2001, foreign reserves amounted to US \$1.858 billion. In addition to the US \$1.996 billion that the Government has been able to set aside in a few short years in the Heritage and Stabilisation Fund, it has done so without compromising its fiscal programme and while continuing to reduce public sector and central debt as a percentage of GDP.

To put this into perspective, the balance in the Heritage and Stabilization Fund is now more than all of the central government's external debt. As a matter of fact, the Government anticipates that by the end of fiscal 2008, the balance in the Heritage and Stabilisation Fund will be more than double the total external debt of the central government.

Gross public sector debt to GDP declined from 50 per cent in 2003, to 28.3 per cent in 2007. Central government's external debt to GDP also declined significantly from 14.6 per cent in 2003, to a mere 5.9 per cent in 2007. The resilience that has characterized the Trinidad and Tobago economy is a stewardship provided by successive PNM governments. The stage has been set for Trinidad and Tobago to continue experiencing strong macroeconomic fundamentals that will lead to consistent and broad-based growth in the order of 7 per cent per annum in the medium-term.

Trinidad and Tobago has also sought to utilize its strong energy performance to strengthen its long-term growth prospects. This has not happened by accident as some would have us believe. It is because this Government has exercised wisdom and prudence in handling the affairs of this nation. It was a PNM government which took the deliberate decision to restructure central government debt at a time when interest rates were low. As a result of this debt-servicing, costs have been lowered significantly. Instead of paying high interest, the Government has been able to provide the cheapest gasoline in Trinidad and Tobago, than even in some of the wealthiest oil-producing countries in the world. The Government's prudent debt management has ensured that revenues are not

diverted from growth-enhancing investments, but redirected towards investments in infrastructure, education and health which consolidate and accelerate the diversification of the economy.

With respect to the concerns that have been raised regarding the size of the non-energy deficit, I will point out that the current level of non-energy deficit is temporary and reflects the Government's prioritization of investments in education, infrastructure and health. These investments are strong-associated and positive production externalities and therefore provide impetus for private production and the expansion of the non-energy sector. The Government expects that the non-energy deficit will moderate substantially to a more sustainable level over the medium term.

The Government's fiscal programme has been deliberately front-loaded to hasten the achievement of its Vision 2020 aspirations for developed nation status. However, the positive policies that Government has pursued to ensure this continuing growth is perhaps contributing to a situation in which the economy is exhibiting signs that it is approaching full capacity.

The Government is also doing an excellent job in managing the emerging supply constraints in the economy. Labour market constraints have been mitigated substantially without disruptive pressures on wages and salaries. Other emerging supply constraints have more to do with global development than to issues specific to Trinidad and Tobago. Amid a buoyant economic environment, we have witnessed some upward pressure on the rate of inflation in Trinidad and Tobago. Today, we are just below 10 per cent. This is a challenge for us as high international food and oil prices, lagging agricultural output and reduced imports from other countries in the region that have faced natural disasters and higher import costs, as a result of the direct impact of international oil prices are factors that have been identified as contributing to the current increases in the inflation level.

As at April 2008, inflation stood at 9.4 per cent representing a decrease from the previous month's rate of 9.8 per cent. The main contributor to this was and continues to be food prices. This is readily apparent when one looks at core inflation, that is inflation minus the effects of food prices. This stood at 5.2 per cent in April, marginally lower than that of the previous three months.

However, in addition to both imported inflation as reflected in rising food prices, inflation is also being driven by consumer spending. As noted above, unemployment is at an all-time low. This, together with rising prices, has contributed

to an increase in credit card spending. For the year ending February 2008, bank credit increased at approximately 23 per cent. The Central Bank has done its part in helping to contain liquidity making more use of open market operations as well as instituting additional monetary tightening measures, including increasing both the repo rate and the reserve requirement for commercial banks. Given rising global food prices and higher import costs due to increased transportation costs brought about by high energy prices, inflation and inflation control are likely to remain a challenge in the coming months.

The economy's current disposition as it relates to inflationary pressures will be exacerbated by the one-off impact of the RBC/RBTT transaction which is due to be completed in the coming weeks and which is expected to be accompanied by a significant expansion of domestic liquidity. This is because the acquisition cost of the RBTT shares which amounted to US \$2.2 billion or TT \$13.8 billion is to be settled in RBC shares and partly in cash. Of the amount to be received in cash, approximately the sum of US \$750 million is to be paid in local currency amounting to approximately TT \$4.7 billion. This is an extraordinary event and not directly associated with any dynamic monetary system. The Government has considered several options for absorbing the expansion of liquidity that is likely to be associated with the transaction.

Having regard to the exceptional nature of the event and its occurrence at a time when other inflationary developments are impacting the system, is a matter of economic necessity, that all the flows associated with the RBC/RBTT transaction be the subject of aggressive liquidity absorption measures, in order to minimize the potential negative impact on the domestic economy. The special circumstance of this transaction sets it apart from the general liquidity situation arising from activity in the monetary system. The Government proposes in the first instance to issue immediately, bonds in the initial sum of \$1.2 billion to mitigate the liquidity expansion associated with the RBC/RBTT transaction. We propose to issue these bonds under the Development Loans Act, Chap. 71:04. The total outstanding balance of loans raised under the authority of the Development Loans Act, as at April 30, 2008, amounts to \$11.8 billion, giving the existing borrowing limit of \$13 billion, the Government's capacity to borrow under this Act is limited to TT \$1.2 billion.

In the circumstances, the Government proposes that the ceiling of government borrowings under the Development Loans Act be immediately increased to facilitate the timely issuance of bonds under this authority. The proceeds of any such borrowings will be placed into a block account with the Central Bank, so as

to ensure the funds are sterilized and do not re-enter the domestic financial system. Given the immediate liquidity absorption requirements associated with the RBC/RBTT transaction, the Government is of the view that the ceiling of Government's borrowings under the Development Loans Act should be increased to \$20 billion from the current limit of \$13 billion.

I have indicated that the Government expects that inflationary pressures will persist in the Trinidad and Tobago economy in the face of emerging supply constraints, credit expansion and rising imported inflation. As a consequence, the Government envisages the need for more aggressive approaches to liquidity management and appropriate mechanisms to be put in place to manage effectively incremental liquidity growth.

2.00 p.m.

It is in this context that the Government is providing the Central Bank of Trinidad and Tobago with additional flexibility to conduct its open-market operations above and beyond the Treasury Bills currently used to supplement existing instruments for open-market operations in Trinidad and Tobago. Specifically, we propose to issue a third category of securities, namely Treasury Bonds, with a tenure of between 5½ to 10 years. These bonds will facilitate more intensive open-market operations and, by extension, more effective control of inflation.

Therefore, in addition to increasing the limit on the aggregate amount of borrowings under the Development Loans Act from TT \$13 billion to TT \$20 billion, the Government intends to bring to Parliament a bill for the introduction of Treasury Bonds as a further mechanism to facilitate more intensive liquidity absorption. The relevant legislation is in the final stages of preparation for submission to Parliament.

I thank you.

NEW HIGHEST NATIONAL AWARD

The Minister of Information (Hon. Neil Parsanlal): Mr. Speaker, I thank you for the opportunity to make the following statement to this honourable House which the Cabinet has authorized. Hon. Members will recall that a constitutional motion was brought before the High Court of Trinidad and Tobago, in 2004, which challenged the exclusive nature of the nation's highest award, the Trinity Cross.

In June 2005, Mr. Justice Peter Jamadar ruled that the name and the symbol itself could have been considered discriminatory to non-Christians. The court also

New Highest National Award
[HON. N. PARSANLAL]

Friday, June 13, 2008

noted that though it might find the Trinity Cross discriminatory, it was not authorized to remove it as this national award was protected by our 1976 Constitution and therefore could only be amended or removed by the Parliament.

Hon. Members might also recall that in June 2006, the hon. Prime Minister advised the House that the Government had accepted the High Court's findings and, consequently, the Trinity Cross would pass into history as "new and more acceptable arrangements would be made for the nation's highest award."

The hon. Prime Minister informed the House then that the Cabinet had agreed to establish a committee to, firstly, review all aspects of the nation's highest award, the Trinity Cross; and, secondly, to examine such other national symbols and observances that could be considered discriminatory. Deadlines were given for the submission of reports to Cabinet on the two aspects of the committee's mandate.

This committee comprised eight distinguished citizens of Trinidad and Tobago and was chaired by Prof. Bridget Brereton of the University of the West Indies. The other members of the committee were Prof. Selwyn Ryan, Ms. Gillian Bishop, Mr. Devanand Ramlal, Mr. Gregory Aboud, Dr. Rolph Balgobin, Mr. Anselm Richards and Ms. Sandra Marchack.

Mr. Speaker, hon. Members, on behalf of the Government of Trinidad and Tobago, I wish to place on the public record our deepest appreciation for the work of this committee. [*Desk thumping*] The committee submitted its report dealing with the highest award and Cabinet, in July 2006, agreed to accept, in principle, the recommendations of the committee, one of which was that the public be allowed to comment on the proposed changes. Subsequently, the Cabinet directed that the recommended new name and design of the nation's highest award should be published in the newspapers and that public comments be invited on the matter.

On January 16, 2007, the committee met and carefully considered all the comments it had received in response to the advertisement, as well as commentary in the various arms of the media on the issue. In a letter of June 08, 2007 to the hon. Prime Minister, the committee recommended variations to its original report. The Cabinet considered the matter in its entirety on April 17, 2008. The Government now wishes to announce that the following recommendations of the committee have been accepted:

- That the name of the new highest national award will be the Order of the Republic of Trinidad and Tobago;

- That holders of this award will be entitled to use the initials ORTT after their names;
- That the name of the society replacing the Order of the Trinity will be the Distinguished Society of Trinidad and Tobago;
- That the new highest order will be redesigned as presented in the letter of June 08, 2007 from the committee to the hon. Prime Minister, but with the representation of the Motmot being replaced by one of the Cocrico on the obverse of the medal for the Order of the Republic of Trinidad and Tobago;
- Finally, that holders of the Chaconia Medal, now to be called the Chaconia Medal Distinguished Society of Trinidad and Tobago, should use the initial CMTT after their names instead of CMT.

In order to give effect to these decisions, the Cabinet has directed the hon. Attorney General to have the necessary amendments to the Letters' Patent prepared, which will establish the Order of the Republic of Trinidad and Tobago in the Constitution of the Republic of Trinidad and Tobago. These arrangements are to be put in place to ensure that persons so deserving could receive this signal honour in the Independence Awards of August 2008.

Mr. Speaker, I thank you and may God bless our nation.

**SCARBOROUGH HOSPITAL PROJECT
(STATUS OF CONSTRUCTION)**

The Minister of Health (Sen. The Hon. Jerry Narace): Mr. Speaker, I am authorized to make the following statement on behalf of the Government of the Republic of Trinidad and Tobago. I wish to thank this honourable House for allowing me the opportunity to provide Members with some very pertinent information on the status of the construction of the Scarborough Hospital project.

The tendering process for the construction of the Scarborough Hospital in Tobago was initiated in March 2002 and the National Insurance Property Development Company's (NIPDEC) tendering committee selected NH International (Caribbean) Limited to undertake the project in May 2002. NIPDEC acted as agent for the Government of the Republic of Trinidad and Tobago whilst the client Ministry was the Ministry of Health.

I wish to state that this contract was not a fixed-price lump sum or design/build model concept, and it was implemented using a traditional design/tender approach

Scarborough Hospital Project
[SEN. THE HON. J. NARACE]

Friday, June 13, 2008

to procurement. Five tenders were considered for this project. They were Northern Construction Limited joint venture and Calmaquip Engineering Corporation; Northern Construction, NH International (Caribbean) Limited; Rezzani De Eccher S.p.A.; Kee-Chanona Limited and Lange Ballast Contractors Limited.

NH International (Caribbean) Limited was the second lowest bidder. Accordingly, a written contract was entered into between Nipdec and NHIC in March 2003, to construct the Scarborough Hospital for the sum of TT \$135.9 million, VAT inclusive, or such sum as may be payable in accordance with the said terms and conditions of the contract. It should be noted that NHIC's bid came in lower than the pre-tender estimate of TT \$150.9 million. The estimated date of completion was 730 calendar days, two years from the commencement date in 2003.

Mr. Speaker, in describing the NHIC's bid, an independent evaluator found that while it was adequate to cover the cost of the proposed works, it left little margin for profit, since five elements of the NHIC's tender were considered to have been inadequately priced. This is the backdrop against which NHIC and the Ministry of Health entered into the contract for the Scarborough Hospital project.

It is little wonder having regard to the view of the independent evaluator that from the outset NHIC appeared to be unwilling to conduct its affairs in good faith with the Ministry of Health and with NIPDEC. This gave rise to the impression by independent consultants that, having secured the contract, the company's intention was to escalate the price.

NHIC commenced work on March 17, 2003 and almost immediately raised a number of contractual issues, which included the following:

- variations in the initial soils investigation and site survey;
- relocation of the building;
- realignment of the perimeter access road;
- construction of two-tiered retaining walls; and
- importation of fill material.

Whilst there were some changes in the number and sizes of retaining structures and poor procurement management issues, NHIC further flagged disputes in respect of the suitability of the designs and drawings submitted by the Stantec Consultant as well as the lack of utilities at the site. Indeed, these issues ought not to have escalated the cost of the project to the magnitude that NHIC claimed. However, on account of protracted disputes over the resolution of these issues, the

project progressed slowly and formed the basis by which NHIC escalated the projected cost of construction works. The disputes also continuously pushed back the projected time for completing work activity.

It should be noted that NHIC has placed blame for this situation on Nipdec. However, the reality is that this underscored the challenges which Nipdec faced with a construction model that had neither a fixed price nor was fashioned along the design/build concept.

Consequently, on August 24, 2004, NH International (Caribbean) Limited wrote to the International Court of Arbitration requesting arbitration for various disputes between itself and Nipdec. The main dispute at the time was the lack of appointment of a dispute adjudication board and an arbitrator to determine various claims being made by NH International (Caribbean) Limited, which at this stage were partially quantified at TT \$24,562,114.73. Furthermore, three months later, NH International (Caribbean) Limited indicated its desire to suspend work under clauses 2.4 and 16.1 of the standard conditions of contract for Consultants First Edition 1999 International Federation of Consulting Engineers (FIDIC).

NH International (Caribbean) Limited requested from Nipdec, a subsidiary of the National Insurance Board, that it confirm availability to funding. In order to avoid further work disruptions, and based on the advice of Nipdec, the Ministry of Health took all the necessary steps to ensure that funding was available so that the project could be implemented in a timely manner. To this end, Cabinet approved the provision of additional funding of TT \$59.1 million at the end of 2004, thereby bringing the accumulated funding for the project to TT \$195 million.

The letter of approval to pay this sum was submitted by Nipdec to NH International (Caribbean) Limited. This was done in part to indicate the good faith which the Government of Trinidad and Tobago was willing to exhibit to have the Scarborough Hospital completed within time. Subsequent to this, however, a quantity surveyor from Hart and Leonard Limited, under the Stantec consultancy, produced an interim costing report in May 2005, which revised the estimated cost of the project to TT \$287 million.

2.15 p.m.

Once again, the Permanent Secretary of the Ministry of Health indicated to NHIC, through Nipdec, that funds were available to meet the revised sum of \$287 million estimated to complete the construction of the hospital. At this stage, NHIC was not satisfied that this reassurance by the Ministry provided sufficient evidence to indicate that the Government was in a position to meet its financial

Scarborough Hospital Project
[SEN. THE HON. J. NARACE]

Friday, June 13, 2008

commitments to the company. As a consequence, NHIC reduced its rate of work and the project was further delayed by disputes which arose in relation to payment for certain parts of the works which were completed. On yet another occasion, NHIC insisted that the Ministry of Health and Nipdec were being non-compliant with clause 2.4 of FIDIC, with respect to the confirmation of availability of funds, despite the fact that there was little doubt that the Government would make funds available to complete the project. This occurred even after the Ministry had issued to NHIC a “without prejudice” advisory that funds were available to meet the estimated revised contract sum of \$287 million.

As a result, inter alia, of disputes and accompanying reduction in productivity, the initial cost of the project escalated from \$135.9 million in 2003, to \$287 million by May 2005, an increase of 111 per cent over the period, with very little actual work having been accomplished. NH International (Caribbean) Limited suspended works on the project on September 17, 2005, accusing Nipdec of continuously failing to satisfy the requirements of clause 2.4 of the FIDIC Conditions of Contract, with respect to the availability of funds.

For reasons best known to itself, NHIC was not satisfied with the written confirmation of the availability of funds given by the Permanent Secretary of the Ministry of Health. However, Nipdec expressed its disagreement with the unreasonable position taken by NHIC because it should have been obvious that all the necessary funding was and would be made available as and when required by Cabinet and the Ministry of Health. As a consequence, arbitration was initiated between Nipdec and NH International (Caribbean) Limited, in December 2005, by an Arbitral Tribunal appointed in accordance with the governing law and the International Court of Arbitration rules.

The Tribunal had to deal with claims for variation of costs which were submitted by NH International (Caribbean) Limited. The company initially submitted revised figures of \$222.3 million for work done on the project as at November 2005. However, by October 2006, one year after work had stopped on the project, NHIC submitted yet another figure for completion of the said project of \$474.2 million. Mr. Speaker, that was \$338 million more than the original contract sum of \$135.9 million (VAT inclusive) originally estimated for the project in March 2003, with a completion date of March 2005, two years thereafter. These significant variations in cost could have led to the conclusion that NHIC was inflating the cost of the project and this gave rise to another dispute between the parties.

However, during the arbitration, an independent quantity surveyor/consultant was appointed by the arbitrator. The independent quantity surveyor/consultant

who was an international expert, reported in June 2007 that the value of NH International (Caribbean) Limited entitlement was only TT \$147.5 million, less the sum of \$20.9 million that was due to Nipdec, resulting in a net entitlement for NHIC of only \$126.6 million as of November 2005, when all work was stopped on the project. This was \$160.4 million less than the estimated figure of \$287 million to complete the project which was submitted by the project consultants back in May 2005. Based on the valuation submitted by the independent quantity surveyor/consultant, it is apparent that the claims of additional cost submitted by NH International (Caribbean) Limited have been clearly overstated and inflated. This is to put the best or most charitable interpretation on it.

Moreover, an Interim Payment Certificate, submitted in mid-2005, showed that NH International (Caribbean) Limited owed Nipdec TT \$21 million (VAT inclusive). The draft independent quantity surveyor/consultant report of April 2007 also showed that NH (International) Caribbean Limited owed Nipdec TT \$1.7 million. Clearly, NH International (Caribbean) Limited was being overpaid and the costs the company claimed for work done on the project were overstated.

This dispute is currently the subject of litigation and I wish to give an assurance to the public of Trinidad and Tobago that this Government is actively seeking to protect the public's interest.

In 2003, TT \$135.9 million; 2005, TT \$222.3 million; and 2006, one year after work stopped on the project, TT \$474.2 million. This still would not have been a fixed price contract nor a design/build contract. Using a process of extrapolation, it would not have been unreasonable to conclude that had NHIC remained on the project, the final cost could have well been in excess of TT \$474 million without any firm full completion date whatsoever.

Mr. Speaker, it is interesting to note the percentage profit margin calculated at the time of tender was 12½ per cent as distinct from the percentage profit claim by NHIC in the arbitration which was over 300 per cent.

This illustrates the dangers of the traditional design/tender approach to construction, as opposed to the design/build approach. In the traditional approach, the client takes all the risk, since any errors or omissions in the design or mistakes made by the consultants in the supervision of the contracts are capitalized on by the contractor to make claims for variations in cost and extra time to complete the project. The final costs and completion date of a project implemented using the traditional approach are therefore virtually unknown at the start of the project and quite often, the project becomes embroiled in contractual disputes, cost escalation

Scarborough Hospital Project
[SEN. THE HON. J. NARACE]

Friday, June 13, 2008

and delays, with the consultants blaming the contractor for poor workmanship and lack of diligence and the contractor in turn blaming the consultants for incomplete or inappropriate designs. This is precisely what occurred on the Scarborough Hospital Project.

However, if a design/build approach had been used, the contractor would have been required to take responsibility for both the design and the construction work which would have eliminated claims for errors and omissions or poor supervision and would have placed all of the responsibility on the contractor to complete the job on time and within budget.

Given the urgent need to advance the infrastructural projects in Tobago, which included the Scarborough Hospital Project, it was agreed in November 2007 that certain infrastructural development projects should be undertaken under the management of an appropriate special purpose state enterprise price with immediate effect. Pursuant thereto, the Ministry of Health requested that Nipdec recommence the remobilization of the Scarborough Hospital Project as a matter of urgency. As such, at the end of 2007, Nipdec re-invited tenders for a modified design/build contract for the Scarborough Hospital Project and the supply of medical and other equipment with a fixed price clause.

Nipdec informed the Ministry of Health by letter dated April 09, 2008 that the tendering process was completed and of three bidders expressing interest, only one prequalified bidder, China Railway Construction Corporation had been selected. The total cost of the bid submitted by China Railway Construction Corporation is disaggregated as follows:

- TT \$241.3 million (VAT inclusive) in respect of construction cost;
- TT \$236.3 million (VAT inclusive) in respect of the supply of medical and other equipment;
- Total cost for a full turnkey operation, including the supply, installation and commissioning of all required equipment is TT \$477.67 million (VAT inclusive).

An examination of these figures clearly indicates that the estimated cost claimed by NHIC for construction of the Scarborough Hospital alone in 2006, without medical or other equipment was \$474.2 million (VAT inclusive), as compared to the price of TT \$241.3 million (VAT inclusive), submitted by China Railway Construction Corporation in 2008, two years later, a difference of some TT \$233 million. There have been suggestions that NHIC was either overcharging or

engaging in an inflation of prices. After all, NHIC has considerable experience in construction. On the face of the evidence, it does appear that NHIC wished to maximize its profits on this project, to the extent of over TT \$200 million. Most importantly, I wish to reiterate that the contract awarded to China Railway Construction Corporation is a fixed price, design/build/equip model with a completion date of two years.

Permit me to inform this honourable House that China Railway Construction Corporation is the largest construction firm in China. It was founded in 1949 and is a state-owned national grade 1 main contracting enterprise group. The company has constructed railways, highways, top-class expressways, water conservation and electrical power stations, large-scale airports, urban underground projects and industrial and civil buildings. *[Interruption]*

Hon. Members: No hospitals.

Sen. The Hon. J. Narace: Including hospitals. *[Laughter]*

2.30 p.m.

Over the years, the China Railway Construction Corporation has been honoured with several construction awards; ministerial and provincial awards and scientific and technical prizes.

Cabinet has agreed that NIPDEC should award a fixed price contract to China Railway Construction Corporation under the modified build contract for the completion of the Scarborough Hospital Project in the sum of TT \$241.3 million, VAT inclusive, for the completion of the construction of the hospital including reasonable remedial work to the construction work by NHIC. Additionally, with respect to remedial works at the existing hospital sites and the supply of medical and other equipment for this hospital, appropriate scrutiny has been employed to ensure that fit and proper international specifications are met.

Mr. Speaker, this honourable House should be reminded of the fact that the Hyatt Regency Hotel and Conference Centre, the Government Campus Complex and several other construction projects have been successfully completed within time and budget using a design/build construction model.

