

Senators' Appointment

Tuesday, July 01, 2008

SENATE

Tuesday, July 01, 2008

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

SENATORS' APPOINTMENT

Mr. President: Hon. Senators, I have received the following correspondence from His Excellency the President, Prof. George Maxwell Richards:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL RICHARDS, T.C., C.M.T., PhD, President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MR. FOSTER CUMMINGS

WHEREAS Senator Conrad Enill is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, FOSTER CUMMINGS, to be temporarily a member of the Senate, with effect from 1st July, 2008 and continuing during the absence from Trinidad and Tobago of Senator Conrad Enill.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 27th day of June, 2008.”

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“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL
RICHARDS, T.C., C.M.T., PhD, President
and Commander-in-Chief of the Republic
of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MR. GLENN RAMADHAR-SINGH

WHEREAS Senator Wade Mark is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Leader of the Opposition, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago do hereby appoint you, GLENN RAMADHAR-SINGH, to be temporarily a member of the Senate, with effect from 30th June, 2008 and continuing during the absence from Trinidad and Tobago of Senator Wade Mark.

Given under my Hand and the Seal of the
President of the Republic of Trinidad
and Tobago at the Office of the
President, St. Ann's, this 27th day of
June, 2008.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL
RICHARDS, T.C., C.M.T., Ph.D, President
and Commander-in-Chief of the Republic
of Trinidad and Tobago.

/s/ G. Richards
President.

TO: MS. ALTHEA ROCKE

WHEREAS Senator Michael Annisette is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you,

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ALTHEA ROCKE, to be temporarily a member of the Senate, with effect from 30th June, 2008 and continuing during the absence from Trinidad and Tobago of the said Senator Michael Annisette.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 27th day of June, 2008."

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency DANNY MONTANO, LLB., BComm., C.A., Acting President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ Danny Montano
Acting President.

TO: MR. PHILIPPE AGOSTINI

WHEREAS Senator Corinne Baptiste-Mc Knight is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, DANNY MONTANO, Acting President as aforesaid, in exercise of the power vested in me by section 40(2)(c), of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, PHILIPPE AGOSTINI, to be temporarily a member of the Senate, with effect from 30th June, 2008 and continuing during the absence from Trinidad and Tobago of the said Senator Corinne Baptiste-Mc Knight.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 24th day of June, 2008."

OATH OF ALLEGIANCE

The following Senators took and subscribed the Oath of Allegiance as required by law:

Foster Cummings, Dr. Glenn Ramadhar-Singh, Althea Rocke and Philippe Agostini.

**ACCREDITATION COUNCIL OF
TRINIDAD AND TOBAGO (AMDT.) BILL**

Bill to amend the Accreditation Council of Trinidad and Tobago Act, Chap. 39:06, brought from the House of Representatives [*The Minister of Science, Technology and Tertiary Education*]: read the first time.

Motion made, That the next stage be taken later in the proceedings. [*Hon. C. Kangaloo*]

Question put and agreed to.

PAPERS LAID

1. Annual audited financial statements of Seafood Industry Development Company Limited for the period ended September 30, 2007. [*The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne)*]
2. Annual audited financial statements of Point Lisas Industrial Port Development Corporation Limited for the year ended December 31, 2007. [*Sen. The Hon. M. Browne*]
3. Regional Health Authorities (Conduct) Regulations, 2008. [*The Minister of Health (Sen. The Hon. Jerry Narace)*]

**Regional Health Authorities (Conduct)
Regulations 2008**

The Minister of Health (Sen. The Hon. Jerry Narace): Mr. President, may I also advise that the Statutory Instruments Committee considered the Regulations and found that there was nothing to which the attention of the Senate should be especially drawn. The Minutes of the Committee was circulated to Members.

ORAL ANSWERS TO QUESTIONS

Mr. President: Senators, Sen. Mark is not here at the moment; we will begin with question No. 71.

**Trinidad and Tobago Roads
(Registered Vehicles on)**

71. Sen. Mohammed Faisal Rahman asked the hon. Minister of Works and Transport:

Could the Minister provide the following information for the period January 01, 2002 to December 31, 2007:

- (i) how many vehicles have been registered for use on Trinidad and Tobago roads?
- (ii) of that number, how many are diesel powered?
- (iii) of the number that are diesel powered, how many have been registered as "P" vehicles for private use?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. President, we are not quite ready with this answer. I expect to have it available in two weeks. I ask for a two-week deferral.

Mr. President: Hon. Senator, when you put the question, just put the question without any commentary, please.

Question, by leave, deferred.

Public Health Institutions (Access of Psychiatric Treatment)

74. Sen. Mohammed Faisal Rahman asked the hon. Minister of Health: Could the Minister advise whether there exists any facility for traumatized individuals to access psychiatric treatment (mental health services) at any of our public health institutions?

If not, would the Government urgently consider providing such services?

The Minister of Health (Sen. The Hon. Jerry Narace): Mr. President, the Regional Health Authorities continue to provide access to traumatized individuals accessing psychiatric treatment in our society through the regional Mental Health Service Programme. This programme has expanded over the years, and there are various initiatives in mental health care in the Regional Health Authorities which are as follows:

The North/Central Regional Health Authority:

The North/Central Regional Health Authority has indicated that psychiatric treatment for traumatized patients is currently available at the Eric Williams Medical Sciences Complex via a collaborative effort with the psychiatric clinic under the purview of the University of the West Indies.

In the first instance, patients are assessed by an emergency doctor and subsequently there is an on-call psychiatrist who provides psychiatric assessments for acute medical conditions such as para-suicide and other

acute psychiatric conditions. Additionally, patients with severe psychiatric illnesses are transferred to the St. Ann's Hospital, while drug substance abusers receive treatment at the Caura Hospital.

Mr. President, even after patients are discharged from the Eric Williams Medical Sciences Complex and the St. Ann's Hospital, post mental health care for acute psychiatric cases is facilitated through the following:

The Tacarigua Extended Care Facilities, where there are 10 beds for psycho-geriatric cases and 20 beds for rehabilitation; the Rehabilitation Centre in Arima which treats 36 cases from each region; the treatment of minor cases in the Chaguanas psychiatric clinic, and the Arima Psychiatric Clinic under the periphery of the Regional Mental Health Services Programme and the Outpatient Psychiatric Clinics in the Arima Health Facility; the Tacarigua Health Centre and the Chaguanas Health Centre, which is staffed by St. Ann's Hospital.

The future plans of the North/Central Regional Health Authority consist of establishing an additional psychiatric clinic at the St. Joseph Health Centre and the psychology clinic.

1.45 p.m.

The psychology clinic will provide assessment support for referrals from the children's hospital and provide psychotherapeutic services in multiple formats to individuals, groups and marital couples. The clinic will provide services for all patients with psychological distress in dealing with chronic medical problems such as renal failure, trauma, disability and persons diagnosed with terminal illnesses.

The North West Regional Health Authority has indicated that psychiatric treatment is currently available at the St. Ann's Hospital and across satellite outpatient clinics throughout Trinidad and Tobago. Most of these clinics are found in Petit Valley, El Dorado, Arima, Chaguanas, Sangre Grande, Rio Claro, Mayaro, San Fernando, Princes Town, Siparia, Point Fortin, Moruga, Cedros, Oropouche and Barrackpore.

The Eastern Regional Health Authority has advised that psychiatric treatment is currently available at the mental health clinic at the Sangre Grande Hospital. This service is provided by the mental health officers attached to the North West

Regional Health Authority. While there are no defined mental health services offered at the Sangre Grande Hospital, staff at the psychiatric clinic often attend to acute patients when necessary.

The Eastern Regional Health Authority is in the process of assessing the need to introduce mental health services during the 2008 to 2009 fiscal year.

The South West Regional Health Authority has stated that facilities are provided at five main outpatient clinics namely, San Fernando, Princes Town, Point Fortin, Siparia and Couva for traumatized patients to access psychiatric treatment.

At these clinics a multidisciplinary team consists of a psychiatrist, a psychiatric social worker and a mental health officer. They are available to treat patients. In addition to the clinic days at these outpatient facilities, there is an 8.00 to 4.00 drop-in service to deal with crisis intervention in our society. A similar service as well as a child guidance clinic currently exists at the Pleasantville Health Centre.

The South West Regional Health Authority facilitates the treatment of psychiatric patients on weekends, public holidays and after 4.00 p.m, where a medical officer attached to the psychiatric unit is usually on call at the emergency department of the San Fernando General Hospital.

The Tobago Regional Health Authority has indicated that psychiatric treatment is currently available at an adult psychiatric outpatient service at the Tobago hospital. However, the psychiatric outpatient services for children will soon be offered.

Over the last few decades, the global psychiatric community society has moved away from the institutional treatment of mental illness and has sought to effect treatments within communities by empowering primary health care practitioners and facilities to treat persons who suffer from mental illnesses. The Ministry of Health recognizes the need and importance to establish such community-based facilities that deal specifically with traumatized individuals or highly vulnerable groups such as children, teenagers, widowed women and those plagued by chronic depression and/or post traumatic stress disorder in our society.

These persons are often victims of violent behaviour, sexual abuse, childhood abuse and catastrophic events, such as a fire, car accident or earthquake. Towards this end the Ministry of Health is currently strengthening its capacity to develop

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this integrated mental health approach by revising its legislation governing mental health care. The present Mental Health Act only provides for the treatment of persons who suffer from mental illnesses in a psychiatric hospital or an approved home.

Consequently, a policy decision was taken to replace the present Act and a new mental health Bill has been drafted. It is the Government's intention to introduce this Bill to the House of Representatives during this session of Parliament. This new Bill will facilitate a more community-based method of treatment of persons with mental illnesses, as well as the promotion of mental health to all citizens.

The proposed policy framework to develop the community-based mental health programme is as follows:

- the development of the institutional capacity and policy framework for mental health care;
- the development of mental health care action plans;
- the development of training programmes in mental health care for primary care practitioners in human conflict, post conflict and natural disasters, and
- the continuous development of community-based mental health services in our primary health care system.

This Government cares for its citizens and would ensure that all individuals and groups in society receive the best treatment and care at public health institutions.

The interim interventions by the Regional Health Authorities and the Government's intention to further develop community-based mental health care facilities in the primary health care system would most likely be sufficient to ensure that the victims of crime and chronic depression are treated urgently and are able to return to society in a timely manner.

One of the objectives of this Government in its Vision 2020 plan is to further develop and encourage a nurturing society. With these interventions in the further development of mental health care as outlined above, the Government is succeeding in fulfilling its mandate.

Thank you. [*Desk thumping*]

Sen. Rahman: I am much obliged for that very exhaustive reply. I am very heartened by it. I was thinking particularly about victims of depression caused by social pressures which are building on the nation, as was mentioned by Sen. Prof. Deosaran, sometime ago.

Has the Government identified that there is a growing depression among the citizens with the pressures that are being brought on? I do not want to go into details here. This is very important because if it is not recognized we would have more suicides in this place. I will like to know that the Government has recognized this in its new proposed mental health plan.

Sen. The Hon. J. Narace: Mr. President, as I said, we are looking at all the scenarios involved, including that.

**Private Banking Sector
(TT Dollar Slide Against US Dollar)**

75. Sen. Mohammed Faisal Rahman asked the hon. Minister of Finance:

- (i) Could the Minister state what role the private banking sector played in the slide of the TT dollar against the US dollar from \$5.75 to \$6.30 in the period 1991 to 2007?
- (ii) Could the Minister also state how did the private banking sector as well as the working population of Trinidad and Tobago benefit from the scenario at (i) above?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, over the period 1991—2007, the Trinidad and Tobago US dollar exchange has ranged from TT \$4.25 to TT \$6.30 to US \$1. In 1991 and 1992, the Trinidad and Tobago US dollar exchange rate was fixed at \$4.25 to US \$1. The fact that our exchange rate has worked well so far is no accident. In 1993 the Government of Trinidad and Tobago took the policy decision to liberalize the foreign exchange market in order to promote macroeconomic stability and to facilitate the country's integration into the changing global economy.

The result is a strong resilient economy with foreign reserves representing more than nine months of import cover at the end of 2007. Given the small market and the concentration in the financial system, a fully market-determined system was impractical because of the potential for exchange rate volatility.

The exchange rate setting arrangements implemented by Trinidad and Tobago which essentially involved a managed float system provide the flexibility required for the circumstances of Trinidad and Tobago. The success however, requires careful management and close collaboration between all stakeholders, the Central Bank, the commercial banks, the public and private sectors.

One element of this collaboration was the establishment of a sharing mechanism whereby foreign exchange sales by the energy company were shared among financial institutions. Another was agreement on the pace at which any given

bank could adjust the exchange rate. The idea was to limit price competition for foreign exchange. The private banking sector has ensured the stability of this system and by extension the stability of the economy. The movement in the exchange rate is influenced by many factors not controlled by the private banking sector.

These arrangements have avoided the incidence of exchange rate instability that accompanied liberalization initiatives in many countries. Various factors influence the outcome of exchange rate changes and exchange rate movements also affect numerous other aspects of an economy. These factors are interlinked and dynamic. Moreover, adjustment can span different time frames.

Trinidad and Tobago has been able to achieve an appropriate balance between price levels, competitiveness and economic growth. In the recent past the Trinidad and Tobago dollar has appreciated against the US dollar. On June 11, 2008, the Central Bank of Trinidad and Tobago quoted the selling rate as US \$1 to TT \$6.19.

Thank you.

Sen. Rahman: Is it the intention of the Government to continue with the manage float? Will it be reviewing that float in the foreseeable future?

Sen. M. Browne: It is the intention of the Government to continue the management of the float for the foreseeable future.

US Currency (Shortage of)

76. Sen. Mohammed Faisal Rahman asked the hon. Minister of Finance:

- (i) Can the Minister explain the repeated shortages of US currency claimed by the private banking sector which obtains US currency from the Central Bank for trading?
- (ii) Why does the Government not make US currency directly available to the private sector from Central Bank to obviate this recurrent problem?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, at present there is no shortage of US currency in the financial market of Trinidad and Tobago. However, there were periods when activity in the market intensified to a level that resulted in supply and demand mismatches. This situation is not peculiar to our market, but occurs in all international foreign exchange markets.

When an imbalance occurs, the Central Bank of Trinidad and Tobago takes the appropriate course of action to regularize and stabilize the rate of exchange. Before the Central Bank makes a decision to enter the foreign exchange market, it assesses current economic conditions; competitiveness of the exchange rate; short-term imbalances and the level of international reserves.

Such a situation occurred in 2005. The principal factors leading to that imbalance were as follows:

- the rapid increase in private incomes leading to buoyant demand;
- a significant increase in capital outflows for asset acquisition;
- the purchase of securities issued by regional sovereigns and corporations; and
- a rise in portfolio outflows including foreign currency denominated mutual funds.

In 2005, out of total purchases by the commercial bank of US \$2.6 billion, 60 per cent came from the energy sector. If the sale by the Central Bank is included, the energy sector accounts for closer to 70 per cent of the foreign exchange intermediated in the foreign exchange market.

Of the total foreign exchange sales of \$3.6 billion, about 80 per cent was for current transactions, that is trade and services and close to 20 per cent or about US \$650 million for capital market transactions. In 2005, to meet the increased foreign exchange demand, the Central Bank sold US \$670 million compared with US \$386 million in the previous year. In the first quarter of 2006, the Central Bank sold \$370 million to meet shortfalls in the market, more than half of the previous year's figures in one quarter. During that period, the Central Bank noted that there was a decline in conversions of foreign exchange by the non-energy sector, possibly signalling a delay in repatriation of export earnings.

2.00 p.m.

Moreover, when the demands reported by the commercial banks were examined, there was a tendency for some clients to make multiple and repeated requests to several different banks. It was clear that some clients were prepaying bills and there was evidence of foreign exchange holdings. These practices worsened market imbalances.

The Government is satisfied that the arrangements established in 1993 to support and protect the integrity of our foreign exchange market have worked well. Moreover, the foreign exchange market is supported by a large range of foreign reserves and substantial foreign exchange inflows from the energy sector.

Mr. President, as a result of the concentration of foreign exchange supplied by the energy sector, the Central Bank of Trinidad and Tobago is necessarily the largest supplier of foreign exchange to the commercial banks. This is made available to the private sector through its network of branches.

**Sea Lots District
(Airstrip)**

78. Sen. Mohammed Faisal Rahman asked the hon. Minister of Works and Transport:

Could the Minister state whether the Government intends to locate an airstrip in the Sea Lots area for small aircraft?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. President, once again that answer is almost complete and I will be able to answer it in two weeks from today. I ask for a two-week deferral.

Question, by leave, deferred.