The history of the construction of the Scarborough Hospital, thus far, indicates that there may be contractors who seek to inflate the cost of projects to the detriment of the people of Trinidad and Tobago. This Government would not condone such practices. It is therefore recommended that China Railway Construction Corporation should complete the construction of the Scarborough

Scarborough Hospital Project
[SEN. THE HON. J. NARACE]

Friday, June 13, 2008

Hospital within two years including supply and installation of medical and other equipment in the hospital.

Mr. Speaker, this is a turnkey operation. The contractor has been duly authorized to commence mobilization and work is scheduled to begin by July 25, 2008. This schedule will bring the project to completion in August 2010. When completed, the Scarborough Hospital will be a modern, fully air-conditioned, 100-bed hospital with a campus layout style which will include the following:

- (i) accident and emergency unit;
- (ii) ENT unit;
- (iii) dialysis unit;
- (iv) mental health department;
- (v) dental department;
- (vi) a high dependence unit;
- (vii) maternity, paediatric, medical and surgical wards;
- (viii) fully equipped operating theatres with state-of-the-art equipment;
- (ix) mortuary and pharmacy services;
- (x) biomedical unit;
- (xi) increase in the ambulatory space (out patient clinic);
- (xii) dedicated rehabilitation space (physiotherapy, dietetics, occupational therapy, speech/language therapy, chiropody, psychology);
- (xiii) staff occupational health and safety department;
- (xiv) infection prevention and control department;
- (xv) IT training room;
- (xvi) hospital administrative space;
- (xvii) on-call staff accommodation;
- (xviii) echo cardiography/stress testing/ECG;
- (xix) space for environment services/porters;
- (xx) space for social work, discharge planning and volunteer services; and
- (xxi) parking for over 200 cars.

Mr. Speaker, although this presents a positive future for the long awaited Scarborough Hospital, I wish to close by giving this honourable House the unequivocal assurance that the Government of Trinidad and Tobago has taken all the necessary steps available to pursue litigation to recover and protect taxpayers' moneys and intends to go the full distance in this matter.

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

CHILDREN'S AUTHORITY (AMDT.) BILL

Order for second reading read.

The Minister of Social Development (Hon. Dr. Amery Browne): Mr. Speaker, I beg to move.

That a Bill to amend the Children's Authority Act, 2000, be now read a second time.

Mr. Speaker, it is my privilege to lay before this honourable House, the Children's Authority (Amdt.) Bill, which forms part of a comprehensive series of children legislation aimed at the care and protection of the children of our beloved nation.

I stand on this side of the House with a Government that has articulated a definitive vision for taking this country along the path of developed nation status. This vision firmly states that the foundation of our society must be strong families and strong communities.

Mr. Speaker, our children are arguably the most important members of any family unit, and the hopes and aspirations of our nation generally lie upon the tender shoulders of the next generation, but with those expectations come a very serious responsibility, not just on them, but on us as well.

Let us pause to think about it for a moment. By the year 2020, many of us would be far past our youthful years—some might be already past that particular post. I, myself, in 2020 will be 48 years of age, and many Members of this honourable House would be in their 60s, 70s, 80s and I would stop there—and the children of today would be the young and passionate leaders of tomorrow. I dare say, maybe some of those young and passionate leaders like the Member for Oropouche West, who is here today in this House that it is incumbent on all of us—young and old, rich and poor, black, brown or white, no matter what our political affiliation—to recognize that the best contribution that we can make today is to do all in our powers to create an environment to nurture and care for our nation's children.

Children's Authority (Amdt.) Bill
[HON. DR. A. BROWNE]

Friday, June 13, 2008

For the sake of our beloved country, it is incumbent on each of us as politicians, parents, teachers and business leaders to safeguard the well-being of every single child in this society. It was Nelson Mandela who said: "There can be no keener revelation of a society's soul than the way in which it treats its children." There are those on the other side who are very familiar with the thinking of Mr. Nelson Mandela.

Some aspects of this caring vision are already in place, and the children of our country today have prospects for education, nutrition, health, training and employment that are light years ahead of their predecessors, and this must be acknowledged. Unfortunately, when it comes to their safety and security, there are critical steps that we have to take.

Today, with this Children's Authority Bill, Trinidad and Tobago takes one of the most critical of those steps.

Mr. Sharma: Two years too late.

Hon. Dr. A. Browne: It is now an unfortunate reality that almost every week the citizens of this thriving nation are confronted by monstrous crimes against children—

Hon Member: Every day.

Hon. Dr. A. Browne:—and we are bombarded with multiple cases of parental neglect and abuse. This Bill and other related Bills will introduce comprehensive systems and procedures for the protection of our children against abuse, exploitation, neglect and violence.

On behalf of the Government of Trinidad and Tobago, I extend sincere condolences to the families of all the children we have lost, regardless of the cause or circumstances.

Mr. Speaker, I crave your indulgence to quote Mr. Mandela for one final time. He said that safety and security do not just happen, and they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens of our society, a life free of violence and fear.

Mr. Speaker, we must all be outraged at the vicious attacks perpetrated against our children. Let us always be loud in our condemnation of such attacks. Let us be bold in our desire to effect change but, most importantly, let us act in unison now to stop the violence.

Now, I know that the temptation must be quite strong on the other side to turn this debate—

Mr. Sharma: Do not anticipate.

Hon. Dr. A. Browne:—into a political circus—that is exactly what the Member is trying to do—with back and forth on UNC and PNM action and inaction and there is more than enough of that to go around. What the population wants and what our families want is that today all of us treat this issue as a national issue and not as a political football. Is that too much to ask for? Is that too much to expect?

Mr. S. Panday: What are you getting on so for? We are supporting the Bill.

Hon. Dr. A. Browne: We could fight each other and stretch this debate out for weeks or even months over every child that we have lost over the last 20 years and who to blame—the Government, the Opposition, the father, the mother, the police, the social worker, the teacher, the nurse or the man who made the knife or the gun or the poison.

We could traumatize the families afresh by calling out the names of each child in this House without the families' consent, as has been done in the past, and spend the time exploring whether the UNC or the PNM has greater legal expertise or greater caring. We could do all that or we could do what every NGO, every activist, every parent and every child in this country would like us to do, and that is to embrace this Bill in the interest of our country, with the same embrace we would give our prodigal son who has returned home positively transformed and much improved and ready to serve the family and improve the future of our children.

Too many of our little ones are faced with situations or emotional neglect, abuse and exploitation—too many of our little ones and some of our big ones as well. All too often, these threats to their well-being stem from the very persons who we expect to nurture, care and protect them.

Children must be nurtured in an environment that safeguards and protects their psychosocial, physical and educational support, their rights to same, as well as their rights to mental, spiritual, moral and social development, quality health care and their rights to have their opinions and their voices heard and respected. All our children deserve that—a national issue as opposed to a political football. I do not believe that is too much to expect.

It would be remiss of me if I do not pause for one second to commend and recognize the contribution of the hon. Member for Tabaquite, in his absence today, and the other persons who put genuine efforts into drafting the original

Children's Authority (Amdt.) Bill
[HON. DR. A. BROWNE]

Friday, June 13, 2008

package of children legislation which was passed in September, 2000. We commend those efforts. However, even while recognizing the importance of implementing the package of children legislation, the government that came into power at the end of 2001, fully understood the necessity of ensuring that any legislation to support the rights of our children must be fully assessed, and particular efforts would need to be mobilized to ensure that each of the respective Bills was in synergy with the other, and that each Bill was functional in its practical applications.

Now, it is very easy to find stakeholders who have all the answers in our country and those who might criticize the pace of progress with the children legislation, but I ask you to consider these words: If you want to move forward fast, move on your own, but if you want to move further, move together.

2.45 p.m.

In this vein of moving together to effect long term and meaningful change for our children, the then Attorney General appointed a family court committee comprising key stakeholders from the Judiciary, the Ministry of the Attorney General, the Social Services Delivery Division of the Office of the Prime Minister, the Law Association and representatives from non-governmental organizations, to identify ways in which measures could be introduced to enhance the functioning of the present family jurisdiction of the court and design a family court system for Trinidad and Tobago.

This committee reviewed in detail the package of legislation and consulted with a range of other stakeholders and experts, and subsequently presented comments and recommendations to the then Attorney General and the then Minister of Social Development. This led to new amending legislation, with which many of us are quite familiar, the Children's Authority (Amdt.) Bill, the Children's Community Residences, Foster Care and Nurseries (Amdt.) Bill, the Adoption of Children (Amdt.) Bill, the International Child Abduction Bill, the Family Court Bill, the Children Bill and the Status of Children (Amdt.) Bill.

It is important to note that these pieces of legislation are critical, as they bring our country into much closer compliance with its international obligations under the United Nations Convention on the Rights of the Child. As Members of this honourable House are well aware, in 1989 the UN General Assembly adopted the Convention on the Rights of the Child, which has since been ratified by 192 countries, including our own.

In addition, this country is signatory to the Declaration on Survival, Protection and Development of Children, which was adopted at the 1990 World Summit for Children. Trinidad and Tobago also accedes to A World Fit for Children, the outcome document of the UN General Assembly Special Session on Children held in May, 2002. Much more important than any international obligation is our society's obligation internally to our own children. Under no circumstances does this Government intend to leave the welfare of our children to chance.

The pieces of legislation, which this Government seeks to enact, are significantly different from those which were examined in this honourable House in the year 2000. The Bills that would be brought to this honourable House, of which the Children's Authority (Amdt.) Bill is now being laid, reflect a keen insight and concern regarding the needs of children across our country. The Bills also demonstrate an understanding of the institutions and processes, which must be put in place to counteract and prevent unacceptable levels of violence, neglect and abuse, which unfortunately continues to be the reality of several of our nation's children.

In its original form, the Children's package comprised five Acts and one draft Bill: The Children's Authority Act, No. 64 of 2000, with a minor amendment by the Children's Authority (Amdt.) Act, No. 8 of 2003; the Children's Community Residences, Foster Homes and Nurseries Act, No. 65 of 2000; the Miscellaneous Provisions (Children) Act, No. 66 of 2000, proclaimed on November 06, 2000; the Adoption of Children Act, No. 67 of 2000, with a minor amendment by the Adoption of Children (Amdt.) Act, 2003; the Children (Amdt.) Act, No. 68 of 2000 and a draft Family Court Bill.

Mr. Speaker, the rationale for the establishment of a Children's Authority is now quite familiar to the national community of Trinidad and Tobago. The provision of services which address the welfare of our nation's children is currently conducted by numerous and disparate diverse bodies, including non-governmental organizations; state supported boards; churches; child psychologists; pediatricians; social workers; medical social workers; school social workers; guidance officers; foster care families; adopted families; various arms of the police service and others, who in many cases have performed very well and in some cases have performed not so very well.

We all recognize the need for a more organized and coordinated approach toward an efficient and cohesive strategy for protection of children at risk and our nation is by no means alone in this regard. The Children's Authority Act would create the Children's Authority, which is intended to be the agency that will fill this

void and this need for coordination. This authority is to be responsible for the well-being of all our nation's children, providing care and protection for children in especially difficult circumstances and ensuring the provision of alternatives for children whose families have failed them, whether in residences, foster care or adoption.

The original concept of the children's authority was that of an independent authority, which would work together with the Minister to whom the responsibility for the welfare of children is assigned. The policy document that gave rise to the Act stated that the mission of the authority would be to ensure that a coordinated and integrated package of social services, both preventative and curative, is provided for all children and their families.

This policy statement further indicated that the functions of the authority would be to provide immediate protection for all children; to maintain reception centres for the intake of children at risk; to regulate the operations of all child care centres for children in need of care and protection; to ensure that ongoing prevention strategies are implemented by social agencies; to establish and monitor foster care services; to facilitate the adoption of children and to provide legal representation and guardian ad litem services for children within the court system.

However, the committee that reviewed the Act identified the need to strengthen and improve a number of areas in the legislation to make it properly operational. The committee also noted that the provisions which had been inserted into the Act with the intention of complying with the obligations assumed when this country became a signatory to the Hague Convention on the Civil Aspects of International Child Abduction were inadequate for this purpose, and they recommended that this should be the subject of a separate piece of legislation.

That resulted in the creation of the International Child Abduction Bill, which we have already debated in the Lower House and also in the other place, and which was passed recently. It was also pointed out that the authority in the initial design was given very wide powers, insufficient checks and balances and it was felt that it was likely to be brought before the court with an unacceptable degree of frequency in judicial review proceedings.

It was also noted that parental appeals were not adequately provided for in the authority's procedures and that the voice of the child was not sufficiently provided for. And it is very, very important, Mr. Speaker, both under our international and national obligations that the voice of the child must be heard in any proceedings related to that child.

Mr. S. Panday: Even if he is crying.

Hon. Dr. A. Browne: Not a political football, Member for Princes Town North. [*Crosstalk*] In examining the operations of the authority in various countries besides our own, it was observed that provision is normally made for the child to be represented by a children's advocate. The Act had not provided for this in its original form.

The original legislation also put responsibilities on other state institutions, which would be in conflict with their own governing legislation and which they would not be able to perform. An example of this is the fact that the Act put an obligation on the Chief Immigration Officer to prevent persons from leaving this jurisdiction without even the benefit of a court order; that would have been very hard to fulfil.

The legislation also did not provide for day-to-day decision making within the authority but appeared to require the board to make all the operational and operative decisions. It was also pointed out that the obligation to monitor agencies which address children's issues, needed to be much further clarified and extended to include all public, private and non-governmental agencies that deal with children.

Finally, it was felt that the role of the Minister, as stated in the Act, should be reviewed and yes, reduced. In particular, it was felt that appeals against the decisions of the authority should not be directed to the Minister, but to the Family Court. The Children's Authority (Amdt.) Bill, 2007, was finally introduced into the Parliament in 2007 and lapsed on the prorogation of the Eighth Parliament.

A further review and update of the legislation was carried out and the Cabinet agreed to make a number of amendments to the Children's Authority (Amdt.) Bill, which now in its current form, seeks to establish a children's authority with specific responsibilities:

- to oversee and monitor children's residences, nurseries and foster care homes, as well as issue and revoke licences for residences and nurseries;
- to receive applications, investigate and make recommendations to the court with respect to adoption;
- to provide care, protection and rehabilitation for children;
- to investigate any reports of mistreatment of children;
- to provide support services to children while they are living with their families;

- to operate reception and assessment centres; and
- to provide hostels for children over the age of 16 years.

Now, Mr. Speaker, we must be very clear that the mere passage of these children's Bills alone will not automatically result in complete safety for our next generation. Every stakeholder, including parents and the children themselves, has a very critical role to play with respect to alertness, awareness, responsiveness and improved communication. I sincerely believe that the social sector has a central role to play in this regard and key aspects of this sector certainly require urgent attention.

To that end, we have developed a number of proposals to attract precious human resources back into our social services, using contract positions, allowances, awards, scholarships and bursaries. As mentioned by the hon. Member for Siparia—who is not here with us today—our national Family Services Division does require strengthening and we are now seeking to recruit well over 100 new staff members in this way, so that the front lines of our social sector would be much better served.

We are also building a new relationship with the NGO sector and are establishing a dedicated unit to treat with the needs of those civil society organizations. Much has already been said about the decentralization of social services, which will be piloted in the second half of this year, but the immediate focus must also be on quality service for our families and for our children.

The quality of the interface between our staff members and the vulnerable persons who need our help, must be sacred and must be improved; there can be no compromising on this matter. To that end, we have gone to the private sector to procure specialized professional training in quality customer service that would be provided—this training—to every single staff member of the Ministry of Social Development. We cannot become tolerant of complaints from the persons, families and children who need help the most about the manner in which they are served.

In addition, a multi-disciplinary committee has been set up to facilitate the rapid establishment of the Children's Authority, once this Bill is enacted and proclaimed. This hard working team has been fleshing out the various physical arrangements needed for the authority and its reception and care centres, as well as logistics and terms of reference for the proposed staff.

Mr. Speaker, I shall now go through the Children's Authority (Amdt.) Bill, 2008, clause by clause. The Bill in its preamble indicates that the Act shall have

effect even though it is inconsistent with sections 4 and 5 of the Constitution and is one which has been passed by both Houses of Parliament with a final vote of not less than three-fifths of all the Members of both Houses. That is significant.

3.00 p.m.

Clause 1 of the Bill contains the short title. Clause 2 declares that this Act shall have effect even though inconsistent with the Constitution. Clause 3 gives the interpretation of the word Act, and clause 4 of the Bill amends section 3 of the Act in a number of ways. The term Assumption Order by which the authority affirms the undertaking of the responsibility for the child under section 23 is completely deleted. This deletion is due to the fact that the authority now makes an application to the court for a wardship order under the Family Ward Act upon receiving a child into its care. Also, the amendment of section 3 of the Act involves the insertion of a new definition of "child in need of care and protection" as referred to in section 22 of the Act.

Other amendments include the provision of new definitions of the term "Children's Home" and the term "Community Residence", which now makes specific reference to the relevant definitions in the Children's Community Residences, Foster Care and Nurseries Act, again, the various bills speaking to one another in a much more cohesive manner. *[Interruption]* Also, by providing a new definition for the term "fit person" which now means a relative of the child or such other fit person, including a body corporate, authority, agency or society established for the reception of children and young persons to whom this Act applies and who is found by the court to be a suitable person to care for the child.

Mr. Speaker, we should note that the term "fit person" was not specifically defined in the Children Act which simply states: "'fit person' in relation to the care of any child or young person includes any society or body corporate established for the reception or protection of poor children or the prevention of cruelty to children". Also, by amending the definition of foster care and replacing homes with the word care in the last line of that definition. It is also the inclusion of a new definition of the term "imminent danger", which means likelihood of physical, emotional, mental or psychological harm.

There is also an amendment to the definition of "Minister" to mean the Minister with responsibility for the Children's Authority. This particular amendment attempts to deal with the fact that the words of the previous version, "Minister to whom the responsibility for the welfare of children is assigned" actually refers to a responsibility that is shared amongst several different ministries such as the Ministry of Social

Children's Authority (Amdt.) Bill
[HON. DR. A. BROWNE]

Friday, June 13, 2008

Development, the Ministry of Education and the Ministry of Sport and Youth Affairs. We also provide a new definition of “rehabilitation centre” which has the meaning assigned to it by the Children's Community Residences, Foster Care and Nurseries Act. Again, the Bills functioning in a more cohesive fashion.

We also expanded the definition of a relative to include a brother or sister, whether of whole or half-blood and an uncle or aunt, whether of whole or half-blood, and the definitions of “young person” and “temporary assumption” were deleted.

Clause 5 of the Bill amends the Act as follows: It provides that that word “care” replaces the word “homes” in the Children's Community Residences, Foster Homes and Nurseries Act, and deletion of the words “Reception Center” and “Reception Centers” and replacing them with a different spelling; that is an editorial amendment.

Clause 6 of the Bill introduces a new section 3A which establishes the objects of the Act which are to promote the well-being of a child in Trinidad and Tobago and to provide care and protection for children in specially difficult circumstances and also comply with the obligations under the United Nations Convention on the Rights of the Child.

Clause 7 of the Bill amends section 5 of the Act with some editorial amendments and deleting subsections (c), (e) and (g) and an amendment to subsection (f). The new subsection (5)(1) states that the Authority may have and exercise such powers and functions which are conferred and may provide care, protection and rehabilitation of children in accordance with Part III of this Act, may investigate and make recommendations with respect to the adoption of children in accordance with the Adoption of Children Act—and this is a new function of the Children's Authority which must now exercise certain powers with regard to the adoption of children via a subunit of the board.

Also, investigate complaints made by any person with respect to any child who is in the care of a community residence, foster care or nursery, that the said residence, home or nursery failed to comply with the requisite standards prescribed under the Children's Community Residences, Foster Care and Nurseries Act. Investigate complaints or reports of mistreatment of children; upon investigation remove a child from his home where it is shown that the child is in imminent danger. Very important function. Also, monitor community residences, foster homes and nurseries and conduct periodic reviews to determine their compliance with such requirements as may be prescribed.

Issue, suspend and revoke licenses of community residences and nurseries as provided under the Children's Community Residences, Foster Care and Nurseries Act; advise the Minister on matters relating to the operations of this Act, and do all such things as may be necessary or expedient for the proper performance of its duties.

Clause 7 also introduces a new section 5(2) of the Act: The Authority to provide the following additional services to children in need while they are living with their families: advice, guidance and counselling; occupational, social, cultural or recreational activities; facilities for or assistance with travelling to and from home to utilize service provided by the Authority or any similar service.

Clause 8 of the Bill deletes section 5A(1) of the Act, which states that the authority would be the central authority for the purposes of the Hague Convention. This is now dealt with in the International Child Abduction Bill, 2008. The new section 5A. gives the Authority powers in relation to the adoption of children which were formerly exercised by the Adoption Board as follows:

- “(a) receive applications from parents, guardians and prospective adopters of children;
- (b) make”—necessary—“investigations concerning the adoption of children for the consideration of the Court...;
- (c) make recommendations to the Court as to whether adoption is in the best interest of a”—particular—“child;
- (d) advise the Minister”—on matters involving—“adoption; and
- (e) listen to the views of the child.”

This is another major change, Mr. Speaker, brought about in this Bill that ensures that the voice of the child can now be specifically heard in the Act.

Clause 9 of the Bill amends section 6 of the Act by deleting section 6(1) which deals with the general duties of the Authority and the new section 6(1) lists the duties of the authority as follows:

- “(a) promote the well being of the child;
- (b) recognize and give effect to the right of the parent to be heard and the right of the parent to a fair hearing;
- (c) act as an advocate to promote the rights of all children in Trinidad and Tobago;

- (d) take all reasonable steps to ensure the availability of accommodation necessary for compliance with this Act;
- (e) take all reasonable steps to ensure the availability of staff"—at all levels—"required for the proper implementation of the Act, inclusive of programmes for training;
- (f) take all reasonable steps to prevent children from suffering ill-treatment or neglect;
- (g) promote contact between the child and—
 - (i) his parents;
 - (ii) any person who is not his parent but who has parental responsibility for him; or
 - (iii) any relative, friend or other person connected with him, except where it is not (necessarily) practicable or (where it) is prejudicial to the welfare of the child;
- (h) exercise such powers as are conferred on it by this Act and as may be necessary with respect to any child so as to serve the best interests of that child;
- (i) make use of such facilities and services available for children that are provided by other agencies or institutions, as appears reasonably necessary to the Authority."

Clause 9 of the Bill also amends section 6(2) of the Act by some editorial amendments and more significantly by inserting after paragraph (c) the following new paragraphs:

"(ca) where appropriate, preserving the family unit and reuniting the child with his relatives at the earliest opportunity;"

where appropriate.

"(cb) the right of the child to the enjoyment of family life;

(cc) the right of the child to be heard;

(cd) the right of the child to representation and a fair hearing; and

(ce) any other relevant support necessary for the well being of the child."

- (v) in paragraph (f), by inserting the word... 'other' ...before... 'the';"

Again, some editorial comments.

“(vi) ...by inserting after the words ‘domestic violence’ the words ‘or any other form of abuse’;”

And further editorial amendments.

Clause 10 of the Bill amends section 7 to change the composition of the board which shall now consist of no more than 11 persons and no less than seven. Having regard to the existing human resource constraints in our country, the Act would now require either a child psychologist or child psychiatrist rather than both of these disciplines.

The representative of the Tobago House of Assembly would be required to have experience in children's issues, and the Director of the Children's Authority would be an ex officio member of the Board. The clause also makes a number of additional amendments. Firstly, in subsection (7)(e), by deleting the words “two consecutive meetings” and substituting the words “three consecutive, duly constituted meetings”, raising the bar. Also, in subsection (9), there are some additional editorial comments, and in subsection (10), by deleting the word “seven” and substituting the words, “five inclusive of the Chairman or Deputy Chairman”—with reference to a quorum;—by inserting after subsection (10) the following new subsections:

“(10A) Where a decision is to be made by the Board and the number of members sitting to vote is even, the Chairman shall have a casting vote.

(10B) Where members are temporarily unable to perform their duties, the President may appoint other persons to act in their stead.”

Clause 11 of the Bill introduces a new section 7A(1) which allows for the establishment of a committee of the Board to deal with matters relating to the adoption of children. I have already treated with that provision.

Section 7A(2) indicates that the committee shall consist of persons who have the following qualifications:

- “(a) paediatrics;
- (b) law;
- (c) child psychology or child psychiatry; and
- (d) social work.”

The committee shall also include the nominee of the Tobago House of Assembly with experience in children's issues the representative of a non-governmental organization, and also the head of the Adoption Unit." Subclause (3) states that a decision of the Adoption Committee on such matters shall be a decision of the Authority's Board. Whilst subclauses (4) and (5) provide for the election of a Chairman of the Committee and for the committee to regulate its own procedure.

Clause 12 of the Bill amends section 8 as follows:

"subsection (1), by deleting the words 'Chairman, or in his absence the Deputy Chairman' and substituting the words 'the Director'."

Again, it was found that the Act placed too much operational responsibility on the board as opposed to the directorate of the authority. Also, in "subsection (2), by deleting all words after "an instrument" and substituting the words "by the Director or the Secretary." In "subsection (3), by deleting the words, 'Chairman, or in his absence the Deputy Chairman' and substituting the words "Director, Secretary or...any...other persons authorized to do so by the Board."

3.15 p.m.

Clause 13 of the Bill amends section 9 to allow for service to be effected upon the director of the authority rather than the chairman of the authority.

Clause 14 of the Bill amends section 10 to provide for appointments to the positions of deputy director and assistant director. The new section 10(2) allows for the board to regulate its functions to the director of specific offices in the authority's employ. This was introduced because it was felt that, as previously stated, the board could only delegate its functions to the director which could limit its effectiveness and continuity.

Clause 15 of the Bill amends section 11 by deleting the existing units and replacing them with a provision that allows the Minister to prescribe such units and centres, as advised by the board. The amended section however, specifically provides for an adoption unit and a foster care unit, and it was felt this really would be a much more practical arrangement for the proper functioning of the authority.

Clause 16 deletes sections 12 and 13 of the Act, since the coordinating unit and the administrative unit which were previously specified would no longer exist.

Clause 17 of the Bill amends section 14, in order to authorize the authority to maintain assessment and support and reception centres. The assessment and support centres have the responsibility for the initial assessment and referral of

children who come to the attention of the authority, and where necessary, will liaise with the supporting agencies to deal with their issues. This clause also amends the Act and extends the period of the time for a child to be in a reception centre from six weeks to 12 weeks.

Clause 18 deletes section 15 of the Act as the previously specified research unit would no longer exist or be specified.

Clause 19 of the Bill amends section 17 of the Act which deals with transfers of officers in the public service on secondment, to permit such arrangements for a maximum of five years.

Clause 20 makes some minor editorial changes.

Clause 21 also amends section 19 to remove the reference to approved pension scheme and substitute to an approved pension plan. This clause also removes the power formerly given to the authority, to give donations or subscriptions to charitable institutions or benevolent funds.

Clause 22 of the Bill amends section 21 of the Act to make it obligatory that the authority follows general or special directions given in writing by the Minister.

Part III of the Act which deals with children in need of care and protection, sees the insertion of a new section 22(1) by clause 23 which provides for the following:

“(1) Where the Authority is of the view that a child is in need of care and protection and that its intervention is necessary in the best interest of the child, it shall investigate the matter and it shall be lawful where appropriate for the Authority to receive the child, into its care.”

The new section 22(1A) also provides that:

“(1A) A child is in need of care and protection where the child—

- (a) has neither parent nor guardian who is fit to exercise care and guardianship;
- (b) is lost or has been and remains abandoned by his parent or guardian;
- (c) whose parent or guardian is prevented by—
 - (i) reason of mental or bodily disease;
 - (ii) infirmity or other incapacity; or

- (iii) any other circumstances, from providing for his up-bringing, and there is no available person or persons capable, fit or willing to undertake the care of such child;
- (d) is exposed to moral danger;
- (e) is beyond the control of his parent or guardian;
- (f) is ill-treated or neglected in a manner likely to cause him suffering or injury to health;
- (g) is destitute or is wandering without any settled place of abode and without visible means of subsistence;
- (h) is begging or receiving alms;
- (i) is found loitering for the purpose of begging or receiving alms;
- (j) frequents the company of any criminal; or
- (k) frequents the company of any common or reputed prostitute not being the mother of the child.”

Clause 24 of the Bill deletes sections 23 and 24 of the Act and provides for the authority to receive the child into care by way of wardship proceedings. The procedure now entails that the authority approach the court for the child to be made a ward of the court and requires the parent to be joined in said proceedings. I am glad that particular provision meets with the distinguished approval of Princes Town North. That is quite pleasing.

Provision is also made for parents or guardians to object to the wardship order in specific ways as follows:

- “23(1) Where the authority receives a child into its care under section 22, it shall immediately make an application to the court for—
 - (a) a Wardship Order under the Family Law (Guardianship of Minor, Domicile and Maintenance) Act to be made in respect of the child...
- (2) Where the Authority makes an application for a Wardship Order in pursuance of subsection (1), the Authority shall join the parent or guardian of the child in the application.
- (3) An application for an interim order under subsection (1) may be made ex parte.”

24—Where the Authority takes the child before the court for an Order under section 25, the parent or guardian of the child may object to the Order made by the court under section 25. Mr. Speaker, some critical amendments.

Clause 25 of Bill deletes section 25 of the Act and replaces it with the list of Orders which the court can now make in respect of a child, and these are as follows:

- “(a) a Family Assistance Order;
- (b) a Secure Accommodation Order;
- (c) a Care Order;
- (d) a Child Assessment Order;
- (e) an Emergency Protection Order;
- (f) a Recovery Order;
- (g) a Fit Person Order under the Children Act;
- (h) a Recognisance Order;
- (i) a Foster Care Order;
- (j) an Order freeing a child for adoption;
- (k) a Contribution Order under section 44; or
- (l) any other Order ... as the Court thinks fit.”

Clause 26 of the Bill inserts new sections 25(A) to 25(J) which provide specific details of the Orders listed in section 25. I will give some details:

“25A. A Family Assistance Order made under section 25(a) shall be for the purpose of counselling and any other relevant assistance deemed necessary for the well being of the child.

25B. A Secure Accommodation Order made under section 25(b) shall be for the purpose of restricting the liberty of the child where it appears to the Court that the child has a history of absconding and is likely to abscond from another type of accommodation where the child is likely to—

- (a) suffer significant harm if he absconds; or
- (b) injure himself or other persons if he is kept in any other kind of accommodation.

- 25C. (1) A Care Order made under section 25(c) shall be for the purpose of placing a child under the care of the Authority or a community residence.
- (2) A Care Order under this section may be made on the application of the Authority, a probation officer or an officer of the National Family Services Division of the ministry with responsibility for the delivery of social services.
- 25D. (1) A Child Assessment Order made under section 25(d) shall be for the purpose of assessing—
- (a) the state of a child's health;
 - (b) the child's development; or
 - (c) the manner in which the child has been treated.
- (2) The Court may make a Child Assessment Order where it is satisfied that—
- (a) the applicant has reasonable cause to suspect that the child is suffering or is likely to suffer...—significant—“harm;
 - (b) such an assessment is required to enable the applicant to determine whether or not the child is suffering or is likely to suffer harm; and
 - (c) it will be unlikely that an assessment will be made or be satisfactory in the absence of the order.
- (3) A Child Assessment Order—
- (a) shall specify the period of application and the date on which the assessment is to begin; and
 - (b) may require the medical, psychiatric and psychological examination of the child.
- (4) Where a Child Assessment Order states that the child shall be kept away from his home, it shall specify that the conditions under which the child may be so kept, including the degree of contact with other persons—that he may be allowed—“during that period.
- (5) Where the Court makes a Child Assessment Order, the person who is in de facto control of the child or who is in a position to produce

the child, shall comply with any direction in the Order and produce the child to the person named in the Order.

- 25E. (1) An Emergency Protection Order under section 25(e) shall be made where the Court is of the view that—
- (a) the child is likely to suffer”—significant—“harm;
 - (b) enquiries as to whether the child is suffering or is likely to suffer”—significant—“harm are being frustrated by access to the child being unreasonably refused and the applicant has reason to believe that access to the child is required as a matter of urgency.
- (2) An Emergency Protection Order may—
- (a) direct a person named in the Order and who is in de facto control of the child or who is in a position to do so, to produce the child to the applicant;
 - (b) authorize the removal of a child from any place or the detention of a child at a community residence at any time;”
 - (c) authorize the prevention of a child's removal—“from any place at which he was being accommodated immediately before the order was made;
 - (d) give the applicant parental responsibility for the child;
 - (e) limit the applicant to the exercise only of those powers which are specified in the Order;
 - (f) determine the contact which is or is not allowed with any named person; and
 - (g) require the medical, psychiatric and psychological examination of the child.
- 25F. (1) A Recovery Order under section 25(f) may be made where it appears to the court that there is reason to believe that a child—
- (a) has been unlawfully taken or is being unlawfully taken away from the person who has parental care and responsibility for the child;
 - (b) has run away or is staying away from the person who has parental care and responsibility for him; or

- (c) is missing.
- (2) A Recovery Order shall—
 - (a) direct any person who is in a position to do so, to produce the child on request to —
 - (i) any person specified in the Order;
 - (ii) a police officer; or
 - (iii) any other person who is authorized by the parent or any person in whose favour a Care Order or an Emergency Protection Order is made, after the Recovery Order is made;
 - (b) authorize the removal of the child by any of the persons under paragraph (a); or
 - (c) authorize a police officer to enter premises specified in the order to search for the child, using reasonable force if necessary.”

Hon. Member: They must be properly trained.

Hon. Dr. A. Browne: Reasonable force.

Mr. S. Panday: Community Police.

Hon. Dr. A. Browne: Familiar words. I continue:

- “25G. A Fit Person Order made under section 25(g) shall be an order under the Children Act directing a child to be put in the care of a fit person.
- 25H. A Recognizance Order made under section 25(h) shall direct the parent or guardian of a child to enter into recognizance to exercise proper care and guardianship over the child.
- 25I. A Foster Care Order made under section 25(i) would direct the foster care unit under the Community Residences, Foster Homes and Nurseries Act, to place the child in foster care.”

3.30 p.m.

“25 J An order freeing a child for adoption made under section 25(j) shall make the child available for adoption under the Adoption of Children Act.”

Clause 27 deletes sections 26 and 27 of the Act and substitutes new sections

26 and 27. The new section 26 would empower the court to appoint a guardian ad litem for any child before it, where it deems necessary to so appoint. The new section 27 empowers the court to make an order requesting the Attorney General to assign an appropriate officer from the Civil Law Department to represent any child before the court, where the court deems it necessary to do so.

Clause 28 amends section 28 by deleting paragraph (a) and increasing the penalty for persons who assist, induce or attempt to induce a child to run away or harbours or conceals such a child. The penalty for this offence is increased from \$1,500 and community service, to imprisonment for not less than 25 years.

Clause 29 deletes section 29 of the Act which dealt with the making of assumption orders. Clause 30 amends section 30 of the Act by first deleting the reference to assumption orders and replacing this with the child being received into the care of the Authority. The clause also replaces the phrase "Psychiatric Hospital Director of the institution" with the phrase "director of a psychiatric hospital".

Clause 31 amends section 31 of the Act with some editorial amendments. Clause 32 deletes section 32 of the Act and substitutes a new section to deal with persons leaving the country without making proper arrangements for their children. The section now provides that the Authority must apply to the court in order to prevent such persons from leaving the country, rather than to the Chief Immigration Officer, as was the case in the pre-existing Act.

Clause 33 deletes section 33 of the Act; the replacement, section 33(1) now provides that the court referred to in that section is a court with criminal jurisdiction, and also requires that it ensures that children covered by this section are brought to the attention of the authority. Subsection (2) allows the Minister to amend the Schedule by order.

Mr. Speaker, clause 34 is an editorial amendment. [*Interruption*]

Mr. S. Panday: "Skip dat one!"

Hon. Dr. A. Browne: Clause 35 amends section 35 of the Act to allow the Authority to help defray the cost of a child who is over 16 years of age and staying in a hostel. Clause 36 deletes section 35 of the Act which allows the President to convey land to private individuals for the establishment of community residences.

Clause 37 amends section 36 of the Act to allow the Authority, with the court's permission, to assist with the immigration of any child within its care as follows:

“In subsection (1), by deleting the words

'consent of the Minister, procure or assist in procuring the emigration for" and substituting the words 'permission of the Court, assist in the emigration of';

in subsection (2),

by deleting the words 'Minister shall not give his consent' and 'he' and substituting the words 'Court shall not give its permission' and 'it' respectively;

in paragraph (a), by deleting the words 'benefit the child' and substituting the words, 'be in the best interest of the child';

in paragraph (b), by inserting after the word 'reception' the words 'and the necessary legal requirements for the immigration of the child in the destination country is met'."

There are some editorial amendments in paragraph (c); in paragraph (e) by deleting paragraph (e) and substituting the new paragraph (e) which reads "the wishes of the child have been taken into account", and deleting subsection (3).

Clause 38 deletes section 37(3) of the Act which allowed the Authority to recover burial or cremation expenses from the parent or guardian of a child. Clause 39 amends section 39 of the Act which deals with the contribution of parents for children in the care of the Authority. Clause 40 amends section 40 of the Act to include a reference to the Status of Children Act; again, the Bills speaking to one another in a more synergistic fashion.

There are minor amendments through clause 41.

Clause 42 deletes subsections (2) and (3) of section 43 of the Act. Clause 43 amends section 44 of the Act to include a reference to the term "contribution order".

Clause 44 has an editorial amendment.

Clause 45 makes alterations to section 50 of the Act and provides that regulations would now be subject to a negative rather than an affirmative resolution of Parliament.

Clause 46 of the Bill introduces a new section 51 to allow the Rules Committee of the Supreme Court of Judicature to make rules for the purposes of the Act. This clause also creates a new section 52 which states that the applications for judicial review of the Authority's decisions must be made to the Family Court.

Clause 47 amends the Act's Schedule to delete some incomplete references.

Mr. Speaker, that completes the clause by clause examination.

It is critical that this legislation be enacted as it is imperative that adequate systems are in place as soon as possible to better serve the interest of our children and preserve the future of the next generation for Trinidad and Tobago. It is the hope of many persons from all walks of life in our national community that we treat this Bill as a national issue and not as a political football.

A writer once said that hope is a great thing; maybe it is the best of things; and no great thing ever dies. I hope that we all do more to protect our loved ones and our children. I hope that we could return to the values of love and family in this country. I hope that from Sunday 15 and onwards, more and more of our beautiful children would be able to look a responsible adult male in the eyes and sincerely declare, "Happy Father's Day".

Mr. Speaker, I beg to move.

Question proposed.

Miss Mickela Panday (*Oropouche West*): Mr. Speaker, as the Member of Parliament for the constituency of Oropouche West, I thank my constituents for the opportunity to make my contribution in this House. Let me begin by setting the record straight and by stating, at the outset, categorically, with all due respect to the Minister of Social Development, that there is absolutely nothing that he or his Government could do to justify their failure to implement this legislation, which would have protected so many of our nation's children. [*Desk thumping*]

Today, the Government's incompetence in bringing this legislation is painted in the blood of innocent children who have been murdered, raped and abused, and those who continue to be subjected to the most horrendous circumstances, because the PNM decided that petty politics was more important than the lives of our children. [*Desk thumping*]

Mr. S. Panday: Yeah, yeah, yeah!

Miss M. Panday: Although I am angered by the fraud this minister has tried to perpetuate here today and by the suffering that our nation's children have been forced to endure because he and his colleagues prefer to play political games, it is not by any means my intention to deliver any personal attack or criticism on the Minister himself. I appreciate that he speaks on behalf of the Government and on behalf of the PNM, so in my contribution today I intend to deal with the record of the Government. [*Desk thumping*]

The blood of every child who has been killed, the pain and scars of every infant that has been raped and abused for the entire period that this Government

has been in office is on the hands of the PNM. [*Desk thumping*] I say that because the way this Government comes to the Parliament week after week, blaming the UNC for their own shortcomings, you could be forgiven for thinking that it was the UNC that was in government for the last six years. But that strategy would not work this week; it could not work because no excuses, no amount of bravado and fanfare could mask the damage that has been done or bring back the precious lives that have been lost. [*Desk thumping*]

Mr. Speaker, this Government should be condemned for not implementing the 2000 children legislation package, because to date they have not been able to give this House or the public a good reason for why it has taken so long to do so. What the Government does not realize is that the implementation of this legislation is not about PNM and UNC; it is about:

- the 13-year-old girl from Roxborough, Tobago who was raped by a 19-year-old man;
- Brandon Ganesh Calica, 15 years old, who was beaten with a bat; the 14-year-old schoolgirl who was held against her will by a man in Sangre Grande, who was raped and tortured;
- Sade Myers, 18 years old, from Laventille, who was shot dead close to her home;
- Akeem James, 18 years old, from Caledonia, Morvant, who was also shot;
- Keston Lewis, 16 years old, from Picton, Laventille, who was gunned down;
- Kerry Maharaj, 17 years old, from Sugar Trace, Balandra, who was stabbed at his home;
- Roshwan Williams, 17 years old, from Maloney, who was shot dead while liming with his friends;
- Kashim John, 17 years old, shot dead by the police;
- Shaquille Roberts, 16 years old, from Laventille, who was stabbed;
- Nigel Baptiste, 16 years old from Rose Hill, Laventille, who was shot dead less than 100 metres from Mango Rose Police Post;
- Shivonne Depradine, 16 years old, from Barataria, who died from a single gunshot wound to the back of the head;

- Kennedy Sean Deolal, four years old, from Cunupia, who was poisoned;
- the 13-year-old girl who was raped and threatened with death by an ice cream salesman;
- Daniel Drickpaul, five years old, who was beaten unconscious by a relative;
- Revon Buckmire, 18 years old, from Morvant, who was shot dead;
- the 15-year-old girl from San Fernando, who was fondled by a Public Transport Service Corporation (PTSC) driver;
- Kyle Merritt, 17 years old from Morvant, who was also shot dead;
- Alonzo Pierre, 15 years old, from Cumuto, who was stabbed to death;
- a 12-year-old from Couva who was gang raped;
- Hope Arismandez, eight years old, from Chase Village, Chaguanas, sodomized, raped and cut open;
- Zion, five months old from Picton Road, Laventille, shot several times;
- a girl seven years old raped by 19-year-old man;
- Beesham Colero, 12 years old from Ten Mile Mark, Penal, beaten by a villager;
- Kerwin Mitchell, 17 years old, from Malick, killed in a shoot out with the police; and
- Vanessa Nandlal, 13 years old, from Clarke Road, Charlieville, kidnapped.

And that was just for 2008.

Hon. Members: Shame on you! Ooh!

Miss M. Panday: Mr. Speaker, that was beginning January 08 of this year, the day after the Minister was authorized, on behalf of the Cabinet, to make a statement on the status of children in Trinidad and Tobago. It is not just 2008, the blood of every child who has been killed, the pain and the scars of every infant that has been raped and abused for the entire period that this Government has been in office, from 2001 to date, is now on their hands.

3.45 p.m.

Mr. Speaker, today there is absolutely nothing anyone on the other side could ever say to justify why the Children's Authority legislation has been on the statute

Children's Authority (Amdt.) Bill
[MISS M. PANDAY]

Friday, June 13, 2008

book for seven years. [*Desk thumping*] The Children's Authority Act was passed by the UNC government together with several other pieces of legislation designed specifically to protect our children from abuse.

Mr. Speaker, it was passed to provide a statutory-based body to ensure the establishment and monitoring of rigid standards of care for dealing with potential problem cases and to provide recourse where there was none, to stop the abuse of our innocents.

The three bills, the Children (Amdt.) Bill, the Children's Authority Bill and the Children's Community Residences, Foster Homes and Nurseries Bill, were debated in 2000, eight years ago, sent to a joint select committee thereafter and were passed by both Houses with the support of the PNM. The Bills then received the assent soon after. So what was the problem with implementation? Why did the PNM refuse to implement what we all acknowledged was critically needed legislation? What was so wrong with the 2000 legislation that it could not be implemented without the proposed changes in the Bill, and more so, what exact changes does the current Bill offer which are so dramatic that the existing Act could not have worked without them? [*Desk thumping*]

I refer specifically to the Children's Authority (Amdt.) Bill, 2008. I have to tell you that from my reading of the legislation, the items listed are generally housekeeping in nature and frankly, there is nothing here which could have prevented the protection offered by the Children's Authority to be denied to the children of this country. [*Desk thumping*] More than that, I still cannot see what changes in the legislation were so substantial that they could have taken eight years to draft.

Mr. Speaker, today I call upon this Government, having gone through the Bill clause by clause, to advise this nation which of these amendments took eight years to draft. Was it the definition of the children's home? Because that itself is flawed in the amendment. Was it the introduction of new section 3A which specifies the objects of the Act? Mr. Speaker, as the debate continues my colleagues would go into more details of the superficial amendments, but for now, I want to make the point that there are no significant policy differences proposed by this Bill to the 2002 legislation.

There are minor operational issues which would improve the efficiency of what was enacted in 2000, but I see nothing which was so earth shattering that so many children had to die for. This Government allowed the rape and abuse of our nation's children for no other reason except political spite, and contrary to

anything, the Government would say here today that is the only answer or reason why this Government has allowed our children to be ravaged, emotionally scarred for life and murdered. [*Desk thumping*] It is pure unadulterated malevolence.

Mr. Speaker, it is the same reason they refused to implement the Equal Opportunity legislation, the Occupational Safety and Health legislation, the DNA legislation and so many critical crime-fighting and socially beneficial pieces of legislation. That was because they were viewed as UNC legislation and that has to be the most narrow-minded, myopic, callous, despicable and spiteful reason in the world to deny the protection of our children. [*Desk thumping*]

The Government cannot play with the lives of our children like that. This is not an issue for political games and the Government knows this. It is in this same Chamber that there have been repeated cries from Members on this side for the children's legislation to be implemented and time after time all the response has ever been were commitments by the Minister that the legislation was on its way but nothing ever happened. Surely there was no reason for the Government not to have implemented the legislation, but it is an issue of priorities because this is the same Government which was able to rush through multiple pieces of legislation for the World Cup Cricket but could not find the time to implement legislation for the protection of our children. [*Desk thumping*]

Mr. Speaker, it is an issue of priorities and we all know where this Government's priorities lie. When a Prime Minister could spend over \$150 million to build a palace, but cannot find the money to allow pensioners a decent standard of living we know where this Government's priorities lie. When, without blinking, a Prime Minister could throw a couple hundred million dollars behind a jet which would have cost \$2 million per month to maintain, when patients in need of surgery have no beds and have to be sent home or sleep on the floor of our nation's hospitals, we know where this Government's priorities lie. When there is a police commissioner who has presided over the worst levels of criminal activity in this nation's history and the Government extends his contract using taxpayers' money, but cannot give the disabled a decent grant, we know where this Government's priorities lie.