**Heritage and Stabilisation Fund
(Petroleum Revenues Deposits)**

82. Sen. Basharat Ali asked the hon. Minister of Finance:

Could the Minister advise the Senate on the following:

- a. the amount of petroleum revenues deposited to the Heritage and Stabilisation Fund for each of the quarters ending December 31, 2007 and March 31, 2008 respectively in accordance with subsections 13(1) and 13(2) of the Heritage and Stabilisation Fund Act, No. 6 of 2007;
- b. the basis of such transfers, including but not limited to the average unit realized price of crude oil and natural gas and the amount of petroleum profits tax, supplemental petroleum tax and royalties collected in each quarter; and
- c. the unit price for crude oil and natural gas derived in accordance with subsection 13(3) of the Act?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. President, I have to ask for a deferral of this for a two-week period. Much of the answer is in position, but we require a re-formulation.

Question, by leave, deferred.

Tertiary Education
(Grant of Financial Assistance/Scholarships)

11. Sen. Dr. Adesh Nanan on behalf of Sen. Wade Mark asked the hon. Minister of Community Development, Culture and Gender Affairs:

- A. Could the Minister inform the Senate whether her Ministry has provided financial assistance or awarded scholarships to persons desirous of pursuing studies at universities in Trinidad and Tobago, the Caribbean region and/or internationally?
- B. If the answer is in the affirmative, will the Minister provide the Senate with the following information:
 - i) a list of the names of persons who have benefited from such assistance for the period 2002 to December 2007;
 - ii) the amount of financial assistance provided to each person; and
 - iii) the names of the institutions involved?

The Minister of Community Development, Culture and Gender Affairs (Hon. Marlene Mc Donald): Mr. President, Members of this honourable Senate are advised that in response to a spate of requests from various non-governmental organizations and community-based organizations that the youth of our communities should be exposed to training and development in both traditional and non-traditional areas, a technical team was established in the then Ministry of Community Development and Gender Affairs, now the Ministry of Community Development, Culture and Gender Affairs, to determine an approach that would satisfy these needs.

The technical team recommended that the Ministry establish a programme of scholarships that focus on building human capabilities within the communities, which is not tied to or restricted by the traditional criteria and selection process for such awards. Additionally, the programme would be a catalyst in the various communities for improving and developing our communities as viable and sustainable units for family and family life.

Consequently, an approach was made to Cabinet, which agreed inter alia:

- (a) to the establishment of a Community Development Scholarships Programme under which bursaries tenable locally and overseas would be awarded to young persons to undertake programmes of study in traditional and non-traditional areas;

- (b) that the Scholarships Selection Committee be established within the then Ministry of Community Development and Gender Affairs to make the appropriate selections and make recommendations to the Minister for the award of bursaries.

In accordance with the decision of Cabinet, a Scholarships Selection Committee was appointed in the Ministry.

Hon. Senators will recall that the Minister of Community Development, Culture and Gender Affairs had previously advised this honourable Senate that the Ministry has provided financial assistance to persons desirous of pursuing studies at universities in Trinidad and Tobago, the Caribbean region and internationally.

With respect to part (b) of the question and according to established parliamentary practice, Ministers have a duty to Parliament to account and be held to account for the policies, decisions and actions of their Ministries and departments. Also, Ministers are expected to be as open as possible with Parliament, declining to provide information only when disclosure would be contrary to the public interest. Whether or not it would be in the public interest to decline disclosure is determined by the relevant statute which governs the disclosure of information contained in public records.

As Members of this honourable Senate are aware, in the case of Trinidad and Tobago, the relevant statute is the Freedom of Information Act, Chap. 22:02. Section 30(1) of this Act provides, *inter alia*:

“A document is an exempt document if its disclosure under this Act would involve unreasonable disclosure of personal information of any individual (including a deceased individual).”

Section 4 of the Act defines “personal information” as information which includes *inter alia*:

- (b) information relating to the education or the medical, psychiatric, psychological, criminal, or employment history of the individual or information relating to the financial transactions in which the individual has been involved;...
- (f) correspondence sent to a public authority by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;...

- (h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual;"

The process of an individual making application for financial assistance from the State for studies, the receipt by the Ministry of Community Development, Culture and Gender Affairs for application for such assistance, the examination of such applications for eligibility and the grant of financial assistance; this entire process is a transaction of a financial nature in which the individual is involved by virtue of his receipt of such financial assistance.

In accordance with the provisions of section 4 of the Freedom of Information Act, the names of persons who have benefited from such financial assistance from the State for the pursuit of studies locally, regionally and/or internationally for the period 2002—2007 and the financial assistance provided to each person are regarded as personal information within the meaning of the Act.

By section 30 of that Act therefore, personal information relating to an individual's education, which is submitted, may include his educational records or his current educational status and the financial transaction within the Ministry of Community Development, Culture and Gender Affairs, a public authority in which an individual has been involved to enable his or her pursuit of studies are exempt from disclosure. As a consequence, regrettably, the Minister is unable to provide the information requested in respect of part (b)(i) and (ii).

Hansard records will confirm that the Minister has already provided to this honourable Senate the total sums allocated and utilized by the Ministry from 2002—2007 in the provision of financial assistance to students for the pursuit of studies, locally, regionally and internationally.

Hon. Senators will also recall that the Minister has also provided information on the various areas of study and the criteria used by the Ministry in determining eligibility for accessing relevant funding from the Ministry. Nevertheless, the Minister is again advising that, over the period 2002—2007, the total sums utilized for the grant of financial assistance to Trinidad and Tobago nationals for the pursuit of studies at local, regional and international training institutions was as follows:

2002	Nil
2003	\$1,190,805.11
2004	\$4,932,322.48

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2005	\$5,516,512.10
2006	\$18,363,806.13
2007	\$15,261,182.00

In respect of part B(iii), the names of the local, regional and international training institutions at which beneficiaries pursued training over the period 2002—2007 have been circulated to the hon. Senators by way of an appendix.

Written part of answer lodged in Parliament Library.

Sen. Dr. Nanan: Mr. President, is the Minister aware of the Student Revolving Loan Fund and the disclosure with respect to individuals and the amounts borrowed?

Hon. M. Mc Donald: Mr. President, I wish to state that that programme is different to what obtains at the Ministry and is not really what we are doing here this afternoon.

Sen. Rahman: I would like the Minister to explain, if possible, the fundamental difference between an open scholarship where everything that the student receives from the Government is clearly stated and is public knowledge as well as the name of the student, as compared to scholarships that are not open where the veil of secrecy is being invoked.

Hon. M. Mc Donald: Mr. President, that is a separate question and once posed properly I will respond. We do not offer scholarships at the Ministry of Community Development, Culture and Gender Affairs.

Granting of Scholarships/Funding (Committee Members)

15. Sen. Dr. Adesh Nanan on behalf of Sen. Wade Mark asked the hon. Minister of Community Development, Culture and Gender Affairs:

- A. Could the Minister provide the Senate with a list of the Members who comprise the committee in the Ministry of Community Development, Culture and Gender Affairs charged with the responsibility for determining the grant of scholarships/funding to needy individuals?
- B. Could the Minister provide the Senate with copies of the brochures/pamphlets containing the procedure and criteria adopted by the committee for determining the eligibility for scholarships/funding?

- (i) how many contracts were signed between the State and UDeCott for the management of the project;
- (ii) the names of any other company that signed contracts with UDeCott for project management and construction from the commencement of the project to December 31, 2007;
- (iii) the details of the amount of money paid to each of these contractors;
- (iv) whether these contracts were the subject of competitive tendering or a sole selective basis; and
- (v) if the contracts were on a sole selective basis, what were the rationale and reasons for same?

**Official Residence
(Details of Payments)**

26. A. Could the hon. Minister of Finance provide the Senate with the details of the final cost of the construction of the Prime Minister's residence and Diplomatic Centre?
- B. Could the Minister also provide the Senate with the details of payments of value added tax, income and corporation taxes, and all other corporate taxes by the Shanghai Construction Corporation of China during the period of construction of the said Prime Minister's residence and Diplomatic Centre?

**Conduct of the Chief Justice
(Legal Advice Offered on)**

28. A. Could the hon. Prime Minister make available the official legal advice offered to him by Dr. Lloyd Barnett QC and Mr. Mark Strachan QC from Jamaica and the United Kingdom respectively on which his decision to have the President of the Republic establish a tribunal to investigate the conduct of the Chief Justice?
- B. Could the Prime Minister also provide the Senate with details of the legal costs and fees paid to both Dr. Lloyd Barnett QC and Mr. Mark Strachan QC for the said advice?

**Public Transport Service Corporation
(Status of Local Agents for Volvo Buses)**

- 46.** (a) With respect to the Volvo manufactured articulated buses owned by the Public Transport Service Corporation, could the hon. Minister of Works and Transport inform the Senate who are the local agents for these buses?
- (b) Could the Minister also inform the Senate whether those agents have a workshop and spare parts facility in Trinidad?
- (c) If the answer to (b) is in the affirmative, could the Minister state where this workshop and spare parts facility is located?

**Licensing Authority
(Measures to Stamp out Illegal Practices)**

- 68.** With respect to the numerous reports over the past seven (7) years of fraudulent activities at the offices of the Licensing Authority, particularly the Port of Spain office, could the hon. Minister of Works and Transport inform the Senate of the steps or measures taken by his Government to stamp out such illegal practices?

Question time having expired, questions 25, 26, 28, 46 and 68 were not dealt with.

2.15 p.m.

**ACCREDITATION COUNCIL OF TRINIDAD AND TOBAGO
(AMDT.) BILL**

The Minister of Science, Technology and Tertiary Education (Hon. Christine Kangaloo): Mr. President, I beg to move,

That a Bill to amend the Accreditation Council of Trinidad and Tobago Act, be now read a second time.

The Bill before this Chamber seeks to amend the Accreditation Council of Trinidad and Tobago Act by amending section 29 of same to extend the transitional period under the Act by a further year and by introducing a new section 30 in the Act to allow for provisional registration. In order to place the Bill and these amendments in their proper context, permit me to give a brief history of the Act.

In July 2004, the Accreditation Council of Trinidad and Tobago Act was passed. Section 3 of the Act established the Accreditation Council of Trinidad and Tobago. The council's functions, as set out in section 8(2) of the Act, include the functions of establishing and maintaining of systems of quality for post secondary and tertiary educational institutions operating in Trinidad and Tobago and by establishing and maintaining a list of accredited awards offered by such institutions.

One of the development pillars of this Government's Vision 2020 is the development of an innovative people. The development of an innovative people involves, among other initiatives, the provision of quality post secondary and tertiary educational opportunities to citizens. One of the critical roles of the Accreditation Council is to ensure quality assurance and management in the provision to citizens of quality post secondary and tertiary educational opportunities.

To this end, section 26 of the Act provides as follows:

"No institution shall carry on the business of post secondary or tertiary education or use any of the words 'university', 'college', 'tertiary college', 'polytechnic', 'community college', 'technical college', 'technical institute' or 'technical university' in its name unless registered under this Act and any regulations or rules made under this Act."

Section 26(2) says:

"A registered institution shall not—

- (a) alter its accredited programmes without prior approval of the Council; or
- (b) misrepresent to the public the recognition gained by it for its programmes or awards."

Section 26(5) of the Act further provides that:

"An institution which fails to comply with subsection (1) or (2) is guilty of an offence and in addition to any other penalty imposed by this section is liable on summary conviction to a fine of twenty thousand dollars and to a further fine of five hundred dollars for each day that such offence is continued after written notice of the offence has been given by the Council."

Mr. President, section 29 of the Act authorized institutions which were lawfully performing their functions at the time of the commencement of the Act, which is July 09, 2004, to continue to do so for a period of two years thereafter. In June 2007, this period was extended for a further two years by Act No. 16 of 2007.

The Bill before this honourable Senate seeks to do two things: first to grant those institutions which were lawfully performing their functions at the time of the commencement of the Act a further period of one year within which to be registered with the council; and, second, in the case of institutions which do not fulfil the requirements for registration, to give the council the authority to provisionally register such institutions to operate for a period not exceeding one year if the council believes that the institution will be able to fulfil the relevant requirements within a reasonable time, and to give the council the authority to further extend that period for a further period, which is not to exceed one year.

As I have said, the Act was passed in 2004. Since its passage, the infrastructure necessary for the operations of the Accreditation Council has been set up. A board was appointed, an executive director was retained and a recruitment drive embarked upon in relation to general staff. Offices of the council were established in Port of Spain and Tobago. Alliances were forged with international agencies. For example, the council is a full member of the International Network of Quality Assurance Agencies in Higher Education and the Quality Area Network for Quality Assurance in Tertiary Education. Membership of the International Network of Quality Assurance Agencies in Higher Education is not automatic; one must qualify for it. There are strict requirements in terms of the governance structure, the policies, the autonomy and capacity of the organization. This institution is made up of every reputable accrediting and quality assurance agency existing in some 73 countries. The Accreditation Council of Trinidad and Tobago met the requirements and is now a member of that international accrediting body. It is also a member of the National Recognition Information Centre of the United Kingdom. This centre has the most comprehensive international database of recognized institutes and programmes.

The council has also hosted several workshops and consultations with stakeholders. In September 2007, for example, international consultant, Dr. John Randall of the United Kingdom facilitated a workshop on Implementing an Internal Quality Management System, which was aimed at providing post secondary and tertiary educational institutions, with guidance on the development of robust internal quality management systems. Handbooks with information on the process and preparation for registration under the Act have also been published.

It follows that notwithstanding the challenges of transitioning from the previously entirely unregulated, to a highly regulated higher education sector, tremendous work has been done since the Act was proclaimed four years ago. I

am pleased to be able to say that with the Accreditation Council, which became fully operational just over two years ago, Trinidad and Tobago now has the most comprehensive quality assurance system for tertiary education in the English-speaking Caribbean.

Underpinning the quality of post secondary and tertiary education offered in Trinidad and Tobago is the system of mandatory registration of all post secondary and tertiary education initiatives under the Act. The mandatory system of registration under the Act is as follows: All institutions offering post secondary and tertiary education must register with the council under the Act. This registration requirement not only applies to local institutions and providers, but also to all foreign or transnational institutions seeking to establish operations in Trinidad and Tobago.

Registration signifies that institutions and providers of tertiary education and training have met minimum quality requirements to operate in Trinidad and Tobago. The council defines these requirements based on international best practices. Registered institutions are required to establish and maintain a documented quality management system, which ensures that they can deliver tertiary education services over the long term at consistently high levels.

The criteria for registration focus on an evaluation of the institution's structure for governance and administration, quality management system, resource management, teaching/learning process and the systems for continual review and improvement.

In order to be eligible for registration, the institution or provider must have been established as a legal entity in accordance with the laws of Trinidad and Tobago. The average length of time for an institution to become registered by the ACTT is six to 12 months. This period is dependent on the quality of the application submitted by the institution and the extent to which it provides adequate evidence of institutional capacity to offer high quality post secondary and tertiary education.

Following a comprehensive review of the submission, a team of trained professionals visits the institution to view its physical location and operations. An institution is then registered for a period up to three years, depending on the strength of its quality management system. Registered institutions are required to submit an annual report and are continually monitored by the council. Those failing to maintain the required standards are subject to review. In the case of institutions that fail to maintain compliance with the criteria for registration, the registered status can be revoked. It is in this context that the Bill comes before this Senate.

Since the passage of this Act, some 19 post secondary and tertiary educational institutions have to date been registered with the council under the Act. Together, these institutions have a collective enrolment of some 54,504 students. This figure represents the lion share of student enrolment in post-secondary and tertiary education in Trinidad and Tobago. Mr. President, I want to stress on that. We have some 54,504 students who are attending institutions which are now registered with the Accreditation Council.

Recently updated statistics from the council, however, indicate that there are approximately 75 post secondary and tertiary institutions operating in Trinidad and Tobago that still have not been registered. Together, these institutions have a collective enrolment of over 10,000 students. Of these 75 institutions, 20 have applied for and are candidates for registration and the council's research indicates that the processing of these applications will be completed within the next two months. Twenty-eight of the remaining number have not yet been awarded candidacy for registration.

An institution becomes a candidate for registration when its application for registration has been reviewed and it has provided documentary evidence that it meets all of the criteria for registration. In the case of these 28 institutions, the review of their applications has not yet been completed by the council.

The remaining 27 institutions have not yet submitted any application for registration. Recent stakeholder consultations held by the council with these institutions suggest that some institutions had difficulty collecting the data for registration in a timely manner and consequently were not ready to apply. Some had linkages with international training organizations and had felt that such training programmes did not form part of the post secondary system and that they were consequently not required to be registered and some institutions did not understand which regulatory body, the National Training Agency or the Accreditation Council, was expected to deal with the registration process. The council continues to work with these institutions to ensure that no student or institution is left behind.