Mr. Speaker, if failing and refusing to implement the existing legislation for no apparent reason is not bad enough, continuing to mislead the nation into believing that protecting the nation's children was important to the PNM Government and that they were bringing new legislation just really adds insult to injury, and this has been taking place since 2005.

Children's Authority (Amdt.) Bill
[MISS M. PANDAY]

Friday, June 13, 2008

You will recall the Prime Minister in his 2005 budget speech came to this honourable House, and with a straight face solemnly promised to the nation that:

“The establishment of the Children’s Authority and the survey of Children’s Homes, which commenced in fiscal year 2004, will be finalized in the new year...”

That was in 2005. Mr. Speaker, 2004 came and went; in 2005 nothing; 2006, again no protection for our children; 2007, nothing. We are now in 2008 and only God knows if this legislation will ever be implemented, or whether it will be condemned to the dustbin in the Attorney General’s office. [*Desk thumping*]

Mr. Speaker, we on this side know and the country knows that the Government is aware of the critical nature of the legislation and how desperately it is needed. You need only look at the *Hansard* of October 27, 2006 where in response to a direct question asked by the Opposition on the time frame for bringing the children’s legislation to the Parliament, the then Minister of Social Development told the Parliament that it should be noted that the package of legislation is expected to be presented for the consideration of the Parliament by the end of 2006. And when further pressed for a specific deadline, the Minister insisted, and I quote:

“I advised that the legislation will be in the Parliament for amendment by the end of this year 2006.”

Needless to say, once more nothing happened, only lip service. Again, in his budget presentation for 2006/2007, the Prime Minister stated and I quote:

“Mr. Speaker, the Government is determined to address the scourge of child abuse in our society and to protect those vulnerable children who are most at risk of facing a myriad of negative outcomes including neglect, exploitation, malnutrition, and even death.”

He continued:

“Mr. Speaker, we will move decisively to establish the Children’s Authority following the requisite amendments to the legislation. The Children’s Authority will, in effect, function as the guardian of all the children of Trinidad and Tobago.”

That was in 2006, but the best was yet to come. Almost mind-boggling was the Government’s move on the eve of the general election last year, to attempt to fool the population yet again by placing six related pieces of legislation on the Order Paper.

Mr. Speaker, for the benefit of those who were not here, these Bills were laid in the House on September 10, 2000 and almost literally at the end of the last Parliament when it was clear that they would not have been able to undergo all the stages of enactment before the dissolution of Parliament of September 28, 2007, a mere 18 days later.

Even so, it still took this Government a full seven months to bring this legislation to the House which we know was ready, having already been laid in September and even at this 11th hour, this Government has shown no remorse in its failure to implement child protection legislation, having today brought it to the House in such a piecemeal fashion, with only two of the original bills laid last year being brought for debate.

Where is the amendment to the Adoption of Children Act, the legislation with regard to the establishment of the Family Court and more importantly, the bill whose title specifies its purpose as relating to the protection of children and for matters related thereto? I want to suggest that the Government stop wasting the Parliament's time, and stop the gimmickry with respect to these pieces of legislation. They are just too important.

Mr. Speaker, I want to ask that the Government present today the other pieces of legislation which comprise the children's legislation; let us deal with a comprehensive package rather than this piecemeal approach. The legislation was ready eight months ago, bring it now for debate and let us deal with it altogether. [*Desk thumping*] This Government needs to stop the posturing and public relations campaigning and get down to the realities facing this country, and we need to do so now.

Mr. Speaker, as a young person I got into politics to serve my country and when I made that choice I did so knowing full well that would mean putting country before self, so I take my responsibilities very seriously. I must confess that to see first-hand the kind of political games being played by the Government with the lives of our citizens is really disheartening.

This sadness is compounded by the fact that the vast majority of those opposite are also new to these halls, and one would have assumed that they too would have been imbued with the desire to serve this great nation. [*Desk thumping*] Instead, it appears that Ministers seem more inclined to secrecy and to make statements for public relations purposes rather than to provide information. It is this dereliction of duty, this apparent contentment with mediocrity that I find truly disconcerting.

Mr. Speaker, the legislation before the House is not just about words and punctuation, if actually implemented, it would give our children some semblance of protection from abuse and this is what makes it absolutely critical.

4.00 p.m.

It is for this reason that I condemn this Government absolutely for its failure to implement the 2000 legislation, for its demonstrated lack of commitment in bringing the proposed amendments in a timely fashion, and more so, for the piecemeal approach with which it still approaches the legislation.

Mr. Speaker, I am sure, you, like all of us, would recall the massive public outcry following the brutal deaths of Amy Annamunthodo and the obvious failure of the Minister and the Ministry of Social Development. You would remember, in trying to pacify the public, the Government announced the appointment of retired Justice Barnes on May 18, 2006 to investigate the failure of the State support system. One Minister even went on record to say and I quote from the *Express* dated Friday, May 19, 2006:

“Each of us in the government, individually and collectively, joins in the national outpouring of grief and concern. Somehow opportunities to prevent this tragedy were missed at various levels.”

And as such, the purpose of the investigation following Amy's death was to determine where the failure in the social services lay and to propose solutions. Yet two years after the report was commissioned by the Government and more than a year and a half after receiving the report, the Government insists on keeping it secret. Why? Despite public requests for the details of the report and multiple requests for information in this very House, it was only as a result of a direct question by the Opposition to the Minister laid on the Order Paper that we were finally told on June 06, 2008, and I quote:

“Given that this report contains personal, sensitive and private medical information about Amy Annamunthodo and her relatives, the Government...is of the view that it is not prudent that the document be laid in Parliament.”

With all greatest of respect, what absolute rubbish! We have already witnessed the gruesome details of the crime, the autopsy, the trials and the collapse of the trials. The only thing that is left is where the failure lay. Who is to be blamed? What part of the system failed? What is the Minister trying to hide and why? We already know that the social services sector failed Amy, like they have failed so many others. What is the secret now? We need to learn from it.

Where is the freedom of information? The Minister need not worry that the population would know the truth about the Ministry; that it is short-staffed, under-resourced and overworked for the job that they are being asked to do. They already know that. The mere fact that Justice Barnes suggested that 260 per cent increase in staffing, is indication enough of how severe the understaffing is. It is unacceptable that this Government that placed so much emphasis and effort on finding out the root of the problem, now when it finds the evidence is not in its favour, hides behind a dead child and her grieving relatives. This is unacceptable.

In any other country, the Government would have moved towards greater transparency to protect the vulnerable children, like in America where they implemented Megan's law and in England where there is Sarah's law. But, you see, they do not care about the children of this country. How can they, when the hon. Minister of Social Development can come to this House and state that one of the recommendations of the Barnes Report was the urgent establishment of a Children's Authority but not do anything about it? That was since in January 2007, a year and a half ago!

But they did not really need Justice Barnes to tell them that, because in the *Express* of Wednesday, May 24, 2006, the Minister of Social Development said, and I quote:

"...admitted that most of the departments within the ministry are lacking resources and personnel, but said that a new system was being explored to decentralize Social Services which would allow for early detection of problems in families.

(The Minister) Roberts explained that this new system will divide the country into smaller blocks in which the cases per social worker will be reduced, and it is expected that social work officers will acquire a more intimate knowledge of their clients, and the potential problems families face.

Stating that many more social workers are required, Roberts said the improved system will allow for early detection of problems, reduced loads for case workers, and for remedial action to be taken immediately.

Describing the incident with Emily as 'unfortunate', Roberts said the ministry was currently hiring personnel as the focus is now on human resource development and not only infrastructural upgrades."

This was the statement made seven months before the Barnes report was submitted. So this Government did not need the Barnes report to tell them that they had failed to put a proper social safety net in place, but having told them,

Children's Authority (Amdt.) Bill
[MISS M. PANDAY]

Friday, June 13, 2008

having stressed the urgency of the situation, why then did the Government continue to refuse to implement the 2000 legislation? Why did they continue to refuse to even bring their amendments? Was it not important enough? They sat on the report for 18 months and did nothing. That is why they do not want to publish the report. It will be obvious that they have long known what the problems are and that they have done nothing about it! Nothing to right the wrongs!

At the point in time when the Barnes report was completed, the National Family Service, the main Government agency responsible for supporting and counselling families, had a total staff of 12 persons. Has that increased? Have more workers been hired and trained? In January 2007, the ratio of one social worker to citizen was 1:54,000, a literally impossible situation for any kind of effective functioning. What is the figure today, since the Government has had the Barnes report for 18 months and counting?

If the response from the other side is simply that the legislation is now before the House, that would explain the reason the social services sector is in the crisis that it is in today, because any child will tell you that if you have all the legislation in the world and nobody to implement it, it is just as if you have no legislation to start with. [*Desk thumping*] You have nothing!

A good and relevant example of what I am talking about is the National Plan of Action for Children in Trinidad and Tobago designed to improve children's safety, promote health and general well-being that was approved by the Cabinet since 2006. That plan that the Minister talks about which was supposed to be, and I quote, "the guiding policy for the implementation of key initiatives to improve the welfare of our nation's children over the next three years", was intended to work in tandem with the package of children's laws. As such, since the Government has been sitting on the legislation and steadfastly refused to implement the enacted legislation, the National Plan of Action is now two years old and has not served any purpose to date.

You need only refer to the *Express* article of last week Thursday, captioned: "Dramatic increase in sexual abuse" where an *Express* reporter was enquiring about cases involving the under-15 age group, in which the reporter stated:

"Spokespersons in several homes in South Trinidad said, based on the current trend, they expected many more cases of sexually abused children this year, unless steps were taken to face the problem head on.

...A spokesperson at the (Rape Crisis) Society said that the Hope incident was not a major surprise to her. It was a crime that was taking place throughout the country for quite a while, but only recently was it being given major publicity.”

Further, I would like to refer the Government to the US Department of State website which hosts a Country Report of Human Rights Practices in Trinidad and Tobago. This report was released in March 2008 by the Bureau of Democracy, Human Rights, and Labour and under the heading of “Children”, it reports that, and I quote:

“Some parts of the public school system failed to meet the needs of the school-age population due to overcrowding, substandard physical facilities, and occasional classroom violence.”

Moreover:

“The Ministry of Education’s Student Support Services Division reported that young school children were vulnerable to rape, physical abuse and drug use and that some had access to weapons or lived with drug-addicted parents.”

This is on the US website. Further, and it continues:

“According to the Rape Crisis Society, there were 126 sexual abuse cases, an increase from 38 cases in 2006. Officials believe that this indicated that a greater percentage of cases were now being reported.’

That would mean, according to the statistics, last year there was a 331 per cent increase in the reported incidence of child sexual abuses.

These are the experts; these are not the Opposition’s views that they think would try to bring propaganda to this House. These are the views of the experts in the field and I am certain that the Minister would be well aware of this, as his own staff must have provided him with the same information. As such, I want to repeat my suggestion that the Government reconsider its option and bring a comprehensive package of legislation, including other pieces that were laid in the House of Representatives eight months ago, because to do otherwise is to foist a great disservice, not just to the Parliament but to the national community as a whole.

I want to take a few minutes to evaluate the performance of the Government as it relates to our international commitments—as the Minister was telling us—and the legislation before us now, because it is a matter of public record that the Government last submitted its report on the status of the Convention on the Right of Children in 2006. This report is dated March 2006. The format of the report

Children's Authority (Amdt.) Bill
[MISS M. PANDAY]

Friday, June 13, 2008

consists of statements of specific positive aspects based on the report submitted by this country, followed by concerns and recommendations.

Ironically, though not surprisingly, if you read the report you will see the only positive aspect reported with regard to the implementation of legislation to protect the interests of children, refers specifically to the pieces of legislation which were enacted by the UNC and which this Government refused to implement. In fact, the report submitted by this country apparently made no mention that the Government had any intention of implementation, or more importantly, that it had concerns or issues with the legislation. In fact, on reading the report, I became convinced that the Government of Trinidad and Tobago appeared to be attempting to mislead the UN by the omission of this very important fact.

4.15 p.m.

They were seeking to create the opinion that legislation was in place when for all intents and purposes, according to the Government, it had no confidence in the 2000 legislation and never had any intention of using it in its original form. Further, it is to be noted that whilst the fact that the legislation in place was identified as a positive development in meeting the Government's requirement under the Convention of the Rights of the Child, the consistent negative amongst other things is the consistent failure over the past eight years to implement the said legislation. [*Desk thumping*]

Clause 10 under the section captioned, "Principal Areas of Concern and Recommendations" state:

While welcoming the set of legislation enacted in 2000 to harmonize the domestic laws with the Convention, the UN Committee is deeply concerned that these laws have not been entered into force except for the Miscellaneous Provisions Children Act, No. 66 of 2000.

Further, the Government has failed to comply with the mandate contained in Article 19 which commits the Government to all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse while in the care of parents, legal guardians or any other person who has the care of the child.

Such protective measures should as appropriate, include effective procedures for the establishment of social programmes to provide the necessary support for the child and for those who have care of the child, as well as for other forms of

prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of the child's maltreatment described heretofore and as appropriate, for judicial involvement.

The Government did not need the Barnes Report. It did not need to wait until so many children were murdered, abused and raped. It was mandated by an international agreement it had signed decades ago to ensure adequate protection of children specifically from abuse. Suffice it to say, there has been a visible increase in the incidence of youth participation in crime, to the extent where recently, this country has begun witnessing serious gang and personal violence in schools, resulting in several students being killed by their peers.

Statistics provided by the Ministry of Health to the global school based student health survey for 2007, reveal that half the male population and 30 per cent of the female interviewed between the ages of 13 and 15 years had been physically attacked on one or more occasion during the year. The survey reported that close to a quarter of all students asked said that they had been bullied during the previous 30 days. When you tie that into the disturbing trend of increased sexual promiscuity in schools, including the new fad of children using cellphones to tape themselves and others in sexual acts, it is clear that we are losing our children. That study revealed that 20 per cent of the students said that they seriously contemplated suicide. There is low self-esteem; lack of support and an absence of any avenue for these children to seek assistance. We need to hear the cries of the youth of our nation and not turn a blind eye and play silly politics.

I raise this because a 15 year old would have been seven years old when the PNM decided to turn a blind eye and not prioritize the implementation of the legislation to protect them. As a result, we have lost a complete generation because of the intransience of this Government. Lloyd de Mause described in the literary world as a psychohistorian warns us:

“The evolution of culture is ultimately determined by the amount of love, understanding and freedom experienced by its children...Every abandonment, every betrayal, every hateful act towards children returns tenfold a few decades later upon the historical stage, while every emphatic act that helps a child become what he or she wants to become, every expression of love toward children heals society and moves it in unexpected, wondrous new directions.”

That is why the Government must face these issues head on and avoid the temptation to sweep them under the carpet. Release the Barnes Report. You

cannot cure a cancer by denying it. It will eat away at the entire body until it is too late. Sticking your head in the sand like an ostrich will allow others to fool you, but it fools no one else.

Let me show you how this Government deals with abuse. On December 01, 2007, a little story appeared in the *Express* newspaper captioned, "Montrose Government Girls Called Sexy by Workman, School Guard Attacked for Intervening". According to the report, workmen were hired by the Ministry of Education to install wire mesh through the buildings as this was one of several schools affected by bird droppings. This is a primary school and the workers, big grown adult men began "sooting" the female students, calling them sexy and making other lewd remarks. The security guard who cautioned the men for their reprehensible behaviour was attacked and beaten by the men. Like so many others, I looked on to see the response of the Ministry of Education and others on this matter.

On December 04, the *Express* carried another story on the issue captioned, "School days Ban for Workers After Guard Beaten". That was the essence of the report. The men had continued to work on the weekends. These men who demonstrated clearly, paedophilic tendencies were not chastised for their behaviour. They were not charged with abuse. In other words, the official response from the Ministry of Education this Government was nothing.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Oropouche West has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [Dr. H. Rafeeq]

Question put and agreed to. [Desk thumping]

Miss M. Panday: Thank you, Mr. Speaker.

By omission to act, child abuse has become a state sanctioned crime. In the *Express* of May 29, 2008 there was another tiny article entitled, "Man Accused of Raping Girl Walks Free. It was reported that a case of grievous sexual assault on a 12 year old child was dropped against a man who is currently on bail for a similar offence, because the witnesses did not show up. Apparently, there was a mix-up in serving the summons as the two witnesses, the girl and her mother, were no longer living with the father and he was the one who was served.

Despite the prosecution's request for an adjournment of one week, as the new address of the mother and child was located, the judge refused and the charge was dropped. There are numerous cases where victims are afraid to testify and never

come to court. There are many others in which the crime is not even reported because of the lack of faith in the justice system. Does the Government know this? Maybe, it does not.

I am sure that it will know and be able to explain with regard to the legislation because they made the amendments, it is one of the peculiarities of the Children's Authority (Amdt.) Bill. In particular, according to clause 5, the Act is amended by deleting the words "Children's Community Residences, Foster Homes and Nurseries Act, 2000" and substituting the words, "Children Community Residences, Foster Care and Nurseries Act, 2000". In case you missed it, Mr. Speaker, the effect of the proposed amendment is to change the title of the legislation by removing the word "Homes" and replacing it with the word "Care".

At first I thought that I was mistaken, so I also looked at the amendments which had been proposed in September under the 2007 proposed Bill, to see if there was a typographical error, but it was not. There it was before my eyes, word for word, exactly as it is in the Bill before the House today. The point being, there is no Act, not in 2000 or any other time in the history of this country called the "Children's Community Residences Foster Care and Nurseries Act, 2000". None! I have checked the Parliament's website, the legal texts and even the *Hansard* for the period and there is no Act called "Children's Community Residences, Foster Care and Nurseries Act, 2000".

Ironically, there is a Children's Community Residences, Foster Homes and Nurseries Act, 2000, to which the section in the Children's Authority Act, 2000 refers. This is what they proposed to replace. In effect, if I am to take this amendment as it is, the definition of the children's home will be non-existent and there would be no definition of what foster care refers to and as such, the law would fail for uncertainty. This is not an improvement. This takes a perfectly good clause from the 2000 legislation and clearly, out of over exuberance to make superficial amendments destroy the intent of the legislation. It does beg the question, is that what this Government took eight years to bring to this House? A mistake?

Putting that aside for a minute, I will take issue with another of the proposed amendments made for the sake of adding volume to the Bill. I am not talking about the major changes that the Minister brought today, as the changing of the spelling from "centre" to "center"; nor am I talking about the obvious critical amendment at clause 9; nor am I talking about the obvious critical amendment at clause 9 which seeks to place a comma. I want to take issue with another of the proposed amendments made for the sake of adding volume to the Bill.

Children's Authority (Amdt.) Bill
[MISS M. PANDAY]

Friday, June 13, 2008

When the UNC government passed the Children's Authority Act, 2000, we took pains to ensure that it would be effectively staffed, given the priority placed by the UNC on the protection of the children. At that time the Children's Authority Act, 2000, then specified an 11 member board that will possess professional qualifications. For example, we insisted that a child psychologist and psychiatrist, qualified social worker and a public health specialist, among others, be represented on the board. It is not rocket science to see why.

This Bill now proposes to water down the competence of the board by requiring that the mandatory requirement be reduced from 11 persons to a minimum of seven. It is now possible to have a board of only seven persons.

Mr. Speaker: The House is suspended. We will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Miss M. Panday: Mr. Speaker, I was saying that this Bill now proposes to water down the competence of the board by reducing the mandatory requirement from 11 persons to a minimum of seven. It is therefore now possible to have a board with only seven persons. Moreover, it is now required that the persons have the following qualifications and skills: child psychology or psychiatry and social work, paediatrics, education, accounting and family law.

Does this mean that it is no longer necessary to have a professional qualification to be a member of this board? If that is the case, I could have a Diploma in Child Psychiatry and still be eligible for the post. The formulation of a board of this nature requires professionals experienced in their individual and related fields. It is ludicrous to propose a reduction in the quality of staffing or to suggest a reduction in the number of directors.

Furthermore, it is wholly unacceptable to explain this amendment and justify the Government's position by simply stating in the explanatory note accompanying the Bill "having regard to the human resource constraints". What that means we are yet to see. Just as the Government did not have the money to provide protection from child abuse, now it is watering down the quality of service because it claims that there is a shortage of available personnel. This is unacceptable.

The Government can find Mastrofski and pay him millions of dollars to improve the image of the Trinidad and Tobago Police Service, which is now at its lowest ebb, but cannot find professionals when they are needed. Worse, while they were sitting on their collective hands for the last seven years, why was there

not greater courage to pursue the required fields of education? I will tell you why. They could have given scholarships to encourage the young people to fulfil the requirements needed to fill these posts, but that would have required planning, foresight and management ability. You cannot agree to set up an authority and place people in positions for the sake of placing them. You have also to ensure that it functions effectively.

For example, the Minister requires that the board now have either a psychiatrist or a psychologist, but not both. The fact that he himself could not choose between them is instructive. These are two separate professional fields and I put it to you that both are critically required in the treatment of children who have been abused.

A psychiatrist is a medical doctor who specializes in the prevention, diagnosis and treatment of mental illnesses. Psychiatrists must receive additional training and serve a supervisory residency in their specialty. They may also have additional training in a psychiatric specialty, such as child psychiatry or neuro-psychiatry. A psychologist is a clinical professional specializing in diagnosing and treating diseases of the brain, emotional disturbances and behavioural problems.

The needs of abused children require both services and, in the same vein, the proposed amendment by clause 17 of the Children's Authority (Amdt.) Bill, which seeks to change the staffing of the reception centres by having the professionals "available to them" as opposed to existing "be staffed by" is unworkable, impractical and does not appreciate the serious problem of child abuse in this country.

These clauses serve no purpose other than to weaken the effectiveness of the 2000 legislation. These, amongst other issues, will be dealt with by my colleagues, but it must be clear to you now that this legislation, which this Government took eight years to draft, seeks merely to do some editorial work and housekeeping and, in several instances, weakens the provision of the 2000 legislation as I have outlined.

As a young parliamentarian, I am deeply concerned by what I have found as it is patently obvious that this Government has had no real reason for not implementing the 2000 legislation and, in particular, the Children's Authority Act. None of the amendments presented are substantial enough to correct any flaw in the Act which would have prevented its operation. That, Mr. Speaker, is a great need for concern.

When a government is manifestly in conflict with the needs of the nation; when it ignores the basic requirements of a population it is elected to serve; when it closes its eyes to the exploitation of children; when it chooses to play political games instead of satisfying national needs, it loses its moral basis to remain in office.

The abandonment of its responsibility by this Government deeply saddens me, but does not surprise me. I have long known that they do not care about the people of Trinidad and Tobago. In the eyes of the Lord, children are innocent. Baby Zion, who was killed in a hail of gunfire was an innocent caught up in a crossfire planted by an incompetent government. Amy died because of this Government; because this Prime Minister is caught up in the trappings of power—the fancy car, palace, expensive clothes and jet rides, so much so that he has lost touch with the people who pay for his pleasures. To him I say: Be warned, God does not sleep.

It is my hope, therefore, in concluding, that the new generation will break the mould of this PNM Government and for once do what is best, in the interest of the people of Trinidad and Tobago, regardless of colour, creed, race, gender or political affiliation.

I thank you, Mr. Speaker.

Mr. Speaker: I wish to congratulate the hon. Member of Oropouche West on her maiden contribution.

The Minister of Education (Hon. Esther Le Gendre): Mr. Speaker, I would like to join you in congratulating the Member for Oropouche West in making her maiden contribution. It is a pity that the hon. Member passed up what would have been a unique opportunity to establish her own image, her own voice. Instead, she chose to regurgitate the bile most reminiscent of the Member for Couva North. One so young and so full of potential should not allow her freshness to be overshadowed by the ghost of a failed politician.

Listening to the Member for Oropouche West, I was rather concerned that there was a ventriloquist lurking somewhere outside the precincts of this honourable House ordering this frenzied attack, delivered in a clipped British accent. This is what happens when you spend too much time in a London flat looking at TV. If it were appropriate, I would offer some motherly advice. Do not go down that path. It is the path to perdition; it is the path to very expensive courthouse clothes.

In the interest of advancing the real purpose of this House, I would like to return to the real matter at hand. It would be useful to note that the hon. Minister of Social Development has already attempted to establish a national, non-partisan approach to this debate. He appealed to both sides to look at the matter at hand in the interest of children. Instead, I am afraid that we are in for another round of political football.

I commend the hon. Minister for a comprehensive approach to the treatment of amendments to the Act. I think that the hon. Members would appreciate that

the year 2000 was a frenzied one for the Members on the other side and out of this frenzy came a slew of hasty legislation developed in silos that match nothing; that simply unleashed a set of bad legislation on this country, so that with the advent of the PNM, it took us eight years to clean up that mess. That is precisely what we have been doing—cleaning the Aegian stables to present the citizens with legislation that is comprehensive and that is worthy of linking together a package of children legislation designed to ensure, or at least to preserve at the level of legislation, the safety of our children.

Mr. Speaker, as Minister of Education charged with the responsibility for due administration of the education system in Trinidad and Tobago, it gives me great pleasure nonetheless to contribute to the debate on this Bill to amend the Children's Authority Act, 2000. That Act contains several shortcomings. There were wide powers without the protection of court orders and these would have led to judicial reviews that may have been frequent. We are pleased that the interface between the authority and parents has been clarified.

[MADAM DEPUTY SPEAKER *in the Chair*]

As alluded to already by my colleague, the hon. Minister of Social Development, the objectives of this Bill are noteworthy once enacted. It will serve to promote the well-being of all children in our nation. It will allow for the provision of care and protection of children in especially difficult circumstances and provide the legal framework to ensure that Trinidad and Tobago complies with certain key obligations under the United Nations Convention on the Rights of the Child.

Madam Deputy Speaker, the Children's Authority will be the body charged with the responsibility to oversee, monitor and issue licences for children's residences and nurseries.

5.15 p.m.

The authority that everyone has looked forward to, will provide foster care services for children. It will receive applications, investigate and make recommendations to the court, with respect to adoptions. It will provide care, protection and rehabilitation for children. It will investigate reports of mistreatment of children. It will provide support services to children, while they are living with their families. It will operate reception centres and assessment and support centres. It will provide hostels for children over age 16. In general, the authority will promote the well-being of children and ensure that children and parents have a voice.

This piece of legislation provides for the establishment of an authority with a host of powers, including the ability to investigate complaints or reports of the

mistreatment of children. It will be of utmost benefit to the education system where, on a daily basis, our teachers are faced with such complaints. It would allow for an effective and speedy investigation into such matters, complementing the work of the support personnel in our schools.

This House would be aware that the Ministry of Education operates a student support service, which provides counselling and specialized intervention services and an outreach programme for parents. It provides consultation services, with respect to children's needs, as well as school social work services to remove the social barriers to learning and accessing social support for students in need.

The Children's Authority will now become the critical link in providing comprehensive investigations and referrals services for children who are mistreated.

The legislation covers all persons who are under the age of 18. This particular population is also serviced by the Ministry of Education, to provide for the holistic development of children.

It has been the experience of the Ministry of Education that most of the social, emotional and domestic problems of children manifest themselves in schools. Parents and students have traditionally looked towards the school system to provide a level of support and solution to such issues. The school system has responded valiantly and many an adult today can testify to the unswerving support of teachers and other personnel in helping them deal with their problems.

The society today has become more complex and the needs of children require a multifaceted approach. The Ministry of Education requires systems and support to provide for the holistic development of children. Increasingly today, the learning needs of our children are affected by the social and domestic issues of an emerging information-age society.

Over the past five years, my Ministry has embarked on a systematic planned programme of improvement, reform and modernization of the education system of Trinidad and Tobago. This programme of work was a continuation of the reform initiatives of the Education Policy Paper 1993 to 2003 and the Ministry's own strategic plan of 2002—2006. The purpose of the legislation before us, in case we lost it all in that bout of vitriol, is the well-being of all the children of Trinidad and Tobago. The educational well-being of our children is the main focus of all of the Ministry's initiative.

Currently we have embarked on expanding access to educational opportunities for all. This focus begins at the early childhood care and education level, with the

transformation of this entire sector by way of creating greater access for all, quality and governance. It is my Government's intention to provide the nation's children with access to some 600 early childhood care and education centres by 2011 and to institute measures that would allow for the upgrade of the quality of staffing in these centres. At present, there are 18 new early childhood care and education centres constructed in the last 12 months and there are another 33 identified for completion or commencement by the end of 2008.

In addressing issues of quality governance in early childhood care and education, the proposed amendments to this Act will complement a rigorous quality initiative in early childhood education to ensure the proper treatment of children by the staff of these centres. It ensures vigilance on the part of the staff to recognize, report and seek help for children who appear to be abused, neglected or even malnourished.

Among the key responsibilities of this Act, is the investigation of complaints or reports of the mistreatment of children in their homes or nurseries. The Ministry of Education will stand together with the Authority as gatekeepers of the welfare of the nation's children. [*Interruption and Crosstalk*] You across there having fun. Emphasis—[*Interruption*]

Mr. S. Panday: Please forgive me.

Hon. E. Le Gendre:—you are forgiven—is also being placed on our students with special education needs. Nine public special schools have already been physically upgraded. Annual funding is disbursed to 11 registered private special schools to support their upkeep and in this age of information technology, 197 computers with appropriate software have been provided.

In an effort to minimize the periods of unsupervised time that our children experience at the junior secondary school system, we will be completing, by September of this year, the deshifting and conversion of all junior secondary schools. To date, my Government has spent approximately TT \$92 million on this process. Junior secondary schools have been deshifted, making them full day secondary schools, ensuring that 21,455 students now benefit from full day schooling. Additionally, 10 senior secondary schools have been converted to seven-year secondary schools.

The pastoral needs of our students are essential to their educational development. As I have indicated before, the Ministry of Education has implemented a Student Support Services Division that is geared to address the needs of all children in the school system to overcome barriers to learning. Our Student Support Services

Children's Authority (Amdt.) Bill
[HON. E. LE GENDRE]

Friday, June 13, 2008

Division provides a comprehensive array of psychosocial support services to students at primary, secondary and special schools in the areas of guidance and counselling, process referrals, diagnostic testing, special and inclusive education, parent education, drug abuse and HIV awareness.

While we are in the process of expanding to introduce onsite services at all schools, we are ensuring that all students benefit from specific support. It was noted in the contribution of the Member for Oropouche West that it was somehow perceived as a flaw in the Act and that the Act did not require the board to have two child psychiatrists and psychologists on the board. There is a simple reason for that. It seems that everyone but the Member for Oropouche West is aware of the fact that there are only three such providers of that service in the country and, therefore, the board was able to alternate between the services of two of these providers. That is no fault of the Government. That is the circumstance in which we find ourselves in this country.

While we are in the process of expanding to introduce onsite services at all our schools, as I said earlier, we are ensuring that all the students can benefit from specific support. As such, we have embarked on a School Health Project in partnership with the Ministry of Health, to conduct early screening for auditory and visual problems with 90 per cent of our infant primary school children benefiting from audiological screening and 100 per cent of our first- and second-year public primary school students benefitting from visual screening under this initiative.

Furthermore, the Ministry of Education has been providing care and support for our children in need, through our School Feeding Programme. A total of 153,555 breakfasts and 382,844 lunches were served to 822 early childhood care and education primary, secondary and special schools in the years 2003—2007, at a cost of \$643 million.

This Bill now allows for a central coordinated response to assist in the care and protection of our children in especially difficult circumstances. It would allow for more efficient use of resources such as school social workers, guidance officers and would facilitate a more structured linkage with other special work agencies such as family service officers and prohibition officers. Furthermore, this authority, when established, would comprise a multiple number of professionals who would allow a more holistic response to the needs our children.

My Government recognizes that a child's safety, care and development is first and foremost the responsibility of the parent and that the State has an obligation to

support parents in this regard. This piece of legislation is but one of the many ways in which the State is lending its support.

Permit me to highlight some key benefits to children as a result of my Government's review of the 2000 version of this Bill. Apparently the Member for Oropouche West missed these very important points. I am advised that it is because the script was written prior to her arriving here, so she was not able to respond as this House—[*Interruption*]

Mr. Partap: Who wrote yours?

Hon. E. Le Gendre: I do all of my writing, Sir. The well-being of our children will now be given top priority by a coordinated central authority. There are no ventriloquists on this side, Member for Cumuto/Manzanilla. The right of the parent to be heard and the right of the parent to a fair hearing is now being enshrined in the law. The rights of all children in Trinidad and Tobago will continue to be actively promoted and the legislative framework for a comprehensive and linked approach, which would prevent the abuse, ill-treatment or neglect of our children, will be created.

5.30 p.m.

The State will enhance its role as an advocate for the rights of all children of Trinidad and Tobago.

The Ministry of Education looks forward to the enactment of this Bill. It would serve to enhance the work that is currently being undertaken by the Ministry of Education or the other agencies that care for the adults of tomorrow. It would, therefore, have a great impact on the development of our nation's youths.

Madam Deputy Speaker, in conclusion, I wish to emphasize several points made by the hon. Minister of Social Development in his presentation in respect of the objectives of this Bill. We all need to embrace this Bill—NGOs, Members on the other side and parents in the interest of our children. The adoption of this legislation not only fulfils our responsibility as a Government for the obligations under the United Nations Convention on the Rights of the Child, but it acknowledges our own obligations to our children.

The passage of this Bill does not guarantee the protection and safety of our children, as the Member for Oropouche West would have you believe. We all do that together as parents, teachers, caregivers and as citizens.

I am pleased to support this Bill which has, as its heart, this Government's vision for a caring society in which we nurture all citizens.

Children's Authority (Amdt.) Bill
[HON. E. LE GENDRE]

Friday, June 13, 2008

Madam Deputy Speaker, allow me to join the hon. Minister of Social Development in thanking all who have contributed to the drafting and redrafting of this Bill, which deserves a speedy passage through this honourable House in the interest of our children.

I thank you. [*Desk thumping*]

Mr. Nizam Baksh (*Naparima*): Madam Deputy Speaker, thank you very much for the opportunity to speak on this Bill this afternoon. I have the enviable pleasure of congratulating my colleague, Mickela Panday, the Member of Parliament for Oropouche West on her maiden contribution in this honourable House today.

Miss. Le Gendre: Nobody wants to listen to you. Where are your Members?

Mr. N. Baksh: Her contribution could only be described as brilliant, outstanding and well-researched. [*Desk thumping*] I would like to tell my Chief Whip—

Mr. Manning: Who is your Chief Whip? [*Laughter*]

Mr. N. Baksh: Mr. Harry Partap—that the Member of Parliament for Oropouche West has done us proud and, perhaps, there is no need on this side to continue the debate, but then we are about the people's business. On this side, we would not shirk our responsibilities. Congratulations to the Member for Oropouche West.

Madam Deputy Speaker, my contribution on the Children's Authority (Amdt.) Bill is entitled "Families in Crisis Now Soon to be Extinct". The uncaring nature of the PNM Government is evident in the number of crimes committed against children in our country today. We heard promises from the Government about bringing the Children's Bills to this Parliament for seven long years—talk and more talk for seven years—whilst the lives of our children are withered away.

Every time there was sexual assault or a murder of our children, we heard promises about bringing the Children's Bills to Parliament, but for so many years there was no action on the part of the Government, a Government which claims to be a caring Government.

The Government claims that it is bringing the Children's Authority (Amdt.) Bill to Parliament because of its commitment to protect our children. What a fallacy! What a farce! This is a deceitful Government, because if there was any real interest on its part, proper legislation would have been put in place many years ago, and our children's lives could have been saved.

The PNM is in government, but they are not governing. Just look at the level of crime in our country! There is lack of adequate health facilities; the roads are in a

deplorable state; there is a lack of water, electricity and telephone services and there is a crumbling education system, and the list goes on. In every area of basic necessity, the PNM's inability to govern and take our country forward is evident. Today, Trinidad and Tobago is experiencing an extremely high level of child abuse and neglect. It is apparent that children have never been high on the PNM's political agenda.

I want to read from comments on Trinidad and Tobago Second Periodic Report and it says:

“The situation of the protection and achievement of rights of particularly vulnerable and disadvantaged children in Trinidad and Tobago is still one that warrants immediate attention and the commitment of financial and human resources. Children in need of special protection from all forms of abuses and neglect as well as children in institutions of care are most adversely affected by a lack of government commitment and political will.

The situation of the girl child in Trinidad and Tobago is also an area of critical concern.

Although changes are being slowly made in legislation and programmes are being implemented bit by bit far too many children are being under-supported or just plain neglected and/or abused in practice.

Trinidad and Tobago has a long history of not implementing the many recommendations laid out in numerous reports (local and international) that could effect positive change in many of our social service sectors.”

Madam Deputy Speaker, I refer now to article 19 of the United Nations Convention on the Rights of the Child which states that parties should take all appropriate legislative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent behaviour; maltreatment or exploitative, including sexual, abuse while in the care of a parent, legal guardian or any other person who has to care for the child.

Trinidad and Tobago is a signatory to this convention and, therefore, has an obligation, a profound obligation, to do what is necessary to protect the children of our nation, but this is not an obligation that the PNM Government is taking seriously. If they did, then the tragedies of Sean Luke, Amy Annamunthodo and others would have never occurred. Instead of concrete action to protect our innocent and vulnerable children, the Government continues to sugar-coat its inefficacies in dealing with the heinous crimes committed against children.

Madam Deputy Speaker, in 2006, the committee on the rights of the child of the CRC had requested the Government to provide information on measures taken, for a comprehensive review of all legislation to ensure comparability with the convention. In the second periodic report, all they said was that the following legislation was intended to give effect to the terms of the convention in domestic law. Those Acts were the Children's Authority Act, No. 64 of 2000, The Children's Community Residences, Foster Homes and Nurseries Act, No. 65 of 2000, the Miscellaneous Provisions (Children) Act, No. 66 of 2000, the Adoption of Children Act, No. 67 of 2000 and the Children's Authority Act, No. 68 of 2000. Notwithstanding the above, the only legislation which received the necessary presidential proclamation was the Miscellaneous Provisions (Children) Act, No. 66 of 2000. However, the remaining four pieces of legislation did not receive the required presidential proclamation.

This was primarily due to the absence of a physical and administrative infrastructure to cater for the operation of the Children's Authority provided for in Act No. 64 of 2000. The PNM Government claimed that the Acts were flawed and needed extensive overhaul. Today, they have proved themselves wrong with the extent of cosmetic changes that the Minister outlined. It was rather a combination of vindictiveness and ineptitude on the part of the Government. In so doing, the children of the country suffered.

I want to read some comments from the joint select committee in 2000. This is from the Senate. I see my friend, former Sen. Nafeesa Mohammed present, and I want to quote her as a Member of the Opposition at that time. She said:

“Mr. Vice-President, based on the winding up of the hon. Attorney General in his presentation just now, I must say that he did touch a very sensitive chord in my heart with respect to this package of legislation here before us. Certainly we on this side have no difficulties in supporting the adoption of the report of the Joint Select Committee that sat in respect of these very significant pieces of legislation.”

Madam Deputy Speaker, she was speaking about the Act of 2000.

I also have another comment from former Sen. Diana Mahabir-Wyatt, and I quote:

“Mr. Vice-President, I feel like it is a combination of Christmas, Divali and Eid...and I am sort of full up to here with joy, like I have had Christmas dinner, Divali dinner and Eid dinner. I would like to disagree with the Minister who said that he deserves no praise for these five bits of legislation

coming to us. I want to thank the Government for the exercise of political will that made this possible.”

She was referring to the UNC government. It continues:

“It is 20 years that we have been arguing for the need for change in legislation regarding children, and children have been suffering, but children have never been very high on the political agenda. I just cannot even begin to express my gratitude that finally these five pieces of legislation are coming before us. It is going to mean such a tremendous amount for families, and for children particularly, in Trinidad and Tobago.”

It continues:

“Just to give a bit of background in terms of the people who have been consulted on this, I have personally met with the whole committee from the Trinidad and Tobago Coalition for the Rights of the Child; I have met with the Social Workers Association to discuss this legislation; I have met with teachers; I have met with people who run children's homes and I have talked with community police. We have gone over and over and over; so the amendments that we see before us did not come from a vacuum. They came from a combination of what everybody has done.”

These are comments that were made with regard to the Act of 2000. They thought that these Acts were going to be very helpful, as a first move there.

Madam Deputy Speaker, the root of our problem is in the disintegration and destruction of the family unit and a breakdown of the institution of marriage. Single parenting with the mother as economic head with the responsibility for children seems to be the norm. The Government should embark on an investigation to determine the causative factors for the abandonment of parental responsibilities. This is a sad state of affairs and we are falling into a bottomless pit. It appears that we are also perpetuating an unmarried culture and children are having children.

5.45 p.m.

Women in multiple relationships, children for several men and they say that this is being done so that they would have an income to support the children. So, if you have several partners, if money is coming from one, then you could support the rest of the children.

We also have a critical situation in this country that we term "barrel children". These are children whose parents leave this country, residing abroad and they in turn send the clothing, goods and money.

Mr. Partap: Every Christmas.

Mr. N. Baksh: Well, during the year to the children located in Trinidad. But these children are very often under the care of elderly grandparents, particularly grandmothers and relatives. What we realize is that these young people are target groups for the gang leaders; they are very susceptible to that and you will see that these guys have the latest brand names with regard to shoes and clothing; so that they are a good attraction there.

Another situation is the street children and this is another group of children at risk and vulnerable. Very often, we find these street children are lured into pornographic performance and material. You would remember the name Hans Boos in 1993 who was the curator of the Emperor Valley Zoo and he was taken to court for some matters with regard to pornography of children and so on. I think he is serving some time in the United States.

We also have a situation in this country where we have child-headed homes. This is where the parents have to leave to go out to work and the eldest child has to look after the younger siblings. This is creating a problem too; there is lack of parental control and it results in the children growing up in households without adult supervision. This is a critical situation that we need to address. These factors are contributing to our social problems and will ultimately destroy and devour our social fabric.

We have a situation where fathers are abandoning their responsibility and abandoning their children. I want to read parts from an article in the *Newsday* of Sunday, June 08, 2008, "The debate over fathers", by Suzanne Sheppard. I quote:

"...studies done recently in the United States which concluded that absentee fathers, is the most significant family or social problem facing that country. From all indications, the situation may be very similar to what exists here in TT where single parent homes seem to be at the epicentre of the crime wave and other social problems.

According to the US study, children who live absent from their biological fathers are more likely to be poor, experience educational, health, emotional and psychological problems, be victims of child abuse, and engage in criminal behaviour than their peers who live with their married, biological mother and father.

A survey of more than 20,000 parents found that when fathers are involved in their children's education, including attending school meetings and volunteering at school, children were more likely to get A's, enjoy school, and participate in extracurricular activities.

In addition to the findings of this study, there is another by experts in child and family studies, which concludes that the father's role in the family affects his children's development.

Dr Ross Parke, an authority on fathering who has studied the role that fathers play in the family, observed that men give greater freedom to their infants to explore. This helps to develop their sense of independence.

Dr Parke's research also stressed that fathers who were actively involved in their children's play helped promote greater self-control in children and gave them more opportunities to learn emotional cues."

I want to make reference to the situation and the experience we have with crime and drugs. You know, the PNM claims that crime is not in crisis and therefore did not pay much attention to it. The high rate of sexual, emotional and physical abuse to children can be attributed to the alarming extent of the use of banned drugs in our society. A review of the heinous crimes committed against children over the years, will establish this fact.

This country is ascending to a pinnacle of sexual revolution, where reason and good judgment does not exist. The statutory age limit for engaging in copulation has been ignored and lowered to almost zero. The problems of crime and drugs have exceeded alarming proportions, while this PNM Government expends millions of dollars with little results. A 360-degree radar that we speak about is having very little effect on drugs, guns and humans entering undetected into this country.

We have the eye-in-the-sky, helicopters and the blimp, which are very ineffective, and I want to make a note. Earlier today we were hearing a sound and I heard this yesterday as well in my area in Barrackpore, where the blimp was moving around and I want the Environmental Management Authority (EMA) to take note of the noise level that this is creating; noise pollution; we need to look at this. Policemen need to be on the ground; this is one of our solutions.

I want to refer to a little incident. Many years ago, before the Solomon Hochoy Highway was constructed; we used the Southern Main Road. I recall that a truck had to pass through with some heavy equipment in Pointe-a-Pierre, where there are those steel braces over the bridge and when the truck reached there it got stuck because it needed about two inches clearance. And there you had with all the vehicles behind there, the engineers and those specialists, trained people there; they kept looking at the top. What are they going to do? They were talking about dismantling those rails at the top to get the truck to pass. There was an ordinary layman, an old guy, standing by, who said—I cannot use the words he said

Children's Authority (Amdt.) Bill
[MR. BAKSH]

Friday, June 13, 2008

there—"all yuh looking up in the sky, but look down on the ground a little nah. If you leh out the air a little under there, it will go down and the truck will pass." All you needed was two inches and there was a gas station next door there. [Interruption] That is an old story because it is an old road.

The point I am making here, this Government keeps looking at the sky and they are not looking on the ground to solve their crime problems. We need to put more policemen to solve the problem. You need community policing and this is the problem; we are looking at the high cost resources and nothing is happening there.

Madam Deputy Speaker, you know our fortuneteller here in this Parliament, hon. Martin Joseph said, "the high level of criminal activities will see a sharp decline", even as crime is escalating and galloping out of control. Mind you, he said this three years ago too, and today he is coming back and saying that in three years time crime will decrease.

Today, I want to agree with him and I will tell you why. I want to agree with his prediction, by then, in three years time most young people would have been murdered, looking at the present trend; others are dying of old age and those who could afford it would have migrated. There will be no one left, then obviously, crime will be down.