Mr. President, I would go back a little because I did say that some 19 institutions have been registered with the Accreditation Council. I should list those institutions for the benefit of Members of the Senate: the University of the Southern Caribbean; OSHA Services LLC; UWI School of Business and Applied Studies Limited, trading as ROYTEC; the School of Business and Computer Science (SBCS); Set Ready and Go Limited; Arthur Lok Jack Graduate School of Business; the Caribbean Nazarene College; the University of the West Indies;

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Professional Institute of Marketing and Business Limited; the Institute of Medical Education; Purchasing Supply and Management Tuition Services Limited; Trinidad and Tobago Hospitality and Tourism; SAM Caribbean Limited; Professional School of Accountancy Limited; Cipriani College of Labour and Co-operative Studies; SITAL College of Tertiary Education; College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT); the University of Trinidad and Tobago; and the Academy of Tertiary Studies.

What has emerged from all of this is that notwithstanding the support provided to all the institutions in the post secondary and tertiary education sector and the sustained public education campaign undertaken by the council—I also have to stress that because the council had been maintaining the public education and been putting out advertisements in the newspapers from as way back as last year and even before that, talking about the role of the council—the council had been doing its work in making sure that the institutions knew what their obligations were. Despite all of that, a significant number of the institutions have not yet submitted their applications for registration.

2.30 p.m.

With the looming expiration on July 09, 2008 for the period of registration under this Act, the council has received a flood of applications. I am informed that the applications are coming in every day.

The information from the council is that several applications received do not yet meet the standards for the institutions to be awarded candidacy status. It is expected that within the next six to eight months all applications would be evaluated. The council's hope is that during this period, institutions in Trinidad and Tobago would be able to satisfy the criteria for registration, and would be able lawfully to continue to operate. Support for this Bill is, therefore, being sought from this House so as to ensure that in the area of post secondary and tertiary education, no citizen is left behind.

As I have already said, the Bill also seeks to provide for the council to have the power to grant provisional registration under the Act to those post secondary and tertiary educational institutions. The amendment allows the council to grant provisional registration to institutions that have not met all the criteria for registration, but are likely to do so in the near future. This would ensure that the education and training of students at these institutions would not be interrupted, giving the institutions a reasonable opportunity to make the necessary interventions which would allow them to satisfy all of the criteria.

The Accreditation Council has proposed that an institution should be granted provisional registration to allow it a limited period of time within which to satisfy the criteria for registration. It is the council's functional response to institutions that have not met all of the requirements to be granted registration. The council's approach is also consistent with the developmental approach. A similar approach is found in the Higher Education Act in South Africa.

Additionally, provisional registration will allow new institutions to undertake basic operations such as faculty recruitment, programme development and student enrolment while being monitored by the council until all the criteria are met, and full registration can be granted by the council on the basis of a thorough evaluation of the institutions' entire operations. Provisional registration would, therefore, be granted to a proposed institution where assessment by the council is based on the institution's documented plans, policies and procedures rather than on actual operations.

Mr. President, permit me, as we proceed to debate this Bill, to remind Senators of this honourable House that what this Bill is about is registration and not accreditation. Registration is an entirely different process from accreditation. Registration is concerned with evaluating the institutions resource capability and/or capacity to deliver sustained quality post secondary and tertiary education. It is a process designed to check capacity at the initial end of the equation.

Accreditation, on the other hand, is concerned with the quality of the educational outcomes which is at the other end of the equation. Accreditation criteria go beyond assessing an institution's capacity to deliver quality to include the evaluation of student learning outcomes. Accreditation assesses whether institutions are producing the kinds of graduates that the country needs to achieve its goals in the context of the global economy. Feedback from the employers of graduates is critical to the accreditation process.

Mr. President, I just want to say that in order for a programme to be accredited, you must have graduates of the programme. For example, in the University of Trinidad and Tobago, there are two programmes that have already been accredited from the Institute of Engineering and Technology of the United Kingdom and they are: the Bachelor of Applied Engineering and Electrical Engineering Technology and the Bachelor of Applied Engineering in Mechanical Engineering Technology.

The accreditation process for institutions and for programmes is a voluntary process. The registration process of which we speak today is mandatory under the Act. I want to make that distinction.

The Government of Trinidad and Tobago is committed to facilitating growth and expanding access in the local higher education sector. We have spoken. This Government has said that its vision for the country is that of achieving developed country status by the year 2020. We see education as one of the priorities of the Government to take our people and this country to that developed country status.

In the education sector, we have different priorities. We are seeking to increase the capacity in the tertiary education sector. For example, we have the University of the West Indies where the enrolment figures grew from 8,000 in 2001 to 16,000 in the year 2007. We have established the University of Trinidad and Tobago, and we have already had an enrolment there of over 5,000 students as at January 2008. More capacity is needed and the private tertiary institutions provide assistance in that regard. That is what I want to stress at this stage.

I also want to point out that the Government, through the GATE and the Higher Education Loan Programme, in moving its citizens forward to developed country status and in dealing with its priority on education, has determined that no student would be denied the opportunity of an education because of the student's inability to pay for that education. All of these initiatives of the Government are working in tandem because of our priority on education.

The Accreditation Council is all about excellence in the education sector. What we are saying is that while education is a priority, and while we are doing everything to increase capacity to allow affordability, there must be excellence in the sector. That is what the Accreditation Council is about.

I just want to talk a little about an initiative that we have. It is the Ninth European Development Fund Initiative for the non-university tertiary education sector. In this sector, it is defined as the teaching and learning process that occurs from the completion of secondary schooling or its equivalent, and provides academic credits or competencies that lead to the award of qualifications such as certificates and diplomas which are considered sub-baccalaureate qualifications.

This European Development Fund is a four-year exercise in Trinidad and Tobago. We have already completed our first year. The European Union sent in a consultant to examine our achievements to date. For the first year, 10 indicators were identified for achievement which, once satisfied, demonstrated the country's consistent movement toward a more structured and regulated non-university tertiary education sector.

There was a consultant, Dr. Hoff from the European Commission (EC) who visited us in May 2008. He commended the Government of Trinidad and Tobago for how well it has achieved success on all of the indicators, and further

recommended that the EC continue to fund the Government of Trinidad and Tobago for the remaining three years of the agreement. Mr. President, we are making significant strides in the post secondary and tertiary education sector.

I just want to say to this honourable Senate that the approach that the Accreditation Council is taking is consistent with international best practice. The Accreditation Council is seeking to support the institutions, but it is ensuring that the highest standards are maintained. The Government of Trinidad and Tobago is ensuring that this country has the human resource capability to meet our national development needs to ensure global competitiveness and to move our nation steadfastly toward developed country status by the year 2020.

Mr. President, I beg to move.

Mr. President: Minister, before I put the question, allow me to welcome you back to this Chamber. It is a pleasure to have you.

Question proposed.

Sen. Dr. Adesh Nanan: Mr. President, thank you. I rise to make a contribution on a Bill to amend the Accreditation Council Act, Chap. 39:06. I listened to the Minister's presentation on this particular Bill before this Senate this afternoon, but we have to look at the situation with respect to our country. We are dealing with an Accreditation Council that was established since July 2004. If we compare July 2004 to how we are placed today in 2008, you must agree that it has been transformed considerably in terms of the atmosphere in our own country.

We live in an atmosphere of fear. We are not sure what is happening on a daily basis. Many people get up on mornings and they are happy to be alive, because of the situation in our country with the rampant criminal attacks on a daily basis.

I just want to give you a reference with respect to a situation that I faced in Washington. The relevance here is in terms of the Accreditation Council and who would be going to the post secondary and tertiary institutions, if this scourge of crime continues in our country.

It has been reported that in many parts of our country, the cohort that the Minister has been targeting would no longer be there, because they are migrating. They have been sent away because of the crime situation in our country.

I want to give you an example. In 1988 I was in Washington DC and that situation with respect to crime was very prevalent in terms of the criminal activities

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in that city. One would wake up in the morning and just try to understand how many persons would have been killed overnight, because of the sporadic gunshots. This is the situation that we are faced with today.

If one looks at the television and listens to the 6 o'clock news—every person who listens to the 6 o'clock news on the radio, the first thing that they are listening for is how many persons got killed or if there was a kidnapping. That is the situation that we are faced with in our country as we come to debate this particular piece of legislation before the House.

The Minister has put forward credits for the Accreditation Council, but how can you credit an Accreditation Council that was set up in July 2004? We are in July 2008 and we are no further than we were in July 2004.

The Minister has given us some indication of the performance of the Accreditation Council, but when one looks at the situation, there has been a mushrooming of post secondary and tertiary institutions.

You would recall that before the Accreditation Council was set up—the Minister gave us some history, so I am just going to use that as the reference point—there was a committee for the recognition of foreign degrees. At the time, that particular committee was at NIHERST. As the Minister of Education at the time, I recall there was the need to accredit persons who were coming in to apply for teaching. This committee had to look at these foreign degrees to see if they were relevant to our society, and if they were relevant to teaching.

You can have accreditation, because the committee would look at the list of accredited universities. The first thing it would do is to see if that person came from an accredited university. With respect to teaching, they had to go even further to examine the courses taken and the period of time these courses were taken, in terms of the contact hours, to see if that person would be a good teacher in the system. I draw reference to that in terms of where we are now.

In 2004 when the Act was proclaimed on July 09, the country breathed a sigh of relief, because here we were with an Accreditation Council that would now look after—The Minister made specific reference in her presentation in terms of quality and standards and the nation would breathe a sigh of relief, in terms of “Ah, here we have an Accreditation Council; we will now have our standards improved in terms of our post secondary and tertiary institutions”.

2.45 p.m.

Why is that necessary, Mr. President? It is necessary because we are in a global environment and many of our students from the post secondary and tertiary institutions will be translating or migrating to other countries, where they will look for postgraduate work probably and will have to utilize the initial part of their education that they have achieved within our own country. So, there must be that kind of recognition and standard for them to be able to perform in other countries. It is very difficult if you are in a situation where you do not have an acceptable standard and there are a number of questions that would be asked of a particular person who is applying for postgraduate in another country.

We are fortunate in terms of the University of the West Indies and our standards, because they have a very high standard at the University of the West Indies, and it does not happen with students, especially in the engineering faculty, because they can transfer to other countries and be actually accepted very readily in various postgraduate programmes.

However, we have to be extremely careful in terms of our situation as we stand today, because the confidence in the education system is at an all time low at every level. How can you explain a Ministry of Education—supposed to have the confidence of the young ones and the parents—just to administer a national test for standard ones, making a mess of the situation; the confidence level?

The relevance here is what the Government is trying to do and their Vision 2020 plan is to set up a seamless system of education. Whether you translate out of secondary school or even if you drop out of secondary school, because of your qualifications at a certain point in your studies, you will be able to go back into the secondary school or go to a different area, and you will have that particular background, in terms of where you have reached and you will be able to go into a seamless system, moving from the secondary school at whatever particular point in time to a post secondary institution or even a tertiary level institution.

When we look at the situation now as it stands, in terms of when we deal with cohorts and these students going into these particular programmes, they are coming from the secondary school system; and when you have no confidence in a secondary school system—you have the CAPE fiasco that took place earlier this year—that is why I premise my—and the confidence is low, almost absent. The education system is in shambles. So, how could a Minister of Science, Technology and Tertiary Education come to this Senate and talk about this is the pillar?

Mr. President: Senator, I have given you eight minutes so far and you have not mentioned one clause on the Bill in front of us. Now, I am advising you, I am going to give you another seven, and for your entire team, I am going to allow a bit of flexibility this afternoon for you to talk about some of the issues that may surround this Bill. But for the rest of your contribution and for the contributions of other Members, I will ask you to confine your comments to the Bill in front of us.

Sen. Dr. A. Nanan: Thank you, Mr. President. Section 22 of the parent Act—I was doing some background analysis, because I just did not want to go into the debate cold; I just wanted to give some background in terms of where we are and to place that. So, I am glad for the leeway.

We heard from the Minister in terms of clauses for the Accreditation Council. Let us deal with section 22 of the parent Act, and we have to ask the question. This particular clause points to the auditing of the accounts of the Accreditation Council. If we are dealing with the performance of the Accreditation Council, section 22 gives specific timelines, and we have not heard from the Minister this afternoon about the annual audited accounts by the Auditor General.

According to this particular clause 22—well, it is the Act, it will be the section, Mr. President—six months after the financial year the Accreditation Council is supposed to report to the Minister. After the Minister receives the report, within three months the Minister is supposed to lay that report in Parliament. Since 2004 and we are now in 2008, we have seen no audited financial statements from the Accreditation Council. How can we have any credibility, we are dealing with transparency and accountability.

The Minister made reference to the GATE programme and the access to post secondary and tertiary education and the number of students accessing the GATE programme. Let us go to the Auditor General's Report for the financial year October 01, 2006 to September 30, 2007. On page 141 of this Report:

"Cabinet agreed in 2004 to the establishment of the Government Assistance for Tuition Expenses (GATE) Fund. Under this programme, half of the cost of tuition for any student enrolled in a tertiary programme at public as well as accredited private tertiary institutions are funded by Government.

According to Warrants issued on the Fund, amounts totaling \$229,189,073.00 were released to fourteen (14) public institutions and \$243,589,996.00 was released to thirty-nine (39) private institutions.

The Financial Statement presented by the Ministry of Science, Technology and Tertiary Education reflected actual expenditure of \$472,227,752.18 for the financial year. This figure did not agree with that of \$458,044,422.43 reflected in the records of the Comptroller of Accounts. The reason for the difference of \$14,183,329.75 was not determined."

So, where is the accountability in that ministry? Over \$14 million in 2007 and we have to ask the question, did that go into the war chest of the PNM? Over \$14 million in this particular report.

When the Minister comes here and talks about standards and credibility, we have to ask these questions. Within your own ministry, there is no accountability on this GATE programme for \$14 million. We want to ask the Minister too, what are the names of these 39 private institutions and how much did they receive, particularly with over \$243 million they received for that ministry and there is no reporting.

The other issue that is of importance in this particular debate is section 28 of the parent Act, and it deals with the Minister. There is supposed to be a review every three years by the Accreditation Council according to this particular section:

"...shall cause a review to be undertaken of the functions of the Council in order to assess the impact of the operations of the Council on the society and its efficiency and effectiveness."

We have to ask this question. Was there a review? Has there been that review? We are now in 2008; three years have passed since the Accreditation Council has been set up. It is supposed to be done in collaboration with regional accrediting bodies. We heard the Minister talking about the Accreditation Council has now been aligned to various other accrediting bodies, but what is within their own confines; within the Caricom region and within our local scenario? How is the man in the street going to relate to the Accreditation Council linked to some organization with a large name; two bodies and that is acceptable standards?

Everyday you go you might see a particular student in the post secondary and tertiary environment going to sign up for a programme, not knowing if the programme will be accredited, if when the particular programme is over that particular diploma or whatever award will be recognized. That is the role of the Accreditation Council. That is why we breathed a sigh of relief in 2004; that we would have been able to have an Accreditation Council to lift the standards. And

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when people speak of diploma mills, we have to be very guarded, because in 2008, we are still in the same position. The Minister comes here to ask for a year extension and another year with respect to provisional registration and when that is finished, another year.

The Minister needs to tell this Senate about the situation with registration. Yes, we heard how difficult it is and people are not complying, but there are situations in this country where people have the physical facilities for the requirements under the registration process, and still, because of WASA, the Electrical Inspectorate, fire permits required, health requirements under the Town and Country Planning Act and even the municipal corporations, these buildings cannot be approved and years are just going by.

We have to ask the question in terms of the manpower of this particular section in these various ministries. We are seeing a diplomatic centre and the Prime Minister's residence built for over \$48 million and still we cannot have the kind of manpower required in these various areas to help out these people with the physical facilities, who want to actually get involved in the tertiary sector and to be a post secondary institution or even a tertiary institution, whether it is a new community college or if a building is being put up. We have to ask those questions.

That particular situation is what is keeping back a lot of registration and we did not hear that from the Minister in terms of what has been the direct problems with registration. We have heard the Minister trying to keep away from this debate, which is very unsatisfactory—about accreditation and stay within the confines of registration—but the Minister must be aware that under this Act you have to register first before you could go into the accreditation process.

So, whether you are trying to keep accreditation out you have to be—and as you said, accreditation must be voluntary. Accreditation is what is required in terms of our acceptable standards. So, you must go into accreditation in this debate. Although the Minister tried to restrict the debate, it is my view that we should speak about accreditation to some extent because we are dealing with programmes in other areas that are of relevance.