This Government keeps doing the same thing over and over and expects the result to be different, no wonder they cannot halt and reverse the crime situation. We are getting used to hearing the blame shifting as well. The crime solution has taken on a new dimension with the Minister saying he is not responsible for solving the crime; it is the responsibility of the Commissioner of Police and who in turn, is now shifting the blame to civil society. What madness! They are paid to protect and serve. The ultimate responsibility lies with the Government and the Minister; they are now passing the buck, and this is a game they are undertaking.

I want to read some figures from today's *Daily Express*, Friday, June 13, 2008:

"Statistics show sudden spike in murders after general elections."

Well, today's newspapers said that we had 231 murders to date, but during the day we had a couple more. It goes on to say:

"Police statistics show there was an interesting dip in homicides in Trinidad and Tobago last November, when the last general election was held, and in December, only to be followed by a disturbing 81 per cent increase in homicides from January 1 to June 11."

Madam Deputy Speaker, it continues:

"The statistics were provided to the Express by National Security Minister Martin Joseph after yesterday's post-Cabinet news conference at Whitehall, Port of Spain, where he outlined new measures to tackle what he called the 'unacceptable' homicide level.

A graph attached to the statistics showed a 'four-month moving average for the number of homicides reported for January 2004 to May 31, 2008', as well as a steady rise in the number of homicides from around February 2007 to September 2007.

This was followed by a dramatic fall just before, during and immediately after the November 5, 2007 general election, which was won by the ruling People's National Movement (PNM).

The graph also shows an equally dramatic increase in homicides that began on January 1, 2008.

The CAPA data shows there was an 81 per cent increase in homicides during the period January 1 to June 11, 2008, over the same five-month, 11-day period last year.

From January 1 to June 11, 2008, there were 226 homicides, as opposed 125 during the first months and 11 days of 2007, the CAPA data revealed.

The 226 figure is more than half of the record high 391 homicides recorded for all of 2007."

Madam Deputy Speaker, those figures tell us a story, you know. Just prior to the last general election, homicide figures went down. There is the information that a lot of money was spent to keep the criminals quiet during the election period and immediately after the election, there was an upsurge of crime again. This is something we have to look at.

Is it coincidental that today the Children's Authority (Amdt.) Bill is being debated as we observed the International Day Against Child Labour? Is it coincidental that this Bill is being debated today as we celebrate Father's Day on Sunday? Or is it that the Children's Authority (Amdt.) Bill is debated today, Friday 13, as many hold superstitious beliefs when the 13th of any month coincides with a Friday? I wonder if the Government Members believe that this debate on Friday 13 will reduce the heinous crimes committed on our unsuspecting and vulnerable children.

Children's Authority (Amdt.) Bill
[MR. BAKSH]

Friday, June 13, 2008

Today is a black day for Trinidad and Tobago as our children are now becoming an endangered species as this Government continues to suffer with inaction syndrome. I pray for all those children who are being abused and who are murdered; I pray for my own son as well, who was kidnapped and murdered; I empathize with the parents and relatives.

This Government has lost its ability to hear. They no longer hear or listen to the cries of the people. There is a national cry for a halt and decline of crime. There was a national cry for a halt on smelter plants construction. There is also a national cry for the halt of construction of monumental buildings instead of providing serious services to the citizens.

6.00 p.m.

The Government's failure to speak with stakeholders—that is the NGOs—in preparation for the Children's Authority Bill 2008, I have spoken to a number of the NGOs and they said they were not consulted with regard to this Children Authority (Amdt.) Bill and I think it was necessary to talk to those persons because you rely on them to provide the services that you need to put in place.

Madam Deputy Speaker, I refer to education here. We are aware that there is a high delinquency rate and indiscipline at schools. There are student gangs emerging in schools as well. There are signs of physical conflict with teachers and students and this is a disturbing sign. There are newspapers which talk about cocaine in sweets, drugs found wrapped in mints and this is something that children will go for. There is school porn for sale. This is something that is creating havoc in our schools; the problem is escalating, it is getting out of hand and we need to address this.

The Member for Tunapuna addressed some issues about education. I think it is important that we look at these issues because it is not only those children who are out of school, even in school we have a critical situation and we need to address this issue at the school level as well. I have a report from UNESCO here which says:

“...15 per cent of children in this country did not benefit from a primary school education...”

The situation assumes epic proportions however when attendance in secondary school is assessed. According to UNESCO, a mere 66 per cent of girls and an even smaller proportion of boys of secondary school age are actually receiving a secondary education. In effect this means that a massive 34 percent, more than

a third of our female children are outside of the education system by the time they get to secondary school.

Similarly, 64 percent of male students of secondary school age are in fact enrolled, meaning that 36 percent of them are not!"

[MR. SPEAKER *in the Chair*]

"The question we must ask is where are these children? More than one third of our nations children who should be in school at the secondary level are not.

Three out of every ten children are fully out of the educational system by the time they reach secondary school age. This effectively condemns them to illiteracy and the predictable social consequences later in life...

It does not take a stretch of the imagination to conclude that this must be one of the most obvious reasons for criminal activity as these children become condemned to certain jobs and lifestyles as a result of their illiteracy and the resultant unequal access to the resources of the state.

The collapse of the education system continues to condemn future generations to poverty and others to every increasing levels of criminal activity, failed by the education system, by the government and condemned to a life of ignobility, ignorance and frustration.

These are lost children. Children whom the Ministry of Education has failed, children whom the government has failed."

Mr. Speaker, with just a few months following the general election, Government's usual slipshod manner is in clear evidence; we on this side have made repeated appeal to an unresponsive Government for the enforcement of the Children's Authority Act, 2000. While they have failed to heed our call crime against children continued unabated. At this late hour they have sought to introduce a new Bill with a series of amendments most of which are rather trivial. I would like to make reference to some of the trivial matters. I am convinced that the introduction of this Bill at a time following a surge of fatal criminal activities against defenceless children is not only a move of political strategy but a move to make believe that some serious initiatives are being made to address the problem.

I have no doubt that this Bill will never be included in the statute books, at least not immediately, not with the urgency with which the matter needs to be treated. Do we have to witness more murders of children? It took this Government eight years to prepare a series of trivial amendments and to introduce same at a time when crimes against children are rampant as never before in the annals of our history.

Children's Authority (Amdt.) Bill
[MR. BAKSH]

Friday, June 13, 2008

This Government has never showed any serious effort to combat crimes committed against children. This Bill makes certain demands on the Government. These demands are as follows:

1. a number of units and centres are to be established; and
2. perform support services for the authority to become functional.

For example, there will be an adoption and care unit. There will also be assessment and support centres and reception centres.

I gather that these units and centres would be established at different venues across Trinidad and Tobago and would be staffed with professionals. Given the track record of the PNM Government, I could well see that the current term of five years will be grossly inadequate for them to set up all the units and centres and to have them equipped with professional services. I do not see any relief for children under the current PNM Government. I would like the hon. Minister to give some timeline for implementation. Give the people of this country some hope. PNM is best at promises that never materialize.

Mr. Speaker, the amendments of Children's Authority Bill, 2008 I would like to reveal some of the amendments. Let us look at some of the sections: Section 3A, in this section the objects of the Act are the only changes. These are as follows: They want to:

- “(a) promote the well being of all children in Trinidad and Tobago;
- (b) provide care and protection for vulnerable children; and
- (c) comply with certain obligations under the United Nations Convention on the Rights of the Child.”

I do not believe that this is very necessary, since the objects are inevitably stated and understood throughout the Act. It is rather trivial to use this inclusion among others as salient provisions to delay the amendments of this Bill for eight years.

In section 5: Powers and functions in the new Bill are simply rearranged; in some instances the legal draftsmen have played around with words—semantic with words.

Section 10: There is one director; the Bill 2000 included two deputy directors and one assistant director. This is a clear case of creating more jobs for political patronage.

Section 11: Composition of authority that is the different unit; the Act 2000 clearly states the following units:

- (a) co-ordinating unit;
- (b) administrative unit;
- (c) technical unit;
- (d) research unit; and
- (e) any other unit to be determined by the Authority.

The Bill only spells out:

- (a) adoption unit;
- (b) foster care unit; and
- (c) all other units to be determined by the board.

This is a deliberate effort to enable the board to create systems in order to allow for political affiliates to benefit. This is indeed excess authority. This is a dangerous provision. When a board is allowed such wide and variable powers there is every possibility that such powers could be abused. Not even the line Minister would be able to exercise control over the board.

I want to read from sections 12 and 13 from the 2000 Act. In 2000 the Act has been repealed without any substitution. These sections contain duties and functions of the coordinating and administrative units. The 2000 Act outlines the need for staffing these units with highly qualified professionals. The complete removal of these provisions would enable the board of management to determine the type of personnel needed. They will be entitled to arrange diverse forms of flexibility in order to allow for political patronage and nepotism. This means that we are doomed for failure even before we start. We could anticipate a lot of square pegs in round holes. Inefficiency could become the order of the day. Why is this Government afraid to have it clearly stated in the law that the various units must be staffed with qualified professionals? This would enable the board to staff units with under-qualified personnel who will not be able to perform satisfactorily and thus continued abuse will be practised on the nation's children.

We on this side are saying that it is very dangerous to repeal these sections, we ask that they be reinstated in the Bill.

Section 14: This section provided for a technical unit which would comprise an intake centre and a reception centre. These to my mind, are critical. They have

Children's Authority (Amdt.) Bill
[MR. BAKSH]

Friday, June 13, 2008

removed the technical unit and have indicated that the authority will establish assessment and support centres and reception centres.

Section 15: The research unit has been completely removed. Again, to provide for autonomy of the board to do as it wishes. This section is critical for the success of the authority. How can the Children's Authority really function without data collection, research and analysis of such data? They need to be proactive. This is clear evidence that they are doomed to failure. This will facilitate a register of children likely to be abused, the high risk and those abused. It will also provide information on those potential abusers and abusers.

On the basis of my comparative analysis of the amendments to the Bill I want to make some quick reference here to when the Minister in his presentation made reference to section 25D(2), the last line. The Bill states “mental or psychological harm” and in his presentation he stated “significant harm” which was really from the 2007 amendment, so that you need to look at this here, and there are three instances of it. You have this also in section 25(4), it says, “with other persons which shall be permitted during that period”, and instead of “permitted”, which is in the 2008 Bill; you said allowed, which came from the 2007 Bill, so it is just a change of words there. Again, in section 25E(1)(a) the last line “emotional, mental or psychological harm”, you stated “significant harm”, so we need to have these words replaced in the committee stage. Also, in section 51—you read a section 52 which is not in this 2008 Bill but came from the 2007 Bill, so I am just bringing this to your attention here.

Mr. Speaker, we recognized that a wide range of amendments included substitution of the words which in layman's language reflected no difference in meaning to what was intended in the 2000 Act. There are several sections with the host of subsections, in most cases these subsections may exceed 10 and are either stated in Roman numerals or letters of the alphabet in the 2000 Act. In the 2008 Bill the identical subsections and most instances with identical words have been rearranged with apparently no good cause. To the ordinary mind these changes lack substance and without explanation one is led to believe that they were made as part of the justification process for the eight year delay.

A wide range of clauses have been repealed and thus substituted with new sections. On close examination the substituted sections reveal that while a few words or a few lines have been changed the initial concept or substance remains the same. In other words, sentences have been restructured without affecting the original intent and purpose. One gets the feeling that it was an exercise in English

Language to show that the same idea or concept could be written another way. This certainly does not justify the eight-year delay.

6.15 p.m.

There are one or two areas where changes and amendments seem rather devious or sinister and which to my mind are deliberately designed to facilitate nepotism and political patronage. For example, they wreak havoc with the composition of the board. The 2000 Act stated quite clearly the professionals to be appointed on the board of management, that is, a child psychologist, a psychiatrist, a qualified social worker, a public health specialist, an educator, an accountant and an attorney at law of not less than five years standing. Mr. Speaker, this leaves me with the clear understanding that professionals in practice and of repute were to be appointed on the board.

The Bill of 2008 stated that those to be appointed on the board must have the relevant qualifications and skills. I read this to mean that basic qualifications and skills are not necessarily in practice; once you have a diploma or a certificate in any particular course, you could obtain the job, whereas in the 2000 Act, they specified that you must be a specialist. I read this to mean that the basic qualifications and skills that are not necessarily in practise would be adequate for them. It is in these provisions the PNM would use the autonomy to place people with mediocre training and skills on the board. This is a deliberate half-baked provision.

Mr. Speaker, I want to make some comments on infant fatalities and kidnapping. I would like to commit a few minutes to speak on this Bill to the number of infants who have been either brutally murdered or kidnapped and subsequently murdered, and whose remains have not been recovered to date. I want to say without any remorse, that the blood of these innocent victims must forever dwell in the minds of this hard-hearted PNM Government. Murder after murder has been committed against defenceless and unsuspecting children as the PNM Government has refused blatantly to budge.

They have not only failed the nation, they have failed the children of this nation who will never forgive them. They have dragged their feet and delayed the introduction of the Children's Authority legislation, simply because the laws were passed by a UNC government and this is why their petty thoughts and profound vindictiveness will live to haunt them in the future years.

Mr. Ramnath: Good point.

Dr. Moonilal: Excellent.

Mr. N. Baksh: Before I review very briefly some of the cases, I would like to inform this House that the Rape Crisis Centre recorded instances of abuse.

Mr. Speaker: Hon. Members, the speaking time of the Member for Naparima has expired.

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

Question put and agreed to.

Mr. N. Baksh: Thanks to the Prime Minister. I know he has an interest in the nation's children and we hope that they would be able to implement—[*Interruption*]

Mr. Ramnath: He has failed the nation's children.

Mr. N. Baksh: I was making reference to the Rape Crisis Centre which recorded instances of abuse and under child sexual abuse in 2005, there were 49 cases and in 2006, there were 62 cases, 19 of which were rape cases. Incest in 2005, 20; and 2006, 13. Buggery in 2005, five; and 2006, 16.

I want to make it clear that these are reported cases only. Could you imagine the extent of those that are not reported? There are instances—if I call some names which have been repeated here so often: Akil Chambers, Mark Prescott, Vijay Persad, Ishmael Ragbir, Carlene Blackman, Renaldo Williams, Jamel Josiah Mohammed, Dane Andrews and the list goes on so. There are so many of them and it is happening with such frequency.

I would like to quote a few paragraphs from an article written by Mrs. Diana Mahabir-Wyatt, Chair of the Coalition against Domestic Violence and a Member of the Coalition of the Rights of the Child, who was also a former Senator with particular interest in child abuse. It states that:

“It is not good enough that the little nine-year-old girl whose body was sold by her mother over and over again to buy drugs, has been whisked away to a children's home, run by yet another NGO trying to make up to the disinherited of this country, for the Government's neglect and disinterest to what happens to little broken bodies and shattered spirits. From the Coalition Against Domestic Violence investigation, it appears that the nightly rape of the child by men in the village has been going on month after month.

The village has been shamed by its men for living memory. How can any child living in that village face his or her schoolmates, all of whom will be

looking at them, wondering if their father or grandfather was one of the 28 men involved, and who knows how often each of them took advantage of that poor thin, battered little body.

From what we have learned, many reports were made to the local police, whose response was the usual one in cases of domestic violence and sexual assault. Until we get evidence, we can do nothing. Who do they expect to get evidence if the police do not? Is that not their job to investigate and get evidence? ”

Mr. Speaker, I think it is time we bring back the community police. [Interruption] Good! We also need to provide our police with special training to deal with matters within the ambit of the Children's Authority, since you want to bring this with some urgency. From my knowledge and research mainly from the newspaper articles and reports, I can conclude that most of the criminals who conduct heinous and brutal crimes against our children, represent persons who are close and trusted by the victims. In some instances, these people may be the biological father, stepfather, stepbrother or neighbour who is known and trusted. There are unconfirmed reports that a high percentage of these cases are never reported to the authorities, for fear of damage to the reputation of victims or families.

The *Express* newspaper on June 11, 2008, carried a report of certain pronouncement by a female Inspector of Police, Shelia Prince, on the subject of incest. This law enforcement officer indicated that incest was quite rampant in our society and victims in particular, were rather hesitant to report cases to the police. She advised in no uncertain terms that victims should not conceal this sadly brutal and shameful act because of family fear and encouraged victims to be brave and to report the crime to the police. The inspector said that the problem will never be arrested squarely if victims fail to make reports. She explained that failure to report will cause the criminals to continue with their abuse of innocent members of the family.

Only recently, one newspaper reported a bizarre story where the biological father fondled his daughter for several years during infancy until she was about 10 years old, after which he said she graduated from one stage of love for his daughter which was actual sex. This particular child wondered over the years of fondling, whether all fathers do the same to their daughters. When the child could no longer tolerate her father's sexual greed, she told her mother who seemed to be aware of what was happening, but was helpless. When the mother eventually mustered the courage to confront her husband, he became belligerent and hostile

Children's Authority (Amdt.) Bill
[MR. BAKSH]

Friday, June 13, 2008

and even remarked that his family was ungrateful to him. This is the kind of situation we are living in these days.

Mr. Speaker, my own research on the matter reveals that most of the infant victims who were murdered, brutalized and maimed, come from the following background: impoverished and in squalor, where social and economic conditions leave the victims with hardly any choice. The cycle of poverty and disadvantage causes victims to bear the burden of trauma and brutality. Single parents who are required to work in order to maintain their children, because of Government's inability to control inflation and the cost of living, some of these parents are required to undertake several jobs to make ends meet. The hardship that these single parents face on a daily basis, make them rather susceptible to advancing male partnership, especially if the individual is enjoying secured employment.

There is always the understanding that this relationship would lead to a permanent union and the children from the previous partner would benefit. In very many instances, these stepchildren are exposed to abuse, sexual abuse, brutality and heinous crimes. The cases of Amy Annamunthodo, Hope Arismandez, Carlene Blackman, Renaldo Williams and Jamel Josiah Mohammed are all typical examples. It must also be noted that incidents of rape, buggery and brutality do not just affect the victims; family of members of victims are severely affected as well, because they are all forced to face what is an unbelievable and unnecessary level of stress. Some of these people have become so traumatized, that they live with fear and insecurity throughout their lives.

Apart from the victim's background, I am constrained to conclude that persons who commit these brutal and dastardly acts are not normal and sane human beings. In most cases, I am led to believe that these persons are chronic drug addicts who are dangerous and who roam our streets day and night.

Only a few days ago, an individual who was convicted of raping a young child, was described by a High Court Judge as a beast. We will remember many years ago a similar beast, Mano Benjamin, that individual was given a long term sentence, supplemented with strokes with the birch. I am confident that these criminals are indeed addicted and sick, and very often we read about a history of their abuse and illegal activities. It is necessary therefore, for social work agencies to have a register of all such persons to monitor them frequently. This is very, very important, that we have a register of these abusers and the abused and sexual predators.

Mr. Speaker, it is necessary that we ensure that institutions of care and correctional facilities for children are designed to nurture growth and personal

development. Such institutions should be subject to unannounced checks for purposes of review and adherence to all standards for the care of children. We should also create a national hotline for children and concerned citizens to report suspected incidents of child abuse or neglect, and ensure that such reports are humanely investigated within 24 hours. Therefore, we should have a rapid response unlike the kind of response we get from the police service.

We should teach children's rights in all schools with a focus on building awareness of potential sources and indicators of abuse, so that there is peer recognition in situations which older persons might not notice it. We should have a database of children at risk, which can be accessed by any agency working to solve the problem of child abuse and neglect. Each street child should be known, identified, and in contact with an appropriate social worker, who is working towards resolution of the child's situation.

Mr. Speaker, in conclusion, it is said that children are the key to paradise. Do these precious commodities not deserve the care and protection of the Government of this country? This Government, however, is neither proactive nor reactive to the concerns and lives of our children. In fact, they are just totally inactive. They took eight years to bring this Bill to Parliament. They should be hanging their heads in shame because it took them so long. They should hang their heads in shame because of the torture and torment they have inflicted upon the children of our nation.

6.30 p.m.

Mr. Speaker, there is a total breakdown of major institutions. I make quick reference to an article from the *Sunday Express* of June 01, 2007, by Prof. Selwyn Ryan:

"A values portrait of Trinidad and Tobago

- Ninety per cent report that God is important in their lives and that they often took time off to pray, meditate, or contemplate God. This differs with what happens with respect to Britain where only 40 per cent consider God important."

I made the point in my opening remarks that it was important to maintain our family unit, which is critical to all the problems we were facing with regard to crime and criminal activities in our country.

The article continues:

- “• Ninety-six per cent of Trinidadians deem 'family' to be very important in their lives...

Most Trinidadians are disenchanted with the performance of the country's political institutions. Eighty-eight per cent had no confidence in political parties. Eighty-one per cent had no confidence in Parliament. Sixty-nine per cent had no confidence in the Judiciary. Seventy-one per cent had no confidence in the Police Service. Sixty-five per cent had no confidence in the Public Service. Sixty per cent had no confidence in the Defence Force. Fifty per cent had no confidence in the Presidency. Seventy-two per cent had little or no confidence in the elected political executive. Forty-six per cent had no confidence in Caricom.

- Trinidad is a low trust society. Ninety-six per cent assert that one must be very careful in dealing with other people."

This is giving us a picture of how our institutions are failing us and how people have no confidence in these institutions. Mr. Speaker, we must address these issues; we must deal with it holistically.

I quote a little further on:

"Thirty-three per cent think that having a strong leader who governs with his technocrats, and who does not bother too much about Parliament and elections is a... 'fairly good' way to govern a country. Sixty-four per cent however believe that this is a 'very' or a 'fairly' bad way to govern a country and that popular participation is very important."

I think we all need to take recognition of these figures that we are seeing here today.

Mr. Ramnath: Is that a Ryan poll?

Sen. N. Baksh: Yes, it is a Ryan poll. It shows the extent of the breakdown of the major social institutions in this country.

Mr. Speaker, it is important for us to build on our social capital. I want to recommend that we establish a community service project in all schools and youth organizations. This is going to involve those persons who are vulnerable, who could be easily attracted to gang activities. Therefore, we should make a deliberate attempt to involve them in community work. We could do this by establishing community service projects in schools and our youth service organizations, and present them with awards for their initiatives. This community service agency should be linked to the family services as well.

My colleague, the Member of Parliament for Oropouche West, made the point about the staffing of the family service, that this was a critical avenue. In fact, I

feel the time has reached, because of the situation in this country, that we should have a dedicated ministry for family services, so we could channel our resources in solving this critical problem.

What measures would be put in place to conduct a capacity assessment of government ministries, departments and specialized units responsible for the care and protection of children, and other non-governmental and private organizations which also provide this service?

I heard the Member for Diego Martin Central speak about hope in his conclusion. I too want to touch briefly on hope. Hope has died a violent death many times, but we must live in hope that we could change this world we live in some day.

Thank you.

The Minister of State in the Ministry of Social Development (Hon. Alicia Hospedales): Mr. Speaker, I thank you for the opportunity to contribute to debate on this Bill. [*Crosstalk*]

Mr. Ramnath: She is a very attractive woman! [*Laughter*]

Hon. A. Hospedales: I also want to congratulate the Member for Oropouche West on her maiden speech this afternoon. [*Desk thumping*] [*Crosstalk*]

Mr. Speaker: Order!

Hon. A. Hospedales: For the information of Members on the opposite side, this Government is extremely aware of some of the complex issues and challenges experienced by the children of this nation. As a result, we have taken a number of initiatives that would be highlighted throughout my contribution.

Mr. Sharma: You sound like a mother!

Hon. A. Hospedales: Despite what the Members on the Opposite side say, we are committed to the well-being of all our nation's children. [*Desk thumping*] For their information, our level of commitment has been recognized and acknowledged by the United States Department of State in their report, Trinidad and Tobago Human Rights Practices, which noted that this Government—may I add—this PNM Government, is committed to the human rights and welfare of children. [*Desk thumping*] We are committed to addressing the concern of child abuse in our society, and remain steadfast in ensuring that the vulnerable children who are at risk to negative outcomes such as neglect, abandonment, malnutrition and exploitation, are protected.

Our commitment to the well-being of the children of this nation has been established in our efforts to provide care and protection for them. This Government

Children's Authority (Amdt.) Bill
[HON. A. HOSPEDALES]

Friday, June 13, 2008

makes every effort to ensure that our policies, programmes, as well as the services we offer, reflect respect for the rights of the child and promotion of their healthy development.

Trinidad and Tobago, as you heard earlier, has joined with many nations in signing and ratifying many international conventions and declarations that support as well as promote the respect of the rights of children. One such signing and ratification of a convention was the United Nations Convention on the Rights of the Child, which resulted in this Government accepting the responsibility to introduce measures that would ensure the general welfare and protection of all children in this nation. One such measure was the establishment of the Children's Authority; however, this was delayed by much needed amendments to the Children's Authority Act, No. 64 of 2000, which is the Bill before the House today.

Mr. Speaker, for the information of Members on the other side, the amendments were needed and necessary because the Children's Authority Act, No. 64 of 2000, gave the authority tremendous power without the protection of the required court orders. This would have resulted in the authority spending considerable time before the courts for judicial review, plus wasting time that could have spent looking after the best interest of our children. [*Desk thumping*] Additionally, adequate provision was not made in the authority's procedure for parental appeals; further, the voice of the child was not being heard.

This wanton inconsideration of the reality that a child has a voice, is a true reflection of the type of leadership that emanated from the other side, "Hush, or else". [*Laughter*] Even the Members on the other side could not and, probably, still cannot, talk out for their rights, because they would be told, "Hush, or else". [*Laughter*] The same way they were muzzled, they tried to muzzle the voices of all the children of this nation. [*Crosstalk*]

Mr. Manning: "Tell Ramnath dat for me!"

Mr. Ramnath: "Do not introduce me in dat."

Hon. A. Hospedales: This was quite evident in the contribution of the Member for Oropouche West, who could not speak on the topic for herself, but rather rambled through the notes of one who was absent.

Hon. Members: Ooh!

Hon. A. Hospedales: The Children's Authority Act, No. 64 of 2000, also did not make provision for the representation of children by a children's advocate.

Again, I do not think they knew, or maybe they did not want to acknowledge, that children have rights and also needed to be represented. The hon. Members on the other side often want us to believe that they care for the children of Trinidad and Tobago, but when they had the opportunity to build a solid foundation for our future leaders, they failed.

It is often said that a wise man always counts the cost when he sets out to build a house. I am forced to believe that they did not consider the long-term effects of the ineffective legislation that they laid in this House in 2000.

The legislation appears to put all the responsibility on the board for making all operative decisions, and did not provide for the decisions which had to be made on a day-to-day basis. The Act failed to provide the Authority with the judicial power to contract, sue and be sued. It failed to state whether the staff members who would have been employed with the Children's Authority, would be public officers and whether a significant number of the staff members would have been on contract and for how long.

Another deficiency in the Act was that it placed the responsibility for appeals against decisions made by the Children's Authority with the Minister, rather than with the court. The Act also severely restricted the operations of the Children's Authority, thus it would have prohibited the effective management of its duties and functions.

There was no clear obligation to monitor private, public and non-governmental agencies which addressed children's issues. Let us not forget that the alleged abuse and neglect of children in children's homes was as pervasive an issue under the UNC administration, but the Members on the other side did not seek to ensure that the existing children's homes were monitored. They claimed to care, but did not put anything in place in the legislation to ensure that children were not ravaged by their caretakers in these residences.

The hon. Members on the other side want us to believe that they are blameless, shameless and guilt free. They are, indeed, shame guilty of failing to put effective measures in place to protect children. [*Desk thumping*] I wonder if they had given thought to this piece of legislation and the many deficiencies that existed, or did they ignore the fact that the legislation could not adequately help the Children's Authority to be an effective guardian of the children?

6.45 p.m.

Mr. Speaker, it makes me wonder if they tried to add a plaster to the oozing prevalent issues regarding children that existed during their time, or did they say

Children's Authority (Amdt.) Bill
[HON. A. HOSPEDALES]

Friday, June 13, 2008

to themselves; it is not my child. As a result, they did not have to think through how the Children's Authority would actually work.

Mr. Speaker, because we care about the children of this nation, we have made the necessary amendments to the Children's Authority Act, 2000, which not only allow for the reception of children in need of care, protection and rehabilitation, but allow the authority to investigate and make recommendations with respect to the adoption of children, allow the authority to approach the court for a child to be made a ward of the court, and also govern the licensing of homes and residences for children. Additionally, the amendments allow the Children's Authority to investigate incidences of ill treatment that emanate out of these homes or residences, as well as investigate complaints that are made about children who live in the safety of their own homes.

Mr. Speaker, we are making an effort to ensure that this society is fit for all children. This we seek to do by ensuring that our national plan of action—which the Member for Oropouche West had referred to earlier on—was revised to focus specifically covering all areas of the Convention on the Rights of the Child and including the four priority areas for action in the best interest of the children in this nation.

Again, because we seek after the best interest of the children, we made the necessary amendments to include the goals which would have been the outcome document of the Twenty-Seventh Special Session of the United Nations General Assembly held in May 2002 called, *A World Fit For Children*. The priority areas involve promoting healthy lives, providing quality education, protecting against abuse, exploitation and violence and combating HIV and AIDS. All these areas have been given priority by this Government and are implemented through a strategic plan.

Members on the other side have frequently cast blame towards this Government saying we have done nothing for the children of Trinidad and Tobago. Despite this falsehood, the evidence says otherwise and I would have to ask a few questions of the Members on the other side. Which government promotes the rights of a child to a name and identity by ensuring that each child has a birth certificate? This is provided free of charge and is used as our strategy to increase school enrolment.

Which government ensures that there is a greater awareness among children about their rights? The right of the child is taught in schools throughout this country as a result.

Which government saw it fit to establish the student support services, the vision of the Ministry of Education to provide psychosocial support, guidance and counselling for children?

Hon. Members: The PNM.

Hon. A. Hospedales: Which government again ensured that a Health and Family Life Education is taught as a core component of the school curriculum, instituted ongoing public awareness education programmes on issues of abuse, neglect, exploitation and violence against children?

Which government expanded the foster care programme to provide improvements to the level, quality and quantity of temporary care arrangements for children in need; increased social welfare grants to improve the quality of life of disadvantaged children and their families and also provide support to impoverished families by giving a food subsidy?

Mr. Speaker, we have also made efforts to strengthen the delivery of social services to offer greater protection and support to vulnerable children and their families. This also involves the expansion of the National Family Services, a unit in the Ministry of Social Development which will be getting additional social workers to attend to the needs of the families and children who are at risk or would have been exposed to some form of risk.

This list can go on and on, but despite the false accusations made by Members on the other side, we are making every effort to fulfil our mandate to ensure that the children of Trinidad and Tobago are nurtured, cared for and not exploited, abused, or victimized in any way. We have also ensured that the Convention on the Rights of the Child is fully integrated into all our planning and budgetary allocation processes and make every effort to ensure that the voice of the child is heard.

Mr. Speaker, the question is: What did the UNC government do for the children of this nation? It presented a package of legislation that did not adequately incorporate the rights of the child; it did not have a free birth certificate; it did not see an expansion in—or did not have Early Childhood Centres, or free tertiary education and it closed a number of the youth facilities which would have provided some skills-based education or support to the young people of Trinidad and Tobago, nor did it seek to adequately protect children from the various types of abuse. It had weak social services.

Mr. Speaker, for your information, I remember that they put a clamp on the number of social workers they were hiring during that time. *[Interruption]* Just by

Children's Authority (Amdt.) Bill
[HON. A. HOSPEDALES]

Friday, June 13, 2008

these few examples, it is plain to see that those Members were not interested in the well-being of the nation's children, their attention was totally focused on other issues and may I say, money matters.

Mr. Speaker, there is a saying:

“Do not look at the mote in your brother's eye; look at the beam in yours.”

Another saying goes that when you point a finger at another person, there are four fingers pointing back at you. [*Desk thumping*]

Hon. Members: Tell them, tell them.

Hon. A. Hospedales: Mr. Speaker, the Opposition Members have certainly pointed fingers at us, even blaming us for the death of children who were abused and I join with the Member for Diego Martin Central to say that we extend condolences to the families who had lost their children. It is really a heart-rending thing especially when you have a loss in your family, but why do they blame us for the death of children who were abused?

They try to create the impression that child abuse has been occurring only under the administration of the People's National Movement, but for your information, these acts were as prevalent under the UNC administration as they are today, and I will give a few highlights from the newspapers.

A child went missing on Christmas Day and was never found.

Hon. Members: What year was that?

Mr. Speaker: Order! Order!

Hon. A. Hospedales: Mr. Speaker, this happened in 1998. Another headline: “Who killed little...?” And I do not want to call the name of the child because I know it may conjure up emotions among the family. The name of the child was given and the year was 2000. “Girl Stabbed to Death”, 1998; “Man found guilty of raping blind girl”, 1995; “4 women charged with raping 4 boys”, 1997; “Barber Jailed for Raping Girl, 12”, 2000.

“Police figures show that in 1999, some 272 cases of child sex abuse were reported. The figure jumped to 617 in 2000.”

They want us to believe that child abuse never occurred under their administration and they continue to point fingers at us, but we will continue to discuss what this newspaper report says. It says:

“Incest is reaching alarming proportions.”

Hon. Member: What year was that?

Hon. A. Hospedales: The year was 2000. No, let me correct myself, 1999. And this is what the newspaper report says:

“The authorities are not paying enough attention to incest and rape. They need to develop support systems, safe houses and education programmes.”

Mr. Speaker, this happened in the year 1999.

Hon. Member: Which newspapers you quoted from?

Hon. A. Hospedales: I will tell you; the *Trinidad Guardian*, *Trinidad Guardian*, *Trinidad Guardian*, *Trinidad Express*, *Trinidad Newsday*, *Trinidad Newsday* again, *Trinidad Guardian*.

Mr. Speaker, would these Members say they were not to be blamed for the sexual abuse or death of these minors? It is unrealistic to think that this Government—and I am sure they will probably be saying that any other government can station police officers at every home in Trinidad and Tobago to safeguard children from harm. As adults, we must all accept responsibility for children in our care; at home, at school, at church, the children's homes, and other institutions/organizations that provide services for children. [*Desk thumping*] Protecting our children requires a collaborative effort with the Government, CBOs, FBOs, families and all other stakeholders as well as the Members of the Opposition working together to ensure that our children are protected.

Mr. Speaker, we must commit ourselves to ensure that we nurture our future generation of leaders in a safe environment. Once we do this, we are sure that we would live peaceable lives in this beautiful nation of ours. Parents—and I am sure most of us here are parents—are the primary educators of their children. They have a duty to be their children's first and principled educators, they have the right to educate their children particularly in the area of moral values and human sexuality. Parents cannot avoid that they have influence over their children.

In fact, it is critical that parents and other influential adults embrace this responsibility and take it seriously, particularly when the safety of our nation's children is at stake. What we have recognized is that many parents have given up their duty in this field, or agree to delegate it to others; for instance teachers, church leaders, the television in some instances, other relatives and friends because of the difficulty of discussing these topics and their own lack of preparation.

7.00 p.m.

Mr. Speaker, this Government has made an observation that parents need to be supported in their parenting efforts, especially in providing them with information on the need for children to be taught about touching safety issues. Teaching children about touching safety issues requires parents and other caring adults, including the continued effort of this Government's social service staff assigned to the various Ministries to help children learn appropriate relationship boundaries and how to protect themselves from violators.

The Government's commitment in this effort would be manifested with the establishment of a parenting unit at the Ministry of Social Development. Much effort would be placed on supporting parents in their efforts to help children to identify and resist any touch—may I say again, any touch—that can harm them, sexual or non-sexual, and we would also help them to respect their own health and safety and the health and safety of others; to know the anatomically correct names for their private body parts and we are saying that this should be done at an early age, as early as 18 months. This is very important because if we do not, as adults, help the children to know the correct names, they would not take it seriously.

We would also focus on helping them to know that their private body parts are private for a reason. Children should know what to do if a child, adolescent or adult touches them in an unsafe manner. This effort to educate children about their bodies and safe touching and the need to tell someone if an individual tries to violate them, is one approach that we seek to implement to bring about change in our society. The other measure is to ensure that this piece of legislation on the Children's Authority, as well as the other pieces of legislation that make up the children's package will be passed and implemented.

This Government, in its thrust to achieve the goal of developed nation status by the year 2020, has placed increased focus on ensuring that healthy family life is the prevailing characteristic of this country. Most of the children in this nation live in families and it is often in the privacy of the home, children are abused. As a result, a key objective of Vision 2020 is to encourage and reinforce parental and family commitments and stability as well as positive social values and behaviours, according to the National Strategic Plan, 2005.

Focus on the family is important because we understand that strategies to prevent and deal with the effects of child abuse must target not only the victim but also the perpetrator, the family and the wider society. Special emphasis is being

placed on developing services to treat with the issue of child abuse and on developing the infrastructure for the assessment and prevention of risk surrounding this prevailing issue. The establishment of the Children's Authority will provide considerable aid in this regard. The amendments to this piece of legislation as well as other pieces of legislation that specifically focus on children will, indeed, provide the legislative framework needed to ensure that they are protected.

Trinidad and Tobago, despite the distorted picture that the Members of the Opposition tried to paint, is one of the countries where the United Nations state that we have been making every effort to ensure that the rights of the children are protected. Again, the Members of the Opposition tried to make you believe that we are the only nation in the world where child abuse occurs, and this is not so.

Reports from the United Nations Country Reports on Human Rights, the World Health Organization and many other empirical studies have proven otherwise. The reality is, we are not the only country of the world that is confronted with the issues of child abuse. Neighbouring countries, such as Guyana, according to the 2007 Country Report on Human Rights, have frequent physical and sexual abuse of children. Between January and September 2007, shelters handled 75 cases of child abuse and an additional 24 cases of rape, where the victims were 17 years of age or younger. The report noted that it was unclear how many deaths from child abuse took place.

A UNICEF Jamaica fact sheet on the impact of violence against children noted that—the statistics show—959 children living in Jamaica were sexually abused; 517 were raped; 409 were victims of carnal abuse or statutory rape and 33 were victims of incest in 2004. In another neighbouring country, Barbados, during the period 2005—2006, 207 children have been physically abused; 201 were sexually abused; 298 were victims of neglect and 55 experienced emotional abuse.

The issue of child abuse is a global issue and it should be noted, however, that we, as a government, are dedicated to ensuring that every possible measure is employed to address this issue in our country. We recognize that our children are precious and in order for them to receive a strong start in life we must do everything in our power to protect them. As a government, we have committed ourselves to the well-being of our children and to ensuring that this is our highest priority. We acknowledge that the best investment we can make for the future is to invest in our children today.

We affirm commitment to the children of this nation by ensuring that this piece of legislation is amended and passed and the policies that we formulate will

Children's Authority (Amdt.) Bill
[HON. A. HOSPEDALES]

Friday, June 13, 2008

ensure their well-being. I give my full support to this Bill, which demonstrates the Government's commitment to the children of Trinidad and Tobago. I also wish to congratulate the Members of the committee who ensured the relevant amendments were made, as well as made considerable recommendations that were extremely valuable.

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

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, I decided to join this debate only this afternoon having not—[*Interruption*] Yes, okay, Prime Minister. We welcome that.

But we are forced on this side to respond to some of the dissertations by the other side, and it is very surprising—and the Prime Minister knows it very well—that since 1956 to 2008—52 years—the People's National Movement administration governed for 41 years. They never brought any piece of legislation during those 41 years to deal with children's abuse and neglect of children, and in one short term of six years, the United National Congress was able to bring five pieces of legislation related to the protection of children—[*Desk thumping*]*—*and here it is today that we hear this hue and cry and criticism from the other side about what we have done.

They have taken eight years to make some changes to the original piece of legislation by changing the spelling of the word from “c-e-n-t-r-e” to “c-e-n-t-e-r”, making some typographical changes and changes that are totally irrelevant and not of any significance—but eight years. In addition to that, when we brought these five pieces of legislation, it was a type of omnibus legislation dealing with children's rights and children's privileges and the prevention of abuse and neglect of children and so on, but this Government seems to have a propensity for dealing with these things on a piecemeal basis.

To exemplify my statement, they have been promising—and the hon. Minister of Finance is here, she would know that her predecessors promised to bring the Financial Institutions Act, an omnibus piece of legislation, and year by year and month after month they bring pieces of legislation to deal with finance. Even though, when they brought four pieces of legislation as one thing together, they did not make any significant change and difference, after having passed the legislation. I am speaking of the Police Reform Bills.

They pressured the United National Congress Opposition and they pressured the population to give pressure to us, that we must support them on the Police Reform Bills. Those Police Reform Bills: the Constitutional (Amdt.) Bill and the

Police Complaints Authority Bill, we gave them the support. But did that make a difference to the crime situation in Trinidad and Tobago? After all these pieces of legislation that we supported, it made absolutely no difference. The crime became worse after that legislation. Do you know why? Because this Government is totally unable of implementing any piece of the legislation for the benefit of the people of Trinidad and Tobago. It lacks the skill, the capacity and the capability to implement anything.

Hon. Prime Minister, through you, Mr. Speaker, you would hear us say that it is sad that many times you get up and speak from year to year in your budget speeches that "we would do this and do that", and make empty, rhetoric vacuous promises and at the end of it all, it comes to naught, and 80 per cent of the promises that you make from year to year, as is being shown now, and when we do the budget debate we will show you that so many of your promises that were made have remained unfulfilled.

It is not for the lack of money because you have \$45 billion that you are spending this year. You came here and rushed us in 35 minutes to discuss a Finance Bill in a Finance Committee and we could not even ask questions and you went on to spend \$3.6 billion more, to make \$45 billion. You could have used some of that money to ensure that these children are taken care of in the society. Do you know what? You are unable to develop infrastructure; you are unable to pull your human resource together. As our Member for Couva North will tell you, that if you leave out one part of the population and half of the population, you will never able to bring and harness the talents and resources of the whole sector of Trinidad and Tobago to make it meaningful and efficient.

Your ability to develop infrastructure has been so phenomenally weak that you know that you have not been able to build police stations, health centres, district health facilities, most of the things that you want to build, but yet still, on this Children's Authority Bill, you are saying that you want to build foster homes, nurseries and so on, to take care of children. When are you going to be able to do that? You will never be able to do it because of your track record that you have failed in so many areas before.

So even though we pass this legislation this afternoon and we give you the support to pass this legislation, we know it will not make any basic difference or iota of difference in the care of children, in the prevalent abuse and neglect of children in Trinidad and Tobago. Because even though we join you this afternoon

Children's Authority (Amdt.) Bill
[DR. GOPEESINGH]

Friday, June 13, 2008

and we support you in this—because you need a three-fifths majority—we will support you, but we know in our own minds that you will not be able to make a difference.

7.15 p.m.

We had a joint select committee on the breathalyser; DNA legislation and this legislation. When you were in Opposition you supported us. What has happened to the breathalyser? What has happened to the DNA Bill? You cannot put together the infrastructure and bring together the human resources to implement the Bill.

Hon. Member for Diego Martin North/East, I sat on the Joint Select Committees with you and you promised us that you would implement these pieces of legislation and get them going. What has happened? It is almost eight months since the last government and nothing has happened since then.

The other issue besides the infrastructure is the human resource aspect. It was nice to hear my younger colleague, the Member for Diego Martin Central in piloting the Bill.

Dr. Moonilal: Who learnt nothing from you.

Dr. T. Gopeesingh: No, no, no. I think he was a good student. He is a bright young man and I wish him well. I wish you well, Amery. Bright young man. You have chosen a good man. [*Interruption*]

You know where my loyalty lies.

You spoke about it is a privilege for you to be a part of this comprehensive legislation aimed at taking care of and for protection of our children. You mentioned that the foundation of our society needs strong families and communities. It also needs strong support services. My colleague knows, being through the gamut of medical education and now in social services, that in Trinidad and Tobago, we are woefully lacking in terms of the social support that is necessary for adequate implementation of the Children's Authority Bill. I think that he agrees with me. I am aware that we have only two child psychiatrists in Trinidad and Tobago. We have a few psychologists. If I look for a clinical psychologist in Trinidad and Tobago—I am around for 35 years in medicine—I find it difficult to get a clinical psychologist to deal with some of the patients that we have. Where in God's name are we going to get these people?

After we pass this Bill who would be responsible for implementing the legislative aspect of it to bring the required plans and policies with the adequate

support of the human resource component to deal with the problems? I will bring one example. I was going to touch it later, but perhaps, I should, later.

We have a scarcity of child psychiatrists, clinical psychologists and psychologists. My colleague, the Member for Oropouche West indicated that we have one social worker to every 58,000 of the population. You give hundreds of scholarships, give scholarships to develop some of these people and pay them better.

When you look around to see who you will have to take care of the problem— if we say that a particular home has a problem with a child, whether incest or abuse and you want to remedy the situation, you would need a person who is clinically trained to deal with it. No police officer, no other type of officer can deal with that. You want somebody who is clinically skilled to deal with a social problem and we do not have them. At the end of the day when we pass this legislation, we would find ourselves in the same position as we are now, five years down the road because of the lack of adequate people to deal with it.

It takes the court to tell this Government that it must implement its laws. The equal opportunity law was there languishing and you know fully well that the country deserves this law to be implemented. You left it and left it until it had to be taken to court and the Privy Council had to tell you that you must implement the law. Where is it today, even though the court told you that you must implement legislation on equal opportunity? Even though we implement this piece of legislation, what will make the population and us be convinced and believe that you would be able to do something for the people of Trinidad and Tobago? The Equal Opportunity Bill was left languishing.

It took the court to tell you that you had to change the Trinity Cross. This afternoon we were treated by the Minister of Public Information with a big dissertation on the whole issue of the changing of the Trinity Cross. It took the court to tell you that. Will it take the court to tell you that you have to implement the Children's Authority Bill? It will come and go; it will be left there and nothing will be done. The court is making laws for Trinidad and Tobago. Even the Maha Sabha licence, the court had to tell this Government to make sure that the Maha Sabha got what they were thinking about.