In terms of the University of Trinidad and Tobago, the Minister only mentioned two programmes, but there are many more programmes in that particular University of Trinidad and Tobago that need to be looked at. That University of Trinidad and Tobago is a tertiary institution and we have to be extremely guarded with respect to that particular—

I recall as Minister of Education, that when we came into office in 1995 the PNM government was owing the University of the West Indies over \$300 million in arrears. I want the Minister to get up here and deny that, because \$300 million was owing to the University of the West Indies. If you look at the education environment in that particular era of 1995 when the United National Congress was in Government, you will see in terms of the landscape, they had marginalized NIHERST. When the vision of the political leader and then Prime Minister, the hon. Basdeo Panday, was to have the community college concept, the first thing we heard from the Minister of Science, Technology and Tertiary Education is that concept is wrong.

3.00 p.m.

What they did, they tried to mash up that process. They tried to destroy the community college because it came from a UNC administration. They were destroying NIHERST, they were underfunding NIHERST and the figures will reveal that. The figures will reveal that NIHERST, post secondary education was being underfunded by the PNM administration. That is what was happening there.

We are talking about registration and dealing with accreditation at the same time because the two go hand-in-hand, they are inextricably linked, regardless of what the Minister said in this Senate today. We have to deal with the issues, and the issues are, the science and the post secondary institutions would include the John S. Donaldson Technical Institute and the San Fernando Technical Institute. And this untruth that has been permeated by the PNM administration, that the United National Congress government was starving John S. Donaldson Technical Institute and the San Fernando Technical Institute, two post secondary institutions, of funds is totally untrue. It has been a rumour-mongering among the PNM administration to denigrate the United National Congress government with respect to those institutions. But as Minister of Education at the time I want to categorically deny that that took place. If you look at the estimates you would see that allocations were made to those two institutes and those two institutes were doing well.

What happened is that we were revising the courses in those two institutes. Now, they have taken the institutes and made them go under the umbrella of the University of Trinidad and Tobago. It is very disheartening, because the University of Trinidad and Tobago, apparently, is operating like a sponge. This tertiary institution is operating like a sponge, and we have a situation where they are offering programmes—the Minister said, only two are accredited so far. What about the others? We have heard here in terms of their linkage with other

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universities, but part of the mandate of the Accreditation Council, Minister, is to look at those programmes that they have been linked with to make sure that they are relevant to society. That is why this particular part that I made reference to in terms of the operations of the council on the society, was its efficiency and effectiveness.

The Accreditation Council has failed the country. The Accreditation Council has failed the country because today in 2008, to say that you have only registered—how many, 17?

Hon. Kangaloo: Nineteen.

Sen. Dr. A. Nanan: Out of?

Hon. Kangaloo: Out of 4,947.

Sen. Dr. A. Nanan: Not students. Out of 75 institutions, what is that percentage? It is totally unsatisfactory. And what you are talking about? Vision 2020 and a higher percentage going into the tertiary institutions. Yes, they may be going into the tertiary institutions, but what are they going in to do? This mushrooming of tertiary institutions was a problem, but you have done nothing. You have done nothing from 2004 to 2008 in terms of getting any recognition and standard recognition. Not only in there, in almost every other area in terms of standards. The standards are falling right through. The education system is supposed to be seamless, and we have seen that they have introduced cracks and fissures at almost every level.

The other area I want to deal with in this particular Bill, because the Minister made reference to this parent Act, and the Minister made reference to the two years in terms of what was initially there, the amendment to four years and now we are here with five years. It is unsatisfactory. In terms of registration, what is so difficult? What is so difficult? Is it that the institutions are afraid to go to the Ministry or to register with the Ministry, because according to the Act they can be fined or there can be a stiff penalty? If the Minister of Science, Technology and Tertiary Education was serious about this particular Accreditation Council and getting them to do their work—what we are seeing is blatant lawlessness by the Government. We are seeing lawlessness on the part of the Government and it has been translated into the society. Here was an opportunity for the Government to shine. Here was an opportunity for the Government to actually do something right for once when we gave them the opportunity in 2004; and in 2008, once again, they have failed the society with respect to registration of post secondary and tertiary institutions.

The registration process: Let us discuss the registration process. Why have the schools not been registered? One of the reasons I gave—and the Minister could say I am wrong—was in terms of physical facilities, but what about the programmes? Is the Accreditation Council—? The Accreditation Council would now assume the role of that committee on the recognition of foreign degrees. That is a part of their mandate, and their mandate is not only local, their mandate includes firms that are operating here in terms of international—*[Drinks water]* *[Laughter]*

Thank you, Mr. President. In terms of the registration and the concept, we are fortunate that that private sector has become so involved in tertiary education, but it has to be regulated. It has to be regulated, and you have a full complement of staff. I did not hear the Minister say anything about the Accreditation Council being understaffed. There is a full complement of staff out there at the Accreditation Council. So, they are being paid handsome salaries, I am sure, and we are getting no rewards. We are getting absolutely no records. There is no confidence by anyone in the Accreditation Council except the Minister.

I want to go to one little area again, as I made reference to the Auditor General's reports and the missing \$14 million. This council has the benefit in terms of protection from stamp duties, corporation taxes, customs duties, purchase taxes, value added taxes, motor vehicle taxes and all other taxes. So, this is a powerful council in terms of their representation and where they are placed in society, because not everyone would have these exemptions. It has been accepted that the council will have these powers because of the nature of the job. I am not here to attack the members of the council, I am here to show that the Minister of Science, Technology and Tertiary Education has not been doing the job that is required. I do not know if it is a difficult challenge with respect to the Minister of Science, Technology and Tertiary Education and this particular council.

The other area I want to talk about is—the Minister made reference to programmes and awards, and we have seen on a daily basis, many photos and many pictures in the newspapers in terms of students receiving diplomas and awards. But what is the value? The purpose here of an Accreditation Council was to put some value to these awards. Somebody made reference to that in the other place that our students are topping the Caribbean in terms of performance.

Mr. President: Senator, your voice is distracting me; it must be distracting the speaker as well.

Sen. Dr. A. Nanan: Thank you, Mr. President, for your protection. I was making reference to these particular programmes, awards and the confidence. The Minister must recognize—and I am sure the Minister went to many graduations—that when a student does a particular course over a certain period of time, there is a high expectation. There is a very high expectation and that is why the Accreditation Council is held in terms of status, because it is the student who does the course and gets the award who has confidence in that particular programme.

I want to make reference, very quickly, to an area that will eventually come under the University of Trinidad and Tobago, tertiary level institution, and it deals with agriculture. What is happening, it is going to be under the University of Trinidad and Tobago, so it has to be part of an award programme. It is dealing with the Central Experiment Station in Centeno. And it is a fact that this particular experiment station is going to be consumed by the University of Trinidad and Tobago as a teaching institution. So, you are going to have teaching courses utilizing the facilities at Centeno. But, we have a situation right now in terms of credibility from the particular unit that operates at Centeno, and many people are involved. I am just quoting a reference to show you the expectation at these levels. There is a particular programme out of the extension unit that is run throughout the country, but it treats specific areas in terms of agriculture.

Every time there is an advertisement in the newspaper that says we are having this programme on so and so day, at so and so time, people flock to the various areas because the programmes are very informative. What happens is that they travel for miles to these different areas and the programme is not held. The programme does not take place. Expectation! That is what I am trying to show you. They planned their journey to go to these particular areas—I think one is in Penal and one is in Point Fortin and the other one is probably in Centeno—with the expectation of learning something about agriculture, they can make a difference in society, they could learn something. When they go there the course is not held on that day. It is postponed.

What is being said and what I am being told is that they should go on the website and see the current date for the programme. That is totally unsatisfactory! That is why we brought it into the debate in terms of expectation, and the expectation of a student. *[Interruption]* Exactly, so here we have a student who gets an award, gets a photo, feels very good, their entire family is happy for that particular student, and then lo and behold, we find out that that particular institution is not registered and is not accredited. So, the award is really of no value.

That is breaking the morale of a student, and you know, of course, that these students are limited, because as I said before in the debate, that people are migrating from this country in droves, so there will be very few students in that particular cohort to enter these institutions, if the crime rate continues as we are going today. But do not worry, Mr. President. Do not worry, there is hope, because the Government will not be there long, and we will ensure that these students that are migrating will return here and there will not be this great brain drain that has been encouraged by the PNM administration. So, there is hope.

We need to plan properly for the reentry of these students back into the system, and when we do so, we do so with the conviction that this Accreditation Council would be managed properly, would be monitored and supervised. Their role is monitoring and supervision, but they are not being monitored and supervised by the Minister, so they are not performing their function. A main part of their function is monitoring and supervision.

We have heard about consultants; we have heard about consultants coming in; we have heard about seminars. How many consultations have we had in various areas in that Government? Every time we look on the papers it is a consultation taking place. Local Government consultations all the time, but we have to get down to work. You cannot hide behind consultations and reports. We need to see evidence, we need to have credibility.

We are dealing with nations like Singapore. We are dealing with other nations that have very high standards in society, very high standards globally, and we have had that standard before. We will never let the PNM administration reduce our standards. Never! And we will be the watchdog for the students in this country. We will continue to monitor. That is why this particular debate is so important in terms of accreditation and registration. This is the opportunity we have today to talk about these institutions and make the Minister wake up. Let the Minister do her job in terms of getting this Accreditation Council doing the work that they are supposed to do and not come and hide behind reports, and snippets of what they should have been doing

3.15 p.m.

Where are the rules and regulations? This particular Act allows for rules and regulations, if necessary, for affirmative action in Parliament and we have seen nothing coming here. It is a possibility it can come here for affirmative action and that is why it was placed in the Act, but the Act states clearly the role and responsibility of the Accreditation Council. We could surgically dissect that Accreditation Council and see from this particular Act that they have failed in almost every department.

We are giving the Minister an opportunity here in her wind up, to come back and convince the Opposition, and by extension, the national community, that the Accreditation Council will work—because it has not been working—will work for the benefit of the citizens of Trinidad and Tobago. It is an important arena; it is not like we are in a particular area where we could accept failures. This is an area, in terms of your Vision 2020, this should be the driving force. One of the pillars for Vision 2020, as the Minister said, is an education system in terms of standards, but we are going to Vision 2020 with an education system in shambles and the Government has to report to the country in terms of what they are doing in the education system and not hide behind the newspapers. Every time I open the Sunday newspaper, I see excellence in education; opening of a pre-school here and a pre-school there, that is what they are about. But we are saying no, standards are supposed to be introduced into the system.

Mr. President, I just want to go back quickly to that particular issue. Our students now are being put into a system of examinations. I have no objection to any assessment of our students, but we have to be extremely careful. When we go into this particular assessment environment, we are opening up a whole new area. We have to be careful, and I am warning the Government that as you introduce these national tests into the system, pay particular attention to the young students, because they are being driven from Standard 1 and the relevance here, is this Standard 1 cohort at some point in time will become the cohort for these post secondary and tertiary institutions. So that is an important area.

This seamless education system that is being—Mr. President, let me give you an example. Let us examine the technical/vocational education aspect because it is important, it is relevant and we are dealing with post secondary institutions. What is happening there? We are seeing the University of Trinidad and Tobago dealing with some aspects of technical/vocational education and training.

At one point in time, you could have looked in terms of a bird's eye view of the education system and see exactly where we were going, from the pre-school level to the tertiary level. But now, when you look from there, there is so much chaos taking place; it is like chickens running around there headless in that particular area. We are going in different directions. One Minister is going one way, the next Minister is going the other way, but we must be streamlined in our approach. That was the vision for education in terms of streamlining. So we are dealing with this particular area of registration and accreditation. Let us take the San Fernando Technical Institute as an example in terms of registration and accreditation.

Mr. President, the Minister made reference to faculty members, and in this particular provision of registration, they are giving you an opportunity for these institutions to have faculty members, more faculty staff and to give them the opportunity to put faculty staff on board and to have, according to the Minister, a good quality assurance programme within the confines of these particular institutions. But let us examine the San Fernando Technical Institute, an institute of extremely high credibility; an institute where there was a lot of private sector influence in the San Fernando Technical Institute, even the John S. Donaldson Technical Institute, and it made a difference in the society. Many students left the secondary school environment early and went into these institutes, and they were also able to move from these institutes into the University of the West Indies.

This particular institute, let us say it has been registered by the Accreditation Council. The Accreditation Council after this—because the Minister said they will now make a request for accreditation if that is what they require. How will the Accreditation Council—because you said that there must be a cohort; there must be graduates from the programmes; and you must assess the students and the students' capability. We are looking at the San Fernando Technical Institute which has been a long standing institute. I am sure it has to be one, in terms of accreditation, it has to be registered and accredited.

I ask you, Minister, to tell us if the San Fernando Technical Institute has been accredited and on what basis; and also the John S. Donaldson Technical Institute. You would have to answer that question because you talked about registration and accreditation, but we want to ask you that question. If you are registering them—there is a building, we agree that there is a building, the building has been standing for a long period of time, whether you put them under the University of Trinidad and Tobago, I do not know if you are going to classify them as the University of Trinidad and Tobago or you are going to leave them as the San Fernando Technical Institute. But you said if you are going to do that, that they have now been put under the University of Trinidad and Tobago and you have only accredited two programmes in the university. If I am correct, that is what the Minister said. Two programmes have been accredited. So what about all the other programmes that the San Fernando Technical Institute had? What has happened to those? Are those programmes going to be automatically accredited? Are they going to review these particular programmes and say no, no, no, you know what, all those students who had all those awards before, those are of no value?

We saw in a debate actually, that one day COSTAATT was closed and the next day COSTAATT was sending out applications again for students to come in. We do not know, so we have to ask these questions. These questions are pertinent because you do not ever want to bring down an institution in terms of the standards of an institution, because when you do so, the persons who have these particular certificates they also fall in terms of stature. So if an institution like the San Fernando Technical Institute, which was a very high-ranking institute in the Caribbean, is now under the umbrella of the University of Trinidad and Tobago, and the programmes are now to be accredited, what is the standing of these particular students that graduated from the San Fernando Technical Institute? And if they want to go and do further or higher education in other countries, what will happen there? The Minister needs to explain that in terms of accreditation.

An accreditation really comes about when somebody wants to move from the local environment to go to another country to take up employment, and it is that transition process that makes it easier. So when the Minister talks about registration in this debate and not accreditation, we want to know. We want to know in terms of accreditation, what our students will be able to do. Would our students be able to make the transition easily or will they go through—I will tell you one thing, Mr. President, it is very difficult for a student to have an accredited programme here and when you turn up at the doorstep of Oxford or Dalhousie University, they are querying the particular qualifications. That should never happen. When the Minister talks about the linkages, I hope that the linkages, not only linking them with accreditation bodies, would make it easier based on our acceptable standards because this particular Bill is to help our students.

Mr. President: Hon. Senators, the speaking time of the hon. Senator has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. M. F. Rahman*]

Question put and agreed to.

Mr. President: Senator, I have given you a great deal of latitude. You are beginning to ramble, so I am going to ask you to try to be a bit more concise.

Sen. Dr. A. Nanan: Thank you, Mr. President. I was quoting some examples because in quoting those examples, I wanted to give the aspect of the student and the student experience because I think this particular Accreditation Council has to have the students in mind. Not the Minister or the Government, it is supposed to be dealing with the students, it is for the benefit of the students, the ones that are going to return when the United National Congress returns to Government.

The Minister talked about in this particular parent Act:

“A registered institution shall not—
alter its accreditation programmes without prior approval of the Council: or
misrepresent to the public the recognition gained by it for its programmes or
awards.”

The Minister also made reference to the education programme in terms of the role of the Accreditation Council.

Now we know that the Government is very good at public relations and using a lot of money in terms of advertisements, but you cannot hide the fact. How could an Accreditation Council—in terms of an education programme what are you going to educate the public on? You list the role and function of the Accreditation Council and then you would say, “Well, I did not do this because I could not do it.” “I did not do this because we did not have enough time.” “I did not do this one, but I did this one.” “This is the one I did that we are now able to be linked to other accreditation bodies.” So this is one step in the process.

The Government must be aware. We gave them two years first; they came for two years; they came for four; now they are coming for five and even further they are going to seven because they have asked for one year provisional and then another one year.

Sen. Dr. Saith: [*Inaudible*]

Sen. Dr. A. Nanan: It is correct, I do not know if you read the Bill. It is one year and one year extension, read it. Mr. President, I would continue. They are asking for another year in that aspect of provisional registration and the council has the power to go for another year. But what will happen? We are talking about 17 registered institutions; we are talking about a total of 95, according to the Minister, if we extrapolate—I think we are looking at Vision 2020, so by 2020, we might have all these institutions probably registered and not accredited because the Minister said that accreditation is on a voluntary basis. So I am sorry for the students who want to go to do work elsewhere.

Let me go to one area before I finish my contribution and that is—again the Minister made reference to no institutions should carry on the business of post secondary and tertiary education, or use any of the words, university college, tertiary college, polytechnic, community college, technical college, technical institute, technical university.

I just want to go quickly to the definitions of the parent Act, in particular accredit in terms of the definition. “‘Accredit’ means to evaluate and determine whether a registered institution”—so the first step is registration—“its programmes or awards meet established standards and ‘accreditation’ shall be construed accordingly.””

So the Minister is telling this honourable Senate that registration and accreditation will be voluntary. Totally unacceptable. Accredited status means that a registered institution, its programmes or awards meet established standards of quality. What we have heard in terms of standards of quality; how they have gone about the standards of quality; they have been linked to other accreditation bodies. And that is supposed to give us some kind of confidence?

“‘Award’ means any degree, diploma, certificate or other evidence of competence or achievement.” But the other one I want to deal with is the community college concept; “...a post secondary or tertiary institution that offers a variety of programmes”; and it goes on.

3.30 p.m.

Let us examine the community college, because that is a post secondary institution that has to be registered. I want to go back to the formulation of the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT) and its role. [*Interruption*] The community college, as a post secondary institution, again, has to be registered before it could even use the name, “community college”, according to the Act.

They are going to be registered, at some point in time as a post secondary tertiary institution; I do not know when it would happen; but they are going to offer courses—[*Interruption*]

Hon. Senator: Relevance.

Sen. Dr. A. Nanan: Mr. President, they are going to offer courses in this community college. [*Interruption*]

Hon. Kangeloo: Any community college?

Sen. Dr. A. Nanan: Hypothetically speaking, I was drawing the reference to a situation where a community college would be registered and then it would be offering—[*Interruption*] I am talking about a new community college. Let us just say—[*Interruption*]

Sen. Dr. Saith: Are you talking about the College of Science, Technology and Applied Arts of Trinidad and Tobago?

Sen. Dr. A. Nanan: No, I will come back to that. I am just going to talk about a hypothetical situation in terms of a community college.

This community college would be coming to the Accreditation Council applying for registration. Let us say that they have the physical facilities, they have been inspected and have gotten their registration. The Minister said that this Bill was on registration only; so they have been registered; whether they were within the time frame as stipulated by the Act, or probably next two years they may come for another extension and go into that particular field. What happens after they have been registered?

They would offer programmes. I could be wrong; you are registering this community college, but you are not examining their curriculum; you are not examining their courses. That was what the Minister said. You were not looking at the courses; you were not looking at the relevance of society; you were just registering them because they had a building. What would happen to the students going to this community college?

The Government would say, "Under the Act that we passed, we are going to register you; you are registered". We would take in our students; we have the courses, and later on we would apply for accreditation. In the meantime, they would be giving out their awards and certificates to an unsuspecting population. [*Desk thumping*] These persons are being hoodwinked by the Government.

That is why when COSTAATT was envisaged as a community college, institutions already established were brought into the picture, so we would have had a credible community college. We were putting institutions that already had credibility. When you look at this community college concept, you have these institutions with a certain amount of credibility; they would offer the courses they had before.

The Government is saying now: "Register first and then we will come; if you ask, we would examine your courses to seek the students' benefit; only if you ask." The Minister said, and I want to repeat, I am sure you heard that, Mr. President, voluntary accreditation; it has to be voluntary. We have to ask that question.

As I close, I want to leave that question in the minds of the Senate and, with respect, the national community. I urge the Government: You always speak about caring and nurturing, even the Minister of Health, think about the students in this

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country and how they look at you in terms of your credibility rating. Your credibility rating has decreased tremendously, and continues to decrease. You had your opportunity to increase it, but you left it in abeyance. I think it may be too late.

Mr. President, I thank you.

Mr. President: Before we have any other speakers, I would just like to say that I allowed a great deal of flexibility on this matter to allow the Opposition its chance to have a say. But many of the issues raised in the contribution by Sen. Dr. Nanan, in fact, would have formed part of the original debate on the parent Bill. Therefore, we do not need to have it all over again in the *Hansard*, in the record on this Bill. I ask subsequent speakers to confine their comments to this Bill and not the original Act. Those issues have been fully debated and voted upon in both Houses of Parliament. I ask you to confine your comments to the Bill in front of us.

Sen. Basharat Ali: Mr. President, I wish to join with you in welcoming former Sen. Kangaloo to our midst and for presenting to us this Bill.

Two sittings ago, when we were doing the Geneva Conventions Bill, which is still on the table, I started by saying that my notes had two words, "why now", because I could not see the relevance in terms of our precious time in Parliament being given up to that Bill, and we were not going to war yet, as far as I knew; not with anybody.

Today, I start by asking: Why have we brought this Bill so late to this House? I say that for a very special reason, because we were, in fact, in this Parliament, delinquent in not extending the original 2004 Bill in a timely fashion. The Minister did say that the Bill was dated 2007, but two years were completed in July 2006. The time line for the 2007 amendment Bill was passed in the Senate on November 21, 2006, still later than the July 08 date, 2006.

It took seven months to go through the system in the House of Representatives, the other place. That is why the Bill debated on June 23, 2007, and then passed with all the amendments, that came from our House, had really been made retroactive for almost a year. I do not think that is something acceptable; almost a year for something as important as this.

There is no legal basis for the Accreditation Council operating from the date of assent, which is July 06, 2004, to assent of the Bill. The original Bill was assented to on July 06, 2004. The Bill we have in front of us really is a proposal to

extend this transitional period, essentially, by one year, so that come July 08, 2008 we would have one year. That would go to July 08, 2009. That is the first amendment proposed. We must understand that this is only one year that we are looking at from next week.

The second amendment is a bit more troublesome, in my mind; perhaps the Minister may address it. It relates to the ability or facility for the provisional registration, which would be not more than one year, in the first instance, but could be extended by a further year. So, theoretically, if you provisionally register someone on July 01, 2009, he or she could continue for a further two years till 2011. I would like the Minister to address that and to point out or let us know what we are trying to cover in that.

Once again, because this Bill has come in such a rush to us, I think it is not fair. We took a Bill like the Geneva Conventions Bill and we had time; it was laid a long time ago. Then we on this side are suddenly faced with this Bill, which we were told about last Tuesday. We were told that it was going to come. I do not think we have, on this Bench, research assistants; we do not have speech writers. So who does the work to be able to speak like I am doing today? We have to do it; particularly the Independent Bench. I cannot speak for the Opposition, whether they have the back up; I leave it for them to say for themselves. I do not feel it is fair that this is happening. It really puts us in one position where we have a long list of other Bills. I know we have the Tobacco Bill coming up; the Steel Symphony Orchestra Incorporation Bill is coming up, but I have had to postpone doing some work on those. I would like the Leaders of Government Business in both Houses to really take that into account and not put us in this disadvantageous position in which we find ourselves today.

I appreciate very much the contribution of the hon. Minister; it was a very brief, concise contribution. Before this occasion, when I tried to go to the website of the Accreditation Council of Trinidad and Tobago, the first thing I got on googling was:

"Visiting this website may harm your computer." [*Laughter*]

It certainly put me in a very peculiar position. I was using my personal computer; it is not paid for by the Government or the Parliament. I was in a position where I had to decide whether I should go to that website at all, which I did, and I had to go to it without going through Google, in fact. I would like the hon. Minister to address that matter. I believe it was raised by the Member for Siparia yesterday; I heard part of that; I heard her say the same thing. That was my experience, even before she spoke about it. I would like the hon. Minister to really look at it.

The second question with respect to the website is whether it is up-to-date. I did go on; I took my heart in my hand and went ahead. The website does give a list of registered institutions/providers, and they have registered institutions and two registered providers. I am not too sure what a registered provider is, because it is not something, by definition, in the Bill. An institution is someone that provides certain services, according to the Bill. I just checked it; there is no definition of a provider. I do not know what the Accreditation Council describes on their website. In their list of registered institutions/providers, they have 16 institutions and two providers. The hon. Minister's list gives 19, so there is one addition. I think that addition, in fact, is the Professional School of Accountancy Limited. By looking at the list which the hon. Minister gave and comparing it with this, it was the one that was missing. So it may be that the website is not quite up-to-date.

3.45 p.m.

The second question I wanted to ask is with respect to the list of accredited institutions. The site says there is no accredited institution. I want to confirm that is so. They go on to speak about information on registration.

In going through the list I added the Professional School of Accountancy Limited. I do not know these registered providers, OSHA Services LLC and Set Ready and Go Limited. I will comment on some of these things in a moment. I want to address a more important and disturbing question with respect to the registered organization, the University of Southern Caribbean. I know the background to this. It is a Seventh Day Adventist institution. It is well recognized. I was disturbed for some time seeing one of their advertisements for professional staff. By going back to the website I found the same sort of thing. Here is an advertisement on their website of a vacant position for an Assistant Professor in Organic Chemistry.

They give the requirement, qualification and experience. That is fine, but they say other requirements. Under other requirements, apart from excellent communication skills and being personable and discreet, it says "committed to high Christian standards and ethics". Even I if am well qualified to be a professor or assistant professor in Organic Chemistry and Physics, for that matter, I would not qualify because I am not committed to Christian standards and ethics.

Here we are in this country where we are talking about equal opportunity and there is a well-recognized institution in the country which has a barrier to a certain class of people. While I may be very good in Physics and Chemistry, I cannot lecture there because of that. Worse than that, I understand that our Government

gave a subvention of \$90 million to this institution in fiscal 2008. How can we do that when there is such blatant discrimination in the engagement of, or employment of high powered people? There are positions which I agree should be like that and they are stronger.

If you go on their website and look at positions of theology or church history, you would see that one of their requirements is to be a minister; not a minister of government but an ecclesiastical minister, I presume. I am concerned about this. I do not know whether the next time I have an opportunity to speak on the Equal Opportunity Bill which will come in a while, I may want to bring it again. This is contrary to the laws of our country. These applications go out to the Ministry of Labour and Small and Micro Enterprise Development. I know you want me to speed up on this one. I have my strong reservations on that one.

Having said that, I believe that the hon. Minister in discussing the work of the Accreditation Council spoke about an institution called INQAAHE. I do not know how to pronounce it. It is so difficult, the International Network for Quality Assurance Agencies in Higher Education. This is one of the international associations used by the Accreditation Council. I can understand it. I only knew today how the Accreditation Council goes through the process for registration and recognition. Although you said that we debated it and the Pharmacy Bill at length in the Senate, it is out of that Bill I have serious reservations about what the Accreditation Council was doing in terms of registration of pharmacists.

I spoke during that debate and I will like to read part of it. Contrary to you, Mr. President, registration is part of the process. If recognition is part of the process, accreditation comes in between those. You cannot get away from it if you look at it from the point of view of foreign personnel or qualified people. With your permission, I will like to read a very short excerpt from my contribution to the Pharmacy Board (Amdt.) Bill.

Mr. President: Senator, I think that it is already in *Hansard* and it would do us all well if you refer us to it and we can press on. We have done this already and I do not think that we should debate the whole Act all over again.

Sen. B. Ali: Mr. President, I am sorry to disagree with you. I have researched the subject. I am really sorry to disagree with you, but I have researched the subject on this particular Bill on a special select committee meeting which dealt

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with the Pharmacy Board (Amdt.) Bill. One of the principal items was the registration of 50 Filipino pharmacists. I made a case for that. I cannot understand how the Accreditation Council in mid-2006, just beginning to become functional was able to accredit and recognize all these institutions.

I said that today is the first day that I understood it and that is why I am speaking about it. When I learn something I like to share it.

Hon. Kangaloo: Mr. President, on a point of clarification. Are you asking about registration or accreditation? I just heard you say how the council accredited all those institutions?

Sen. B. Ali: No. I am speaking to registration. I understand that there is that limit on accreditation. As I said before, if you want to register these pharmacists you have to go back to the network association. I am sure that the Executive Director of the Accreditation Council will agree with me. You may remember hon. President, that you were the chairman of this special select committee. I think that the hon. Minister was a member of that special select committee. The Executive Director of the Accreditation Council was invited to speak. It is only today I got the verbatim. If you follow the debate—I was not there when it was finally debated in the House; I was away at the time. This verbatim gives how the Accreditation Council goes about its business.

When I say that I speak about INQAAHE, this is where I saw this term and I recollected something on it. Here in the verbatim, Dr. Ruby Allyene, the executive director a very well learnt person said, “We rely on an international network of quality assurance”.

Mr. President: Senator, with all due respect, I have been at pains this afternoon to try to confine us to talk about the Bill. The Bill has two main clauses that we need to debate to extend the period for registration from four years to five years and to allow the council some latitude. I ask you to please try to confine your remarks to that. I am not prepared to open another debate on the original Act.

Sen. B. Ali: Mr. President, I am sorry that you have taken that stand. In the absence of anything else I have nothing else to say because nobody here knows what the Accreditation Council does. If you want to build confidence in the Accreditation Council, then, information must come out. I know that they have a great brochure, but they have a website which is faulty. I did not know that this Bill was coming, otherwise I might have gone and retrieved that brochure. I do

not know where it is. If that is what you are saying to me then I have nothing else to say. I have given my views on the extension. Then go ahead and extend to whenever we want to. I will not be voting for that if I cannot speak as I feel I should on this Bill.

Thank you.

Sen. Dr. Glen Ramadhar-Singh: Mr. President, it is my pleasure to contribute to the Accreditation Council of Trinidad and Tobago (Amdt.) Bill which deals with registration. This registration is the initial part of a process that will take us to accrediting the post secondary institutions in Trinidad and Tobago.

This issue has been with this country for 38 long years. Therefore, it is of extreme interest to the citizens of this country that at some point in time, this matter comes to an end and we begin to implement some of these decisions that Parliament takes from time to time. No one can dispute that, though we have attempted and we can go through the history from 1970 when the PNM Cabinet first appointed a committee to report on the recognition of degrees because people were coming back from all over the world and they wanted to have a body that could accredit and say that you can practise as a doctor here or you can be a lawyer or an engineer. You did not go to an institution that did not have proper learning facilities and you would not mess up Trinidad and Tobago.

We went on from 1971—1979, and the PNM took eight years to establish the National Institute of Higher Education, Research, Science and Technology. Later on we went on to another organization, the Committee on the Recognition of Degrees. That would have been in 1979. It has been with us for a while. In 2004, Parliament set the accreditation committee to work and they were given a two-year period in which they would have been able to complete that exercise. No one on the Government Benches can dispute that only 20 per cent of the tertiary institutions are registered. That is 19 out of 75 have come into the system. When you look at that and you listen to the Minister when she explained the glories of the Government Assistance in Tertiary Education (GATE), that no one must be left behind because they cannot afford an education, look at this list and see how many persons are being left behind. Only 19 of the tertiary institutions have engaged in the registration exercise.

4.00 p.m.

The University of the West Indies (UWI), our premier learning institution will be celebrating, in the coming weeks, the sixtieth year of its presence in Trinidad and Tobago. This is an institution whose motto is "A light from the West", when

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everybody is associating with the light from the Caribbean archipelago; from our brothers and sisters in the Caribbean. We have come together to create a premier learning institution and it is a sad day when we cannot accredit the University of the West Indies.

Today, the University of Trinidad and Tobago is not accredited. Not even some fellows called Set Ready and Go Limited are accredited. Although they seem to be set and ready to go, they are not accredited. Maybe they might have been accredited if they were ready and set to go. It is a sad state for our education system to be in when we live in an exciting time in this country and in the world.

Today we live in the information world; in the knowledge generation; in a technology globe where information and education is no longer a privilege of class and money, but is now accessible to all; where education is as necessary as oxygen to survive, to breathe and to sustain life itself.

Those in the management world would know that Drucker talks about the knowledge society where it would be impossible to live without education; where formal education will no longer be something that you can choose, but you will have to have education in specialized areas and you will have to connect with the globe through electronic technology.

Today one can pick up a cellular phone, blog, email, text and trade information, goods and services with the use of a handheld device. In fact, in the latest edition of *The Economist*, there are parts of Africa where doctors are attaching a gadget to the cellular phone and confirming the diagnosis of malaria. This is the kind of world in which we live, and Set Ready and Go Limited cannot get into the accreditation process. Forget Set Ready and Go Limited, our premier institution, the University of the West Indies today is not accredited.

Mr. President, I am a little disappointed in the Minister's introduction of the Bill. She gave quite a lot of background to what the Government has been doing and some of the systems that have been put in place. She gave a lot of information about the United States accrediting body that she is using and a lot of other acronyms for other organizations.

Mr. President: We do have a practice here not to refer to lady Senators as "she", but by their title; Minister in this case. I would be grateful if you would conform to that tradition.

Sen. Dr. G. Ramadhar-Singh: I do humbly apologize, Mr. President—the hon. Minister Christine Kangeloo, Member for Pointe-a-Pierre, former Member of this Senate. [*Laughter*] I was making the point that I was a little disappointed as I

spoke about the University of the West Indies being a regional institution of which we can be so proud. When we talk about Harvard, it is 100 years old. Cambridge may be older than that; hundreds of years old. We are a rising people, brought together for various reasons, working to create a new society. I remember when I used to be the President of the Guild, we had a brainstorming session and we came out of it saying that we were trying to create a West Indian society through the enlightened use of education.

When I look at the parent Act, which you said not to refer to too much, in the Explanatory Note, it says:

“The national body will have a strong working relationship with regional accreditation bodies established by the Caribbean Community.

The national accreditation body will report to the appropriate Minister annually ensuring that its operations are consistent with the policy directives of the Government.”

I really was disappointed that the introduction of the Bill fell silent on whether we would have a Caribbean accreditation body. If it was said, I did not catch it. I do not believe it was said. I was disappointed in that regard.

When I spoke about the exciting times we live in and that nobody should be left behind, I said that Minister Christine Kangaloo made a point about GATE and I made the larger point that no one should be left behind for finances or any other reason. I would also have liked to hear the Minister tell us that, not only persons without money, but also that the accreditation body would ensure that there was equality of participation by all those who are physically handicapped; those with hearing difficulties and other disabled persons at these post secondary schools. I felt as well that the introduction fell silent on this very important issue.

When I started veterinary medicine, there were 26 persons in my class, one of whom was a deaf girl from North America, who responded to an Internet advertisement from the University of the West Indies, which said that the school would accept persons from all over the world. She came and asked for facilities for herself at the Mount Hope Medical Complex. As much as the administration tried to put things in place, she complained and had to write a series of letters and it was a sad day when she left the medical programme. She threatened to sue the university at that time, but there was a lot of damage control. The whole thing was dealt with in a remarkable way and nothing resulted.

I would like to hear about persons with disabilities going to the tertiary level. There is a phenomenal lady, who has no arms, who attends the university right now. We want to develop all our people because we believe everybody deserves a chance.

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Even before the vet experience at the University of the West Indies, I was there pursuing my bachelor's degree when the first person who moved around in a wheelchair was brought to the university. They had suddenly to put things in place and concentrate all their efforts in making ramps all over the university. I was happy that in this regard the university was successful and that person never left.

I make these points not only because I was part of the representation of students on those issues, but because these ideas must be engaged beforehand so that you do not attract people from the Caribbean to the University of Trinidad and Tobago, for example, professing to be a modern-day organization that caters for all and then there is someone with a hearing or speaking disability and he or she is not attended to.

I make the point about living in interesting and exciting times because today we live in a country where we have very little room for excuses. In this country, the economy is buoyant; oil is trading at \$142.76 per barrel. It is projected to go to US \$170 and could keep rising. The inflow of wealth we have in this country gives little room for excuse.

Mr. President: Senator, like the other speakers, I gave 15 minutes to talk about issues with some background relevance to the Bill. I am giving you now 15 minutes and at some point I will ask you to come back to the Bill.

Sen. Dr. G. Ramadhar-Singh: Thank you very much, Mr. President, for your guidance on that matter. I also want to raise another issue where the Minister comes to the Senate and asks basically for two more years. I quote from the Bill:

“5. The Act is amended by inserting after section 29 the following section:

30 (1) Notwithstanding section 8(2)(c) the Council may provisionally register a post secondary or tertiary institution which does not fulfill the requirements for registration, for a period not exceeding one year, if the Council believes that the post secondary or tertiary institution will be able to fulfill the relevant requirements within a reasonable period.”

I really have to make the point that I had started, that there are people in the system that are receiving moneys, for example, from GATE and they are not really accredited. We have a situation where they are registering and intend to be accredited by the Accreditation Council, but we have not investigated these institutions properly. If we are to ever head to Vision 2020, of which the Minister spoke and said that education was a pillar to reach there, then we have to be very careful about how we operate.

4.15 p.m.

The Vision 2020 Operational Plan 2007—2010 states on page 29:

“The development policy agenda continues to aggressively pursue the social and economic transformation required to achieve Vision 2020. Pillar one: The quality of our human capital is a key determinant in the achievement of the growth and developmental targets of Vision 2020.”

Mr. President, on page 59 of the document it states:

“A highly skilled, talented and knowledgeable workforce will stimulate innovation-driven growth and development.”

The first objective is:

- “• increase participation in tertiary education to 45 per cent.”

This figure on page 59 states that the critical objective is to increase the participation in tertiary education to 45 per cent by 2010. We are now in 2008.

These are the remarks by His Excellency Professor George Maxwell Richards, TC., C.M.T., Ph.D, President of the Republic of Trinidad and Tobago on the occasion of the Presentation of President’s Medals 2008 on Tuesday April 22, 2008 at 4.00 p.m.:

“In this context, one area of concern is our relatively low participation rate in higher education. The stark reality is that Trinidad and Tobago’s tertiary enrolment rate is now of the order of 15 per cent of the relevant age cohort.”

Our critical objective is to reach 45 per cent by 2010. We are two years away from that. The President of the Republic has stated that we are at 15 per cent. Can we realistically achieve the goals of Vision 2020 if we continue like this?

Hon. Senators: Yes.

Sen. Dr. G. Ramadhar-Singh: In this day and age? I come from a humble community in rural South Trinidad, which is called Rousillac. In that community I sat one day at 7 o’clock and I put on the television and I saw where an eight-year-old girl beats a five-year-old girl black and blue at a school that is a stone’s throw from where I live. This is a school—*[Interruption]* This is very relevant, because

in our education system this is what happens. This person would be prevented from going to an institution that can be accredited. The school is being held in a community centre for the last five or six years and nobody is doing anything about it.

Sen. Rogers: Mr. President, on a point of order, relevance, 35(1).

Mr. President: I have to agree. If you can somehow make a nexus to the Bill, please do so or press on to your next point, please.

Sen. Dr. G. Ramadhar-Singh: Thank you very much, Mr. President. One of the facts that I have noticed from the contribution of Minister Kangaloo is that she did not spend a lot of time telling us exactly what caused the delay. As I indicated before, this council was set up in 2004 and we were expecting that the work would have taken place two years after. However, when I compare it to the contribution that was given by former Sen. The Hon. Abdul-Hamid, he is now Minister Hamid Abdul-Ghany. [*Laughter*] Mustapha Abdul-Hamid. Sorry, my mistake. I really got a little bit thrown off by the point I was making. “Yes, ah fine it now.” The former Minister went to great details to tell us some of the problems that he had. I find it very interesting that Minister Kangaloo did not give us concrete reasons why she has to come back to the Parliament and extend again with this amendment before us, which is the amendment to the Accreditation Council of Trinidad and Tobago, Chap. 39:06. This is to extend the transitional period from four years to five years, to allow for provisional registration.

Former Sen. The Hon. Abdul-Hamid gave us timelines. He mentioned that it took him only two months to set up the board, from July 2004 to September 2004. He indicated that the secretariat was established in February, which was a couple of months away and he had a failed recruitment process between March—October 2005. He indicated that the limitations were that he had few specialists available. This is in the Minister’s contribution in the *Hansard* of June 23, 2007 in the House of Representatives. He also spoke about setting up the offices in July 2005.

In the contribution of this Minister, she mentioned that they had put infrastructure offices and liaised with international agencies. We hear that the Accreditation Council has a full complement of staff with highly-skilled people and that it took a phased series of recruitment processes to hire these people. There were not many of them in the Caribbean. We had to look for the best people. Former Sen. The Hon. Abdul-Hamid also said that he had to send them to international conferences and that he had to expose them to different international groupings. He had to send them away and all of those things.

When these people came back under the new Minister—could the Minister be so kind, when she is wrapping up the debate to please answer? What are the concrete reasons? What difficulties did you face? Did you go out? You were policing this organization, I suppose. The Minister is supposed to be in charge of her Ministry. She is supposed to be contacting the Chief Executive Officer who is supposedly of great talent. I would like to ask the Minister to give this honourable Senate concrete reasons why there was no progress in this matter. We cannot be coming to this Senate perpetually in “perpetuance” to keep asking for extensions, extensions and extensions. At some point in time, this body would have to start doing its work. They would have to start accrediting the tertiary level institutions in this country—what they were mandated to do—at some point in time. We cannot continue to pay the administrative cost for offices, training and development and they continue to come back to this Parliament.

When I look at the word “believes” under the heading provisional registration in section 30(5), I am a bit confused. Are we operating? The word “believes” in the amendment before us gives the impression that there is room for some kind of subjectivity. I would also like the Minister to clarify that.

I have heard the Minister speaking about the kind of things that have to be in place to be registered and the stringent requirements that the Accreditation Board had to go through to be linked to other international agencies. Former Sen. The Hon. Abdul-Hamid was very explicit when he said how difficult it was to move from an unregulated industry to a regulated industry and that the board had to put structures in place for governance. They had to come up with a strategic plan. They had to fulfil critical objectives.

In the *Hansard* he spoke of the structures and systems they needed to establish to provide training for staff:

“We would adapt criteria for policies and processes to ensure international comparability by the standards set by the Accreditation Council of Trinidad and Tobago.”

He spoke about benchmarking. I got the impression, from his contribution, that he was giving us concrete reasons as to why things were not delivered. In fact, he said that the reality is that the two-year period as a Parliament—

“I think we underestimated the task of establishing an accreditation council and developing the documents necessary.”

It was actually a sort of self admission. We appreciate that at least it was honest. I want to repeat it because I do not think that you got it clear. [*Interruption*]

Mr. President: Senator, I was really hoping to wait until the tea break to interrupt you, but you are rambling and you are nowhere near the Bill we have to talk about. Please, come to the point or wind up and give way to some other speaker.

Sen. Dr. G. Ramadhar-Singh: Thank you very much, once more. I was really dealing with some items from the Minister's contribution when she piloted the Bill before the Senate today.

My real concern is the product from all of this, because there would be a reason why accreditation is an important priority for the Government. We are here today to develop our human resource, which is to ensure that our students do not go to institutions and receive training and certification from institutions where there is no value, which would not enable them a place in the job market.

This is why my contribution has sometimes drifted into areas, because at the heart of the accreditation process is the human potential that we have in this, which is the greatest asset of this nation. It is the future of our country. This debate is about those young people. They want to know that when they borrow \$2,000 or \$3,000 from an uncle to pay the fee they are not being duped or entering a bogus institution which has not complied with the Minister's regulations or the accreditation body. They have not sought to get registered. They are in flagrant disregard of the law and they want to operate lawless, yet they are taking money from our unsuspecting young citizens. This is my concern.

4.30 p.m.

Mr. President, this is why I made some comments that would have gone back to the human potential, because that is at the crux of the matter. I think there is much to be desired. As I said, the Minister was silent on Caricom and whether there is going to be a Caribbean accreditation centre.

I have looked at the website and Jamaica said that they are accrediting bodies from throughout the region and internationally. Where are we in relation to that?

Mr. President: Senator, are you going to wind up or would you come back after the tea break?

Sen. Dr. G. Ramadhar-Singh: I would come back after the tea break. [*Laughter*]

Mr. President: Senator, at that point, I am going to ask you to speak directly on the Bill or yield your seat to some other speaker. Senators, it is now 4.31 p.m., so we are going to take the tea break. We would suspend the sitting until 5.00 p.m.

4.31 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

[MR. VICE-PRESIDENT *in the Chair*]

Sen. Dr. G. Ramadhar-Singh: Mr. Vice-President, I was making the point that the concern I have with this Bill is the development of our human capital. One of the institutions that I had mentioned and which I have some concerns about with regard to how it has arisen was the UWI. I spoke at length of how proud we are to have that regional institution. I lamented the fact that it was not accredited.

In the Minister's presentation, she made the point that this Bill is about registration.

Hon. Kangaloo: Mr. Vice-President, in winding up, I will elaborate more. It is a little dangerous to talk about UWI not being accredited. I have said that what we are about today is registration and accreditation is a different process. It is voluntary. While the UWI has only now applied for accreditation by the National Accreditation Council of Trinidad and Tobago, some of its degrees are accredited by international organizations. I just needed to make that point because it is a dangerous road that we are going on when we seek to damage the reputation of the UWI. [*Desk thumping*]

Sen. Dr. G. Ramadhar-Singh: Mr. Vice-President, not at all. That was never the intention. In fact, I spoke glowingly about the UWI being a premier institution in the West Indies and, indeed, in this part of the world. I am glad that the Minister is going to do that because the article in today's *Express* says that 20 per cent of tertiary institutions are accredited and UWI was listed. However, in the article, it gives the impression that the accreditation process has not started.

Hon. Kangaloo: I thank the Senator so much for giving way. Even the article got it wrong. They were actually reporting on the Bill as it was debated yesterday, and it was about registration. For some reason, everybody is getting it confused. Registration and accreditation are two different things. We are talking about registration today. Thank you very much.

Sen. Dr. G. Ramadhar-Singh: The point I was making is not about damaging the reputation of UWI. In fact, I was speaking glowingly of UWI. I have two degrees from that reputable institution and I have served there in several capacities. I have been part of the strategic planning committees of that institution and it is dear to my heart.

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I was coming to another organization. The UWI would be celebrating its 60th anniversary this year. The UWI was established by royal charter. It is an institution that is insulated from legal action. It is still part of our colonial legacy. If you take an action against the UWI and the matter goes to court, it would be dismissed in the courts of Trinidad and Tobago, because there is the charter which governs it. It speaks about a ship leaving England and sending an emissary of people to a port where there would be a learning institution and so on. It says that for any matter to be adjudicated upon, a visitor must be sent from England—

Mr. Vice-President: Senator, before the tea break, I think you were making all your points, but you have not shown any connection with the Bill. Please, get back to the Bill, if not, wind up.

Sen. Dr. G. Ramadhar-Singh: I was coming to that connection. I just want to make the point that all universities are learning institutions and they are incorporated in some way. In fact, I am coming to the point of registration in a minute.

Mr. Vice-President: Come to it now.

Sen. Dr. G. Ramadhar-Singh: I am coming to it now. It is either by royal charter, by incorporation or by the Companies Act. Up to this point, UTT has not been incorporated. We have not been told how this organization has come into being under any of these three headings.

Mr. Vice-President, on the issue of registration as opposed to accreditation—I agree with Sen. Basharat Ali in the debate that you cannot disassociate one from the other, and my colleague Sen. Dr. Nanan who said that it is inextricable.

With respect to the question of registration, I have looked and examined a document that came to this House and that is the Auditor General's Report for 2007. I am coming back now to registration, because this has to do with registration. It says on page 142:

“Government Assistance for Tuition Expenses (GATE) Fund (cont'd)

According to Warrants issued on the Fund, amounts totalling \$229,189,073.00 were released to fourteen (14) public institutions and \$243,589,996.00 was released to thirty-nine (39) private institutions.”

When the Minister presented the Bill today, she spoke of 19 institutions being registered. How was money released to 53 private institutions for GATE? Why are we debating registration today and not accreditation? Is it that there are persons who are registering schools through this legislation under clause 4 which says:

“Notwithstanding section 8(2))c) the Council may provisionally register...”

They mean “provisionally register” because these schools may not be in the shape that they want, so they have passed registration and they are provisionally registered and they have collected GATE. Is it that friends and families of the PNM are running ghost schools and collecting money for GATE and that is why this debate is relegated to the registration issue?

Mr. Vice-President, I thank you. [*Desk thumping*]

Sen. Dana Seetahal SC: Mr. Vice-President, thank you very much. This being a Bill to amend the Accreditation Council Act, it is necessary, in my view, to look at the meaning of “register” under that Act, and it is to confer legal authority to operate a post secondary or tertiary level institution in accordance with established standards and criteria.

Mr. Vice-President, it appears to me that clauses 3 and 4—if this Bill were to become law—would make the entire Act redundant. This Act that was rushed through, in my view, in 2004, in effect, is supposed to be establishing a council, because it is called the Accreditation Council of Trinidad and Tobago Act, whose purpose was to ensure that these institutions be accredited and registered.

Now, what clause 3 seeks to do is to extend that time period—so that it would be five years since we have passed this Act—where institutions would not have to be registered. So, what was the point in 2004 passing an Act? Why did we not just leave it and say on a date to be proclaimed?—put your business in order and then.

5.10 p.m.

It is farcical to have an Act which says in section 29:

"Institutions lawfully performing their functions..."

Which is now to be amended, right?

"at the commencement of this Act shall, for the period of two years thereafter, be deemed to be authorized to continue to perform such functions..."

Meaning that you had two years to put everything in place; then you did not do it and two more years passed and you did not do it; and now you are getting another

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year and they would not do it and then what would happen under section 30, it appears that you can extend operations and be given something like a provisional registration for another year and another year.

So, up to 2011, seven years from the passage of that Act, institutions in Trinidad and Tobago would not be required to be registered in order to operate. That is effectively what it is. So the main Act is useless; it has become useless by the extension period; it is becoming further useless by the further extension period.

If that were all, then one would say that is no big deal in a way, because ultimately at some point in time these tertiary and secondary institutions would be registered and we would know what they are, but it is again farcical to have an Act called the Accreditation Council of Trinidad and Tobago. A council, that is what the Act is, the Accreditation Council of Trinidad and Tobago Act. And the Act was passed to establish that Accreditation Council four years ago and not one institution in this country has been accredited. That is what we have been told. According to the—I do not know if the Minister is shaking her head; if she has some information she could share it with me—list of accredited institutions, the Council has not yet accredited any institution in four years and we are told that that is not a matter of priority; it is a question of discretion.

The reason for saying this is, according to the legislation you can continue to operate in Trinidad and Tobago, merely by registering and merely by registering it seems—and up to the year 2011, if this legislation is passed today. So, you do not need any accreditation from this council. Why call it an Accreditation Council of Trinidad and Tobago Act? [*Desk thumping*]

The Act is meaningless. The name of the Act really does not convey what it is about. Why do we not call it a "Registration of Secondary and Tertiary Institutions Act", because that is really what it is about.

Sen. Prof. Deosaran: Almost like registration of business names.

Sen. D. Seetahal SC: Almost like registration of business names or registration of companies; that is really all that it does.

Mr. Vice-President, apart from all of that, what does this Act say? It says here:

"'register' means to confer legal authority to operate...in accordance with established standards and criteria;"

And there are no established standards and criteria. If it had not been made clear enough by other contributors, I want to make that very clear. There are no regulations; I do not know if the established criteria are matters that the council has put somewhere that I do not know. If it is that you are being conferred legal

authority to operate an institution, in accordance with established standards and criteria and there are none, I would like to know all of these institutions here: UWI, University of the Southern Caribbean, UTT, what standards and criteria did they satisfy? Or in other words, what legal standards, legal criteria? Because there are none under any laws in this country.

My final point, to put this entire situation in its context to show how ridiculous it is; clause 4 which purports to create a new section 30 says:

"Notwithstanding section 8(2)(c)..."

Which deals with the provision or the power of the council to register these institutions—

"the Council may provisionally register a post secondary or tertiary institution which does not fulfill the requirements for registration..."

I taught legal drafting for a couple of years. As the former Attorney General wanted to say to me, as I said, I am no drafter but I know a little about basic drafting and a little about the English language. If one says, "does not fulfill the requirements for registration", it presupposes that somewhere before there is a reference to, and identification of the requirements for registration.

If this clause is saying that "notwithstanding...the Council may provisionally register an institution which does not fulfill the requirements for registration", it begs the question, what are the requirements for registration. In order to make sense of this clause, one would expect it would say something, "does not fulfill the requirements for registration as may be established from time to time by the Council" or something of that nature. Otherwise, anybody looking at this when it becomes part of the Act will look back and say, so where are the requirements and will be looking through every single one of clauses 1—29 that precede the clause—which will be then section 30—and will find nothing.

So, the bottom line, Mr. Vice-President, is that I find that we wasted a lot of time, four years ago, when we passed this Act [*Desk thumping*] because the Act is not being given any real effect. There might be a council but what has the council done? It has caused to be registered institutions in accordance with some unknown standards; they have met some kind of unknown criteria.

The Act talks about established standards and criteria. If there are, perhaps they can put it on the Internet. If there are, perhaps, they could be included in regulations, which one would expect that an Act of this nature would demand that you would have regulations dealing with how the council operates. If somebody is

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to tell me about draft regulations after four years, I do not want to hear any nonsense like that, because after four years and you are now having drafting, it means you were not serious in the first place.

If in fact, the Act is not properly operationalized; would not be operationalized until 2011, wait until 2011, get your act together; draft the proper regulations; get the people ready for the council; pass it in 2010 and then proclaim it in 2011. By that time you would be able to decide what are the criteria; what are the standards; what you want and you will be able to say, if you want, that we can have a proper accreditation council, because as I said, it is a misnomer.

There is no accreditation; there is no demand for accreditation and in my view, the council does not seem to understand what accreditation is about. For an institution like the University of the West Indies, for example, that has been in existence for so long, it cannot determine that that institution should be accredited, then it is really a waste of time.

Thank you very much, Mr. Vice-President.

Sen. Cindy Devika Sharma: Thank you, Mr. Vice-President. I wish to make my own humble contribution to this apparently very simple legislation, which seeks to extend the deadline date for registration of post secondary or tertiary level institutions in Trinidad and Tobago. Again, in forming my own thoughts on this Bill, Sen. Seetahal SC who went before me, spoke to the heart of one of the issues that had come to my mind when I was formulating my own thoughts on the matter. It dealt with the act of registering as being the principal activity of this Bill as opposed to accreditation which seems to be less mandatory.

[MR. PRESIDENT *in the Chair*]

Just to make the point, for something that is titled “accreditation”, I wish to support Sen. Seetahal SC in that accreditation is really what we should be focused on and the registration should be the more simpler aspect of it. Reason being, once you register, students and future clients of these institutions will assume that once an institution is registered that they are of an expected standard or quality, when in fact, if no such review, information or evaluation is gained from going through the process of being accredited, it means that they are not fulfilling their duties and functions to meet, serve and protect those citizens who wish to pursue education at a higher level, particularly in the many private institutions that have mushroomed within the last decade.

My second point is that in looking at the parent Act, I also noticed that section 29 talks about, it initially providing for registration over a period of two years. My own problem is that if it were a matter of just registering and seeking to accredit institutions eventually over the course of time, there was certainly a marked lack of foresight on the part of the formulators of this Bill. If you have to keep coming back every so often to add a year or another two years, it seems that that could have been easily avoided if you had really considered the immense task at hand. [*Desk thumping*]

Hon. Senator: Of course; of course.

Sen. C. D. Sharma: In addition to which, when you have something coming on stream such as this, you have to make sure that your clients are buying into what you are selling to them, and perhaps the fact that we have so many institutions still to register or are not meeting the deadline date, despite an additional two years, it means to say that they have not bought into it. Even if they have not bought into it, it means that they probably did not get the required information in a timely manner.

Perhaps they were not proactive enough, which leads me to the point that if we know there is an Accreditation Council and we have a deadline date—let us just say it is four years within which they have had to register—it is telling me that there are many institutions that are marketing themselves as those that want to offer a valuable service to people who are seeking it, but they are doing so in an unscrupulous fashion and it is those persons who might be the ones who are least willing to register. Of course, I do not want to suggest that there are many like that out there.

My own problem would be that even if we have these institutions registering, how do we know that they are not going to remain operating at a substandard level? Even if the initial registration seems to suggest that they have acquired a certain standard, it is only through accreditation that we really get valuable evaluative—and I stress on the word "evaluative" because evaluation is what determines the success or failure of the programme's initial output information. It means to say that whatever outcomes, those goals, those aims, those objectives that any institution may wish to work towards, that is what is going to be evaluated in an accreditation system.

Also, if registration would meet some of these needs, it means that accreditation might not be such a big issue. From my own impression so far, I keep getting the sense that registration is what this body is more focused on and

they seem to be overwhelmed with just the initial registration process because we have—how much is it—20 who have applied and they are still pending to get permission or to have gotten all their final documentation. So, it means to say that there might be a problem with the limited staff—I am just suggesting that might be the case. Maybe they need to extend the staff in order to deal with this backlog of registration, because obviously they are going to be getting, as the Minister had already stated, a fast and furious rush to register, because the deadline is approaching and they are going to be fined \$20,000 if they do not.

So, perhaps there is a staffing issue at hand. That is only in terms of registration; it is not even talking about accreditation. And accreditation, the process which is even more intense, because you have to get different types of evaluative data; you have to get peer evaluation, which is very critical; you have to get evaluation from professional bodies to say that okay, graduates that are coming from here, what is the background on them; how are they performing, and give this information back. You have to get not only qualitative data pertaining to that, you have to get quantitative data as well.

5.25 p.m.

You need to get to know the value of the information and is the staff at that Accreditation Council really prepared at this point in time to really—if all those registered institutions decided that they want to be accredited tomorrow, what would be the situation for that body? They will definitely be under some severe stress. Perhaps we need to work towards alleviating these possibilities in the future, because there is a very real possibility—If I owned an institution or I was part of an institution, I would want to ensure that some measure of accreditation—if it is domestic, at least—be applied to my institution, even if I have been accredited internationally. I am going to assume that once institutions feel they have accredited themselves internationally, there is no need to seek that kind of accreditation from the domestic market or the domestic institution, which has only, obviously just sprung up a few years ago in the form of the Accreditation Council, while it might have existed in different forms before.

In addition to which, it takes me to the point of goal setting on the part of the Government itself. You want to have clear goals as an institution—the Accreditation Council—which is seeking to register X number of tertiary level institutions of learning in Trinidad and Tobago, and yet I am very uncertain about what was the initial goal in mind. Whether it was really within two years to register all institutions? Was it a kind of airy-fairy approach? Okay, we have 100 institutions, they are all going to register in two years, we trust that they are

going to follow through with everything and complete their registration within the expressed time. That did not happen the first time. They asked for another two years, it still did not happen, they are asking for another year. So, I am just going to have to assume with the trend so far—if I am here—that I might be asked to speak again to give the Accreditation Council a further two years to ensure that all institutions that might have just sprung up within this period of time, they might spring up next year, that they actually go ahead and register. That probably is a possibility that needs to be looked at as well.

I also wish to go back to one of the points I made in winding up my contribution, and I think it is the point on lack of confidence in the Accreditation Council. I would wish that the Accreditation Council and the Government work hand-in-hand to ensure that the level of confidence increases as opposed to decreases, because it is for me a valuable tool for Trinidad and Tobago. However, that can easily slip off the slippery slope and end up in the wrong area. If we wish to really achieve that Vision 2020 of educating our citizens, protecting them, providing them with the means to become technologically developed citizens, we need to ensure that we are not acting in a rushed way, we do not rush through it. We want to make sure that we put something in place that is of quality, that is of a high standard, and because we are talking about accreditation, quality and standards come into play. So, I have to ask the questions, what are the standards of the Accreditation Council and what kind of quality work can they do if they remain, perhaps, understaffed or unable to fulfil the obligations that they have to within the time period that they have?

Thank you, Mr. President.

Sen. Helen Drayton: Mr. President, thank you for the opportunity to speak. There are three matters which concern me with this Bill and all three speak to quality.

The matter before us is a Bill to extend the deadline period from four years to five years, with a discretionary year. I am just wondering if we are being asked to legislate, to promote and entrench a culture of inefficiency and tardiness among the educational institutions, and/or the Accreditation Council. It seems to me that this is what this is about. [*Desk thumping*]

First, there was a two-year deadline period; it was extended to four; it is now being extended to five, with a discretionary year. But education is all about standards, and it is very difficult to be responsible, and at the same time give approval to this Bill. We were told—at least it was mentioned—that this is in

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keeping with international standards. As far as I am aware, and based on my experience with Roytec, in the UK and Canada the registration period is six months. Now, I am subject to correction if the type of registration we are speaking about here is different from what obtains internationally. But this is not an international standard.

Basically, that is what I would like to contribute, and I also feel that it is unfair to educational institutions which have taken the pains, the time and the money to meet the requirements of registration, to have institutions which have not conformed in one way or the other, receiving the same type of benefits. That is not an equitable or fair situation, either to the students attending those institutions, or the institutions, and it does not speak well with respect to the standards of education in terms of systems and processes in this country. If we are speaking about development and we are speaking of developed country status, then we cannot continue to foster and promote a culture of inefficiency. To my mind, those educational institutions must come up to scratch. And if they are not up to scratch they should not be receiving any sort of assistance from Government with respect to subventions for their students.

Education today is a highly competitive business, and therefore, to compete in that field they must compete on standards, they must compete on quality, and I certainly cannot give my support for this Bill. [*Desk thumping*]

Sen. Mohammed Faisal Rahman: Thank you, Mr. President. Before I begin, may I extend the courtesy of welcoming you back to this honourable Senate. You have paid the courtesy to our visiting Minister and I would like to say the same to you, Sir. Although I may note en passant that you seem to have returned with a firmer resolve—[*Laughter*]

Sen. Browne: You better stay on course; you better stay on course. [*Laughter*]

Sen. M. F. Rahman: Sir, Sen. Dana Seetahal SC, in your absence from the Senate a few moments ago, made a very interesting point. She referred to this Bill as a misnomer, and it seems to me that misnomer is the order of business when this Government brings Bills to this Senate.

I recall not very long ago, a Bill that dealt with custody was called “abduction”. I brought this to the attention of the other side but no cognizance was taken of it. And here we have a Bill that clearly speaks about accreditation and we are being told that it is really a matter of registration. Now, I am at a disadvantage, Sir, in that I am new to the Government order of things and I would

not have been present in 2004, as others here might have been fortunate to be, to have participated in the debate of the parent Bill. But on looking at this parent Act, I cannot help but see certain things jump out at me. The Government has identified one area, which it is now coming to the Senate to validate, and that is the extension from, not two but five years, and there has been a confession of a lack of realization of the ramifications of this Bill that was originally seeking to establish the council.

The point I was making is that the Government has come with one perspective, but coming out of the Bill which I had to revisit in order to understand what the amendments were referring to, certain things have jumped out at me, and one of the things I have seen here which links within the Bill—

Sen. Ali: Act.

Sen. M. F. Rahman: Act. Thank you—links registration with accreditation. I think it is section 26(2)(a) and (b):

“a registered institution shall not alter its accredited programmes without prior approval of the Council.”

Now this is very important, (2)(a) says that:

“a registered institution...”

And we are being told that this is to do with registration, but the registration here seems to follow accreditation, because once an institution is registered it cannot interfere with the basis and grounds on which it was presumably previously accredited. This is what it says very clearly:

“A registered institution shall not alter its accredited programmes without prior approval of the Council.”

I cannot understand how you can say that registration precedes accreditation, and within the very Act itself it refers to accreditation being a precedent to registration. Now, I am looking at all of this with a very innocent layman’s eye. I do not know whether the law convolutes what I have just read in English, and maybe the people who drafted the law would have had a reason for putting the horse before the cart or the cart before the horse. But the way I see it, registration is a preliminary to accreditation, and the two are inextricably linked, because if you did not have a need for accreditation there would have been no need for registration.

Registration, as in the case of the securities companies motion which we debated sometime ago presents a big problem to the Government. If an organization is not registered, it seems to feel that government has no control over

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the organization. Here on the other hand, we have a further complication with the matter of registration. In the parent Act again, and I have to ask your indulgence in referring to it, because these things are inconsistent and contradictory, which seems to be the genre of Bills that we are faced with. I used to wonder why the Government is bringing so many outside Bills and not bringing Bills that deal with affairs that concern us. I am beginning to understand that it seems to be challenged by Bill drafting; it seems to be challenged by bringing forth Bills that will endure the test of time. Because here is a Bill that has failed; it has come back to bite the Government, in a manner of speaking, and it is not only coming back for the first time, but for the second time and foreseeably for many more times to come.

Mr. Vice-President—sorry, Sir—Mr. President. You see, we have got so accustomed to the other gentleman in the Chair. [*Laughter*] It says in the definition section, and I quote:

“‘register’ means to confer legal authority to operate a post secondary or tertiary level institution in accordance with established standards and criteria;”

As Sen. Seetahal SC, pointed out, what are these established criteria? But the point here is this. The phrasing here, in simple English—again, because I am more comfortable with simple English than legalese—“register” means to confer, not to—in normal course, if I register with an organization, I am going and putting my name on the record. Registration requires an act on the part of someone. If I am registering the birth of my child, which I had to do as a father, I had to go and register the birth of the child. Registration was not conferred upon the birth of the child; I had to do something active.

5.40 p.m.

But here you have in the terminology, a passive action, a conferring of registration, and it comes to me that the amendment that we are seeking here is quite strange. Because if there had been established criteria for qualifying to be registered, we would have obviated a lot of the problems that have accumulated from 2004 to now and we would not have the difficulties facing the Government that are now at present facing the Government.

What ought in my humble view to have been done, is that the Government should have laid out what was expected of institutions that were offering these courses at tertiary level. They ought to have done a survey on them and entered them into a register, then imposed upon them the need to meet certain criteria for accreditation. Because, Mr. President, accreditation is not a piece of window

dressing; accreditation affects 64,000 and some number of students that have been identified as acquiring tertiary education at this point in time in Trinidad. It affects them in that, if they pursue after several years of very, very diligent study, a course, and they acquire a certificate, diploma or a degree, if this degree or diploma or certificate turns out to be worthless, for what have they laboured?

Accreditation is the *raison d'être* for the very existence of this Accreditation Council, and further to that, you have here where the Minister is saying that everybody who operates in Trinidad must register. But here we have a situation where with distance learning, international organizations, institutions offering courses online which are valid courses under the auspices of various universities, and these people can acquire these credentials and qualifications via Internet and be properly qualified.

Are we saying that this matter of people, who are operating in Trinidad, includes those people who operate in Trinidad via the Internet? There has to be a definition here as to whom these regulations are applying. This is a very important point and now we have a very important matter here again. The problem that confronts the Government today is not a matter of either registration or accreditation—I put it to the Senate—it is a question of illegality or disregard for the law. The point is this, and Sen. Dr. Nanan made the point, very much in passing, but it is one of my major points.

Here we have a situation where by presenting a law with draconian penalties and measures, the Government is forced out of necessity, to withdraw and withdraw and back back—as we say in Trinidad, back back—from a position which it has taken, but if you do not register—and we are having all the problems about who is doing the registration and by whom is the registration to be done, and how it is linked to accreditation—and it has presented such penalties, but it cannot enforce it, and worst of all, the sacred cow of all educational institutions in Trinidad and Tobago is the one that is standing up and say, "Look, we doh have time for that." Of course, I am referring to the University of Trinidad and Tobago which was formulated in the same year that this piece of legislation came into effect and was passed.

The problem here is this, that we are told the Accreditation Council is having a great amount of difficulty surmounting the fantastic problems that are facing it, and in the interim, the University of Trinidad and Tobago having until very recently—because when April 30 is drawing close and everybody runs to make up his tax returns— So now that we have the door being closed and we are having to sit here all night if necessary to pass this matter, which the Government will pass

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with its majority despite all the pleadings and all the reasonable arguments that are being put forward, here we have a situation where with your position that you must have registration, even though you are the one to confer the registration and you are disregarding the vital aspect of the importance and implications of accreditation. We have a situation here, where despite the very recent conformance with registration—and I do not know whether the council or whether the UTT applied for registration was approved, along with the 18 other institutions that have rushed in before they were closed—we have the University of Trinidad and Tobago actively getting accreditation from universities internationally.

On the website you have—I have a copy of it here. We were told not to wave it around. I would trust that you would believe me. We have the University of Trinidad and Tobago getting its accreditation by the international body and it does not care about accreditation from Trinidad. Why should it? It is forging its own partnerships. What is happening here? It is forging its own partnerships with universities all over the world at a tremendous cost of \$63 million in one case, \$20 million in the other and as a brand new university without any tradition or integrity of its own, seeking to piggy back.

We have heard a lot about diploma mills and degree mills these days and what the University of Trinidad and Tobago is in fact doing is that it is buying accreditation internationally, from whosoever will sell it: Johns Hopkins, Cambridge and these people. We used to have before 2004, a situation where all educational institutions taught what they had to teach, and the measure of their success was the success that they had at the external examinations that they undertook, and the University of the West Indies was able through the years to develop its own standards and traditions and gain its own accreditation worldwide, even though for one brief while, London had to disaccredit it because of the European Union imbroglio, but I believe we are back now on course. The point is this, and it was made elsewhere, that you earn accreditation, but it is the duty of the Government to ensure that courses and institutions are worthy of acquisition after years of study, and not have a situation where you are studying for a degree that is bought by the institution from another institution.

I think that if we are seeking to come to 2020 Vision and First World status, we have to earn our stripes, much as the University of the West Indies earned its stripes. We have a situation where the UTT—I do not want to use strong language—it is buying what cannot be sold; it is buying what needs to be earned. This is a very, very important matter and coming back to the matter of the

illegality, when I say illegality, because the Government having passed this in 2004 for fulfilment by 2006, has found itself because of its draconian measures, and the draconian measures as we have been applying to the API, and as we have been applying to the copyright infringement. We have fines being put into the current legislation that are similar to the sort of exaggerated fines that have been imposed in this Bill, and have caused this Bill to have been withdrawn and withdrawn and be brought back for extension as this amendment seeks to do, bringing back the Bill repeatedly. And at this time, we have a situation where if we want to have conformance as the amendment seeks to do, we have a situation where 54,000 people under the 19 institutions are now under an umbrella of protection.

The Government has options to overcome the problem that is confronting the council. You either start to subsidize the amenities and the infrastructure and whatever of the institutions that exist, to bring them up to par, tell them what you expect par to be, what are the criteria they have to meet, and then, prequalify them on the basis of what they have accomplished, and if there is a difficulty and it is already established that the UTT is a multi-discipline university—fledgling although—let those other 10,000 people who have not been able to associate themselves with registrable organizations be integrated and be brought under the wing of the UTT.

Mr. President, it is extremely important that the importance of accreditation be recognized. If you do not recognize the importance of accreditation—and I put it again, that were accreditation not important, registration would be meaningless. So we come back to the situation where if you are going to handle the situation in a way that you are not re-confronted annually or biannually with a return to this Senate to do patchwork repair—because this is what is happening, we are doing patchwork repair—to a Bill, which according to Sen. Seetahal SC, was pointless in the first place.

You have got to confront the Bill and if you are going to ask for a one-year extension and you want to keep everything in the very idiotic format that it is right now, with all due respect, where you are begging the council to do its work, if you want to be saved from embarrassment, do not ask for one year, ask for five years and give them a chance to set their house in order because you are not going to do in one year, what you have not been able to do in four. You have not been able to accomplish it in four and do you know the accreditation certificate that the UTT shows on its website, was issued by the IET after one visit to UTT, and one report from UTT.

One visit and one report from UTT convinced the IET that here was a university worthy of accreditation. What is the big problem? UTT did not register with them; its accreditation was not preceded by any registration. What is the big problem that the Government is bringing to us here, to say, “We have a big problem. We have not got it done in two years; we have not got it done in four years; we need another year.” And we have the report that the prior Minister really did not know what was going on. He did not have a clue.

It is very easy to recite the accomplishments of the Government, but what is happening is that with the treatment of laws such as this, which are deflective when they are brought for review—and I say this again, I did not sit at the time when this law was first being passed. In my layman’s way of reading things and as I say reading some fine print, what am I to say—but they would not have taken us on because they do not take on amendments that we bring. They tell us that we have to get on to that one of these days, but in the meantime pass this in a hurry; we are in a bit of a rush. So come, come, come along and do what we have to do.

Mr. President, this is extremely unjust to the national community and it is unjust to the succeeding generations because we have 54,000 students and countless other students online, and in so many other nooks and crannies burning the midnight oil, trying very hard to become qualified to be able to earn a salary that will outstrip the increasing cost of living. So we need to give them a time line.

5.55 p.m.

What is happening is that they are actually working in an igloo, because it would all melt by the time they are finished and they would be out in the cold. They would be out in the dark.

Mr. President, we have a very serious situation here, and the ramifications of this whole issue seem to be all lost on the Government; because I said a couple of things and the Minister looked up startled and frowned, as if to say they were ridiculous. [*Interruption*] Maybe I am misreading your expressions.

Hon. Kangaloo: Apparently I cannot have any expressions. [*Laughter*]

Sen. M. F. Rahman: I am very flattered, Sir; thank you very much. [*Laughter*]

We are saying that this amendment has to bring our focus back to that to which it is attached. We cannot be brought a dismembered limb and be told that we have to repair it, and not ask to see where the rest of the body is. We have to go back to the body and say, "Hey, hey, hey, this body is suffering from cancer; what are you re-attaching this limb for?"

We have a serious problem. We are looking at an amendment out of context and saying, "Oh you must focus on this amendment alone; deal with this amendment; deal with the clauses; deal with the A, B, and Cs of this amendment." Mr. President, with all due respect, you have not stopped me, and I am very grateful. *[Laughter]* The fact of the matter is, Sir, and I believe that I am beginning to get the point across, we cannot work in a vacuum. We have to address the antecedents of this amendment that has been brought to us today. Antecedent is a very important matter. If I do not know my genealogy, I am a "nowherian"; it is very, very important, particularly since we have been flooded with "look good" legislation in this House. We have been flooded with all sorts of extraneous matters. We have not been coming to the nitty-gritty.

I want to say something that is very important here today. I had the privilege of listening to the debate on the television yesterday, when this matter was being discussed in the other place. A very profound observation was made by Minister Abdul-Hamid; that in referring to the United Kingdom and other large nations, Europe and so on, the question of accreditation was very important. But this was the significant part, and I would like the hon. Mariano Browne, the Minister, to pay heed to what I am saying here, for a little minute from his writing. *[Interruption]*

Mr. President: Two things: You would address the Minister as the Minister in the Ministry of Finance, and secondly, just speak to me. I am the only one here who has to listen to you. *[Laughter]*

Sen. M. F. Rahman: Yes, Sir. I would like to address you, Sir, and have the national community hear what is being said, starting from within this Chamber outwards.

The very significant point that was made by Minister Abdul-Hamid was this, that one of the problems which Britain and European countries that have accreditation and universities, do not face, is brain drain. They qualify their citizens through their universities and they do not suffer from brain drain. But the remarkable part that I want to draw to the attention of whosoever might be listening, in addition to the Speaker—*[Laughter]*—Mr. President, is that he explained that these countries have—and listen to the words, "strong currencies". They have strong currencies, so their graduates do not have to leave their shores to go with their qualifications, and look for better jobs elsewhere.

Several of my questions today that were duly answered, much obliged, relate to the matter of currency exchange and strength of currency. Whatever our

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denominated currency for trade may be, if you have a weak currency, you are training 46,000 persons in hopefully registrable institutions and hopefully to be accredited institutions, to go out of the country to earn. [*Interruption*]

Mr. President: Do not go there.

Sen. M. F. Rahman: But we are dealing with accreditation. Am I off the track, Sir?

Hon. Senators: Way off!

Sen. M. F. Rahman: All right, Sir. Well, then I would not say that part of it. I think what I have said so far links the matter.

The point is this: We have taken on in this country a process of seeking to regulate an area that was proceeding very nicely, before the attempt to regulate it. But entering upon the arena of regulation, we have set the cat among the pigeons, and a lot of feathers are starting to fly. We have an inept, incompetent—and I hope I am not being unkind here—but non-productive, and so far—what is the right word to use here?—a non-accomplishing council within the time frame that was allocated it, to accomplish something that still seems to be eluding us. We still cannot understand that the very Bill links the matter of registration with accreditation.

I do not want to repeat too much, but I think the point is clear that the whole objective here is accreditation for the benefit of the citizens at large, for the benefit of the country, and we hope they do not go elsewhere to look for jobs after they get qualified, for whatever reason.

Coming back to the matter of registration again, the proposed clause 4 amendment, 30(1):

"Notwithstanding section 8(2)(c), the Council may provisionally register a post secondary...institution which does not fulfil the requirements for registration..."

Here again, Sir, the language is nebulous and imprecise. It does not say that the council would permit to be registered such an institution; it puts the onus again on the council to register the institution. It says that the council has to go out and find the institution and register it, or tell it, "You need to do so and so; we want to register you."

Even in the amendment, the legalese seems to depart from the logic, because here you have the responsibility being on the council to do the proactive

registration, rather than the institution having to apply for registration and being permitted to be registered in the circumstances of its delinquency. We have a continuing problem with the drafting here, if my simple English is on target at all.

Mr. Vice-President—I am continuously calling you by the wrong title, Sir; I hope you indulge me. Forgive me.

Let us go through; there were other things in the Bill. If I did not make the point with regard to the registration— If the Government does not put out a charter for registration eligibility, it should define a procedure for registration, because in the Bill—*[Interruption]*

Mr. President: Senator, up until now, you have managed to make a nexus between your comments and the Bill, but I see you are now delving into the original Act, and I do not think you should be going there. Try and make a direct nexus to the Bill in front of us, or give way to some other speaker.

Sen. M. F. Rahman: Yes, Sir. Let me discard the original Bill, because that might put me in trouble. There is so much wrong with that. I am going to cooperate with you, Sir, and do an injustice to the Government, because they would sit and think that what they have in the history book is sound; it is not. It is certainly not; but we will not go there, because we do not want— We may have to write a letter to the press and talk about this. *[Laughter]*

One of the interesting things is this, that we have a situation where—*[Interruption]*

Mr. President: Senator, I am going to assume that you meant that in some jest, and that you certainly did not mean to be rude to the Chair and my rulings. So I would be gracious and assume that you mean that in some other context. But do be careful of your comments.

Hon. Senators: Apologize!

Mr. President: There is no need at this point.

Sen. M. F. Rahman: I humbly apologize if you took that personally. It was not meant for you personally. We have a “conspiracy” of circumstance. We have rules to go by in this House: We cannot be irrelevant; we cannot go and talk about old things. I defer to that entirely. It was through the frustration of operating within certain parameters that are defined, to which we must adhere, that I have found it necessary to put pen to paper, and these days, finger to keyboard, to be able to express myself in a freer circumstance; not out of any disrespect for you,

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Sir, but for the benefit of the nation, because lots of times we have situations where matters are going amiss in the nation, that we cannot raise in this House because it is going to be deemed irrelevant. I fully understand, Sir.

That being said; concomitant with the demands for registration and for getting the accreditation, for which registration really came into being, we have a situation where we have an ongoing—counting 2003 up until 2006, which is after 2004—we have a situation where, notwithstanding the secrecy of the recipients, which has been invoked by the good Minister, we have the Ministry of Community Development, Culture and Gender Affairs approving scholarships and grants to dozens of learning institutions, globally and locally, which, by any stretch of the imagination, have neither qualified nor been inclined to apply for registration in the books at the council.

I do not know how I am going to phrase this, Sir, because I am trammled. Because of the requirements of what preceded the amendment, we have a situation where ongoing illegality has to be disregarded by the Government. This is one of the situations that is facing us in so many areas, because we find that in the society we have constantly, acts of illegality that are being condoned by official—what is the word for it?—endorsement, after the fact. [*Interruption*] Pardon? Being condoned by officialdom, after the fact. Because the Government cannot look as if things are out of hand; they cannot look as if they are out of hand; they cannot behave as if they are not in control, so they say, "No, we allowed that; we permitted this and we permitted that", and all kinds of travesties are being visited upon the nation. We are perpetuating it now with the amendment to the Bill, that we are not allowed to refer to, and we are validating that which ought not to be validated. We are really in a situation where we are closing our eyes to the reality and disregard—

The Prime Minister is on record as saying, "This Government does not break the law." Well, I would agree with him. It tweaks the law; it amends the law; it re-interprets the law, and it does other things to the law, but it does not break the law. Mr. President, we have a syndrome that this amendment represents, that the Government and the nation seem to be unaware of. When we are supposed to nip a matter in the bud, we fertilize the root of the tree and we let the bud grow into a flower, and it smells. It is not a beautiful rose; it is something that produces something that is toxic for the society.

We have a situation where 54,000 well-intentioned, industrious students are working their fingers to the bone. Since accreditation is not the objective in the eyes of the Minister, they may find that they become possessed of certificates, diplomas and degrees that have no accreditation.

6.10 p.m.

I know that in the Lower House when the matter was being talked about, a certain Minister made much of the fact that UWI was discredited by London and the United Kingdom. We have a situation where we are producing graduates by the thousands who would never become accredited if registration is the objective and accreditation which is linked to it in the document is not recognized as being part and parcel of the whole exercise for which we have assembled here today. The ongoing significance of the accreditation aspect of things has to be recognized. If we do not recognize what this is about, then we are spinning top in mud.

I am at sea with this whole exercise that we are doing to give dignity to a registration process that will not be fine; we are in abeyance as to who is supposed to do it and whether it is supposed to be done or should have been done. I think that it is a violation of human rights for the population that is studying and being led up the garden path to obtain credentials that are going to be worthless. We have not heard the Minister say that accreditation is the *raison d'être* for this whole exercise. The rate at which we are going now, it seems as though accreditation is neither here nor there. For the life of me, I cannot understand how we can disregard the essence, core or heart of the matter.

It seems that we are not concerned about why we have assembled. We have assembled here to beat drums; make noise and play some music and not to attend to the burial of the corpse. This is a serious matter. We have a matter of extreme importance to the welfare of the students of this country.

I am sure that I have more to say, but the points that I have made so far are cogent enough to awaken the awareness of the Senate to some of the things that we have not been looking at with regard to this particular amendment.

Thank you.

Sen. Gail Merhair