It was interesting to see that the Minister of Education came into the debate this afternoon on this piece of legislation. We in the United National Congress acknowledge with our global and international community the World Day against Child Labour that was celebrated yesterday. The International Labour Organization said that education is the right response to child labour and with child labour which is abuse of the children, you get neglect and all sorts of abuse. It is

Children's Authority (Amdt.) Bill
[DR. GOPEESINGH]

Friday, June 13, 2008

important for the hon. Minister of Education to know and understand her Ministry's role in the whole aspect of this piece of legislation. Today, there are 75 million children around the world who are in child labour. I am sure that my hon. colleague Dr. Moonilal who is an authority on labour law—[*Interruption*]. He is an authority on labour law having graduated with his PhD cum laude from the Hague. I am sure hon. Prime Minister that you would have liked him on your side. The Prime Minister is listening very quietly. We join with the international global community in acknowledging the World Day against Child Labour which was celebrated yesterday.

My focus on the education aspect is the question of children being left out of school. There are a number of reasons why children are left out of school such as poverty; their parents do not have money to send them with meals although meals are provided at school and for transportation. They live in remote villages. They do not have the right background to start with in terms of education. The United National Congress acknowledged that in rural areas early childhood education was missing altogether.

As a result we set about deliberately in our short six-year period to construct over 100 early childhood education centres particularly in rural areas, so that the children of poor parents could have gotten early childhood education. It took the PNM administration six years to build seven early childhood education centres and they are talking about education and prevention of child abuse and molestation. Their education system has been not in sync with the development of the child from birth to 16 or 18 years of age. These poor children were left out of school.

For 30 years, the PNM Government was unable to send 7,000 to 10,000 per year to secondary schools. Almost 200,000 to 300,000 citizens of Trinidad and Tobago who are alive today and are in their 30s and 40s have not been able to receive a secondary education as a result of the PNM administration. It was the United National Congress government when Mr. Basdeo Panday came into power said that this must stop. We brought on universal secondary education so that not a child would be left out of school.

Do you know what that has done to 200,000 to 300,000 citizens of Trinidad and Tobago without a secondary education? We have almost a quarter of this population—I am sorry to use this terminology—who are functional illiterates. It is sad to say that they cannot write or read a sentence. We have 300,000 to 400,000 persons in Trinidad and Tobago who read only headlines in the newspaper and cannot read the depth of an article. [*Desk thumping*] This is what the PNM has created in the society of Trinidad and Tobago. They have created an ungovernable

society. There is much unrest and poverty from day to day because the people have not been able to get gainful and sustainable employment because they were not educated properly as a result of this Government.

It is the same thing that they are continuing now. When they talk about child abuse, neglect and development, what are they doing for the children when in the rural areas they still have not been able to provide these early childhood education centres? There are children still out of school and they cannot tell you how many children are left out of school and are on the streets because they do not have the capacity and capability to do any type of studies to determine this. You talk ad lib and you talk "glib" and you do not know what is going on around you. There is no empirical data to substantiate what you are saying here. You can speak from now ad infinitum and you do not know what you are doing.

Since 1993, it was under your regime that 200 of the best educators in Trinidad and Tobago got together and said that they would put forward a white paper on education. The foundation of that White Paper from 1993 to 2003 was the deshifting of junior secondary schools. Today, after you have been there for six to seven years, 2001 to 2008, you still have 14 junior secondary schools to be deshifted. What is happening? The children are running a double shift. Some children are going in the morning and some in the afternoon.

Miss Le Gendre: Will the Member give way?

Dr. T. Gopeesingh: I will give way to you.

Miss Le Gendre: I thank you for give way, hon. Member for Caroni East. Mr. Speaker, on the issue of deshifting I tried to ignore the made up figures of the hon. Member for Caroni East. These are contrary. When it comes to deshifting we have answered questions in this honourable House before that by the end of September there will be no schools to be deshifted. It is not a fact, the information that is being given by the Member for Caroni East. What is a fact is that during the administration of your government, despite your proposals, no school was deshifted. We have completed that.

Dr. T. Gopeesingh: Mr. Speaker, the question is that there is another promise by the hon. Minister that by September there would be no schools. At the moment there are 14 junior secondary schools to be deshifted. Half of these children that you say that you care for are going to school in the morning and liming in the afternoon. They are unsupervised; they do not go home and their parents do not know where they are. In the afternoon, some go to school and you do not know what time they are coming home.

7.30 p.m.

That has been the *raison d'etre* for the collapse in the society—people with low self esteem from whom emanate crime. It is the low self-esteem that the PNM has created in young minds—left them abandoned, sent them to junior secondary schools; did not supervise them; their parents did not know where they were—that is the reason for the crime. And they are asking themselves what is causing crime?

We are asking for the Minister of National Security to resign, but the hon. Prime Minister should resign. He should take full responsibility for the crime situation. He is head of the National Security Council. When Mr. Panday was Prime Minister, he used to meet all his national security people once a week and ask where they were going wrong. When the Chamber of Industry and Commerce asks that the Minister of National Security resign—he has given his resignation to the Prime Minister and the Prime Minister has refused to accept it—it is his responsibility. Why should the people ask for the Minister of National Security to resign? They should ask for him to resign.

He is head of the National Security Council. The Chamber of Industry and Commerce is saying that the Prime Minister should take up the mantle of Minister of National Security. He is already the boss of the Minister of National Security; he deals with national security matters. So when all these problems lie with children in the schools and the police service cannot deal with the society, do you think they can deal with anything related to children?

Mr. Speaker, we are speaking about abuse of children who live to be 16 and 18 years, but there is abuse in the womb. There are almost 18,000 illegal abortions done in Trinidad and Tobago on an annual basis on young girls who have been sexually active from age nine. I am giving you full statistics because I have been in the system for 35 years. The hospitals are flooded with people who come with incomplete abortions by the use of a particular drug. Some die and some haemorrhage so badly they are unable to achieve a pregnancy subsequently.

Anybody who procures an abortion is guilty of a felony and 18,000 are done on an annual basis. My colleague who piloted this Bill will agree with me on that. We are not playing politics. What are we doing about it? Where is the education programme? What are we doing about the males?

I work at the clinics in the Women's Hospital, on a weekly basis, out of every 15 new admissions, almost 10 are teenagers. Statistics done nationally will show that out of the 18,000 deliveries per year, almost 7,000 are teen pregnancies.

Children under 16 years are having children for fathers in their 40s and 50s. It is statutory rape of any child under 18 years of age who is pregnant for such a person. When you look for a social worker to report this case, there is no medical social worker. Who takes up the case to find out the father of that child? The father of that child cannot be found. He should be committed because he is impregnating this child who is less than 16 years old.

I had two cases of cervical cancer in two children 21 and 22 in 1997 and 1998. I found out that one was sexually active at age nine and the other at age 10 and none had had pap smears. They eventually ended up with cancer. This is the real society. Do not criticize the UNC. We put these pieces of legislation in place and if we had been given the opportunity to govern; if it had not been taken away from us, we would have ensured this society was a better society.

Our infant mortality is very high. We are about five times the mortality rate of developed societies for infants. The perinatal mortality of young children dying within seven or 28 days of birth is calculated by the number of deaths per one hundred thousand births. Trinidad and Tobago has a perinatal mortality of about 24 per one hundred thousand. In Britain, Canada and the United States, it is about seven per one hundred thousand. In some areas in South Trinidad, it is a little more because the Government has failed to deliver on its promise of putting two neonatal clinics at the San Fernando and Port of Spain General Hospitals.

When we talk about children dying and being abused, they are being abused in utero, at birth, within the first seven days of life, within the first 28 days of life and within the first year of life. When they survive that, kidnapping takes care of some of them. Seven children were murdered after being kidnapped. The blood of these children is on the hands of this administration. Those who do not die after being kidnapped, die as a result of road accidents, because of the callousness on the roads, and because the breathalyser is still waiting to be implemented and there are no police on the roads.

Mr. Speaker, there are just a few points again I want to touch on before I complete my submission. One of these is that we speak about an adoption committee in this Bill. I want the hon. Minister to explain what would be the difference between this adoption committee in the Children's Authority Bill and the Adoption Board that Trinidad and Tobago has which is legal? Is there going to be a difference in modus operandi? One is the Adoption Board and the other the adoption committee in this Children's Authority (Amdt.) Bill. We need some explanation on that.

When the Family Court began, we expected that the court would have been functioning extremely well, but there is room for improvement and one of the areas in which they are falling is the callousness of some of the personnel working within the system in which they deal with sensitive people on sensitive issues. The way they speak to people in some of these areas leaves a lot to be desired and their courtesy and civility ought to be improved.

When we form these committees in the Bill, we need to bring personnel who are au courant with human dignity and human relations and able to deal with a population which needs their help and support in emergency and sensitive times. We need to train these people a lot more than they are being trained at the moment.

We had passed a Bill on fathers supporting children and it seems that nothing has been done in terms of absent fathers and deducting money from source to take care of children they have abandoned. Everyone knows there are certain fathers who have a child with X, Y and Z and maintain none and it is left to the poor mother. Sometimes a mother has children with four different fathers and none support any of the children. This mother has to leave home and work to eke out a living to support her children, who are left under the guidance of the grandparents. Sometimes the grandparents die and these children are left on their own because the mothers cannot pay for a housekeeper to take care of them.

So many problems related to children's issues emanate from societal and fathers' neglect. Single parent families form a significant percentage of our population and the poor mothers have to eke out a living. What are we doing about that? I know that we have had legislation to assist mothers like that, but a lot more needs to be done for those single parents. You need to facilitate organizations to have nurseries in the workplaces where some mothers can have their children there and feel comfortable. It is the responsibility of your Government to encourage businesses to have nurseries at their workplaces and give them some benefits.

What are we doing about absent fathers? Why not make sure that the legislation is implemented? The Family Court will have to deal with many children whose fathers have left. The court grants \$100 or \$200 per child. How can \$100 take care of a child in today's world? It is not reality. What do we do about fathers who have impregnated women and created children and they are no longer there. Something has to be done. The Government has to find a solution in terms of taking care of the absent fathers who take no responsibility.

We speak about incest, but it is not an act of the lower socio-economic group alone. Many will be surprised that incest takes place in the upper socio-economic

group as well. I remember having this discussion with two lawyers about five years ago. They said: Dr. Gopeesingh, you would be surprised. Incest is not of the lower socio-economic group alone, but is very rampant in the high socio-economic group. We would “lock up” some of the people in the lower socio-economic group, but those in the upper socio-economic group get away. It comes like drugs. The small man gets caught and the big man does not. Seven persons were locked up for drugs on Gasparee Island, but which big man has been touched? We know the big men in Trinidad and Tobago in the drug situation, but they are not touched.

7.45 p.m.

We must look at incest holistically, not only in the lower socio-economic group.

My colleague for Arouca/Maloney spoke a while ago. Your administration is getting the priority correct. Have you got your priorities correct, when your regime spent \$69 million in advertisement in one year? This is a reply to the House of Representatives, Question No. 59 of the 2007/2008 Session of Parliament. The question was:

“Could the Minister inform this honourable House as to how much money was spent by each Ministry on advertisement, promotion and publication to each of the media houses in 2007?”

The answer was \$6,991,147.56. Hear who gets it. Citadel gets \$1.66 million—party friends. It is here for you all to see that \$69 million was spent in the year by your administration in public relations, promotions and advertising and that does not include the cost of the communication officers, PR officers, and marketing officers for your Ministries. That also does not include salary. In one year, this Government would have spent approximately \$100 million on these things and you talk about your priority. Get your priorities right. Do you know how many adult lives could have been saved, how many homes could be taken care of, how many children could have been put in school and how many children would have been prevented from abuse and neglect, as a result of the proper expenditure of \$100 million? I thought it was very important to make that point.

Your housing projects seem to be dedicated to foster and facilitate abuse in society. These high-rise buildings foster a neighborhood and community that engenders some degree of inability to go for entertainment. They do not have surroundings or recreational facilities. They live in closed-type households instead of single buildings, in a well-lit society, where there are a number of other recreational facilities and places for children to play and develop. Your housing

Children's Authority (Amdt.) Bill
[DR. GOPEESINGH]

Friday, June 13, 2008

programme seems to be facilitatory towards the continuation of abuse and neglect of children. This is something you must think about very critically, in your future development of housing policies.

As I close, our support for this piece of legislation this evening is undoubted. You need the three-fifths majority. We would give you this, but we feel uncomfortable that even though the legislation would be passed this evening, nothing would happen subsequent to this and the society would remain as is, or deteriorate further under this administration.

This hon. Minister who piloted this Bill spoke about the foundation of the society being built on strong families and community values. He has to begin to acknowledge that there are single parents, absent parents, children who are not going to school and children who cannot afford to have a meal at home or do not have water to take a bath before going to school. The environment in some of these areas does not nurture children's development. When you talk about an environment to nurture and care for our children, what environment are you speaking about? The safety and security of the child—mothers and fathers are frightened to allow their children to play a game of sport because they feel uncomfortable that at the end of the evening they would not know whether their child would be kidnapped.

There is the Ali family in Central Trinidad. They are asking for \$5 million ransom. It could be any of our children or any one of us. Why are you allowing this to happen? It is not only parental neglect, abuse and societal neglect of these children, it is governmental neglect, PNM neglect, over the period of time which facilitated and brought this situation today.

Today we are not in a debate or political circus. We are giving facts and figures with empirical substantiation. We embrace this Bill with the interest of the country at heart. We understand—[*Interruption*]

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to move a Procedural Motion in accordance with Standing Order 10(6). I beg to move that the House continue sitting until the conclusion of the Children's Authority (Amdt.) Bill and the Motions on the Adjournment.

Question put and agreed to.

CHILDREN'S AUTHORITY (AMDT.) BILL

Dr. T. Gopeesingh: As I close, Mr. Speaker, we speak about the mental and spiritual development of a child. The mental development of a child is nurtured

from young. The spiritual development of a child is developed by society and parenting. No legislation will take that away. No matter what piece of legislation we pass this evening, the success in preventing the abuse and neglect of children really depends on multifactorial processes that have to be taken into account by this Government. It is not an easy thing, but you have to put your heads together. Unfortunately, I cannot say that we have any confidence in you. We on this side, as the alternate government, do not have confidence that you would be able to do it. We would support you in this piece of legislation. We hope that you would begin to look critically and analytically into all the existing factors that would create this type of problem and begin to deal with it from a holistic approach and then from an individualistic approach.

I thank you very much.

Mr. Speaker: Hon. Members, the sitting of the House is suspended for dinner and would resume at 8.35 p.m.

7.54 p.m.: *Sitting suspended.*

8.35 p.m.: *Sitting resumed.*

The Minister of Social Development (Hon. Dr. Amery Browne): *[Interruption]* Short and sweet, thank you. The first order of business for me in wrapping up would be to offer sincere congratulations to the Member for Oropouche West for her maiden speech. When the hon. Member for Oropouche West rose to her feet, my heart skipped a beat. Here was a bright, young parliamentarian who could possibly break the cycle of the past and give our young people a positive example of nationalism, statesmanship and constructive debate on an important national issue like the safety of our children. I suspect that more than a few young people would have been curious as to whether we would have a rational presentation from this new Member, that focused on the future of our next generation, or whether it would be just another in a long line of doubletalk, innuendo, name-calling, political spite, bitterness, sourness and a celebration of violence. What we got was more of the same, a very familiar echo, even in enunciation and accent, very familiar more of the same. More of the same bad example to our young people and children, party before truth, personal attacks, the order of the day. A national issue is presented to you and you put on your political hat and start screaming at the People's National Movement with hatred.

To blame the Government of Trinidad and Tobago for what happened to a little girl who was brutally killed in a cane field, allegedly by a man linked to her

Children's Authority (Amdt.) Bill
[HON. DR. A. BROWNE]

Friday, June 13, 2008

family, is ludicrous, irresponsible and has already been emphasized and rejected by many activists and experts, even the same ones who have been calling for the Bill at hand today, disingenuous and ludicrous, very poor example to young people.

Let me re-emphasize for the benefit of the hon. Member for Oropouche West, the very significant amendments that have been made in this particular Bill. She chose instead to cherry pick and focus on comas, colons and the spelling of the word "centre" and ignored the very significant amendments that have been made. Let me reiterate them for her benefit and the benefit of others present here this evening.

Had she listened to the previous presentation, she would have recognized that a number of changes were made to make the legislation more workable. If the hon. Member of Parliament for Oropouche West had done her own research, she would have found in the *Hansard* record for the years 1999 and 2000, a clear statement that the package of children legislation included a Family Court Bill. The reality was that when the package was laid and passed in September 2000, there was no Family Court Bill in the package, nor was there in existence a Family Court as we now have. I took the time to point out that when the Government changed in 2001, a Family Court Committee was established in May 2004 and a pilot Family Court was launched. I am pleased to report that pilot Family Court is a resounding success for Trinidad and Tobago.

Mr. Speaker, this committee of experienced and competent professionals have been working tirelessly on improving our existing institutions and systems and have made numerous recommendations to improve the package of legislation to make the Bills more workable. One clear and significant amendment was the replacement in the provision of the Act to deal with the country's obligations under the Hague Convention, with a comprehensive International Child Abduction Bill.

8.40 p.m.

I want to ask the Member for Oropouche West and the other Members who have spoken on the other side: Is this an insignificant amendment? I think not.

The amendments also make more effective arrangements in terms of the day-to-day administration of the board of the Children's Authority. There is shift in emphasis from the day-to-day operational functions dependent on a board to dependency more on the directorship and staff of the authority.

Another significant amendment is that the new Bill gives the authority the power to investigate and make recommendations with respect to the abduction of

children, and the power to investigate complaints or reports of mistreatment of children, and after investigation to remove the child who has shown to be in imminent danger. Is that an insignificant amendment? I think not, Member for Naparima, and you know what I am referring to.

Another amendment is that the new Bill effectively now allows for the voice of the child to be heard. Many speakers on the other side referred to our international obligations, and seek to cast our country as somehow shirking its international responsibilities. One of the most important principles being advanced with regard to children's rights is that the voice of the child must be heard, and amendments were made to ensure that is enshrined in this particular piece of legislation.

The position of wardship orders under the family law, where a court which is satisfied with a child brought before it by the authority is in need of care and protection and can remove that child, avoids unnecessary, frequent and substantial judicial review as was the danger.

Mr. Speaker, the Member for Caroni East rose to his feet and asked questions about the Adoption Board, and appeared very concerned about whether the Adoption Board would continue to exist, but the answer is very simple, no it would not.

The functions which were previously carried out by the Adoption Board would now be performed by the adoption committee of the Children's Authority Board. The adoption committee is a subcommittee of the Children's Authority.

While I respond to comments made by the hon. Member for Caroni East, I would just like to humbly submit that some of the money he quoted being spent on advertising was not necessarily spent on mere advertising, but also on public education awareness, information and also on the significant recruitment efforts being conducted by this Government. If Members on the other side were to open any of the newspapers with which they are familiar, they would see significant efforts by ministries across the Government to recruit new professionals and those ads also cost money. That is just a consideration to add to the Member's overall point about what he referred to as advertising.

There was reference to the Monica Barnes Report, and there was a request by one hon. Member opposite to see each and every detail of the Monica Barnes Report. Mr. Speaker, a response has already been provided to this House with details on each recommendation and also the steps taken with respect to implementation of each of the recommendations in that particular report.

Does the Member want to know who has what disease? Which family member has how many sexual partners and the presence or absence of sexually transmitted infections and a range of other confidential matters? I would advise Members to temper any thirst for the sensational. I believe the Member for Naparima had a much better idea which he shared on that occasion, and which the Government is considering.

Just thinking back to some wise words from the Member for Caroni East, when he referred to a sense of callousness with regard to sensitive matters and the need to emphasize human dignity that really was one of the considerations with regard to how the details in that report would have been treated.

The Member for Oropouche West also spoke about the lack of human responders in a pre-arranged address and, clearly, not having the flexibility to adjust the speech, given that just a few minutes before I gave significant details of efforts being made presently to improve the human resource base within the social sector using scholarships and other innovative methodologies like contract employment, et cetera.

Mr. Speaker, then came the Member for Naparima who, as usual, was quiet and concerned and had a number of good suggestions, but for some strange reason he spent much time exploring sexual acts against children, seemingly unaware that this is the focus of the children Bill which is soon to come before this honourable House.

Mr. Speaker, in wrapping up, I would submit that the Members on the other side have a plan, and that is to spray this country with as much negativity as possible and to try to fool the population into believing that this is the worst country in the world. Do you believe that this is the worst country in the world? *[Interruption]* That is why when there is monstrous event against children in this country and certain individuals jump up and scream and say that it is the Government's fault, more and more of the population is responding. That is not true; that is not accurate.

The protection of our nation's children is the responsibility of all sectors in our society. It is the responsibility of parent, family, church, police, social worker, teacher, doctor and neighbour. We have taken the Act which in its original form was largely inoperable, and we have improved it considerably and significantly.

We have listened to the calls from communities across the country. We have brought to this honourable House this critical Children's Authority (Amdt.) Bill as is our mandate and our responsibility. The children are looking at us, and we must always rise to the occasion.

I am very proud to be part of a Government that shall establish a functional Children's Authority in Trinidad and Tobago. I ended my introduction of this Bill with a message of hope for our next generation, and my friend, the Member for Naparima, did the same.

In commending this Bill to this House on behalf of the Government of the Republic of Trinidad and Tobago, I would like to conclude with a slightly different message for our children: Love suffers long and is kind; love does not envy; love does not parade itself; it is not puffed up; does not behave rudely; does not seek its own; is not provoked; thinks no evil; does not rejoice in iniquity, but rejoices in the truth; bears all things; believes all things; hopes all things; endures all things. Love never fails. Our love for our children of Trinidad and Tobago must never fail.

Mr. Speaker, hope is still alive; hope will always be with us. I beg to move.
[*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 47 ordered to stand part of the Bill.

Preamble approved.

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

House resumed.

Bill reported, without amendment.

Question put, That the Bill be now read the third time.

The House voted: Ayes 31

AYES

Imbert, Hon. C.

Manning, Hon. P.

Nunez-Tesheria, Hon. K

Gopee-Scoon, Hon. P.

Abdul-Hamid, Hon. M.

Ross, Hon. J.

Taylor, Hon. P.

Swaratsingh, Hon. K.

Parsanlal, Hon. N.

Beckles, Miss P.

Mc Donald, Hon. M

Hunt, Hon. G.

Le Gendre, Hon. E.

Browne, Hon. Dr. A.

Callendar, Hon. S.

Jeffrey, Hon. F.

Hospedales, Hon. A.

Joseph, R.

Hypolite, N.

Regrello, J.

Ojah-Maharaj, Mrs. I.

8.55 p.m.

Rafeeq, Dr. H.

Ramnath, K.

Moonilal, Dr. R.

Gopeesingh, Dr. T.

Bharath, V.

Panday, S.

Panday, Miss M.

Sharma, C.

Partap, H.

Baksh, N.

Children's Authority (Amdt.) Bill

Friday, June 13, 2008

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to Wednesday, June 18, 2008 at 1.30 p.m. This is to allow Members to be in their constituencies on the long weekend. On that day we will be doing the Bill to amend the Children's Community Residences, Foster Homes and Nurseries Act, 2000; the Senate amendments to the Immigration (Advance Passenger Information) Bill and if we have time we will then continue with the Order Paper.

Mr. Speaker: Hon. Members, there was one Motion but it is by agreement—*[Interruption]* very good of you; very good of you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.59 p.m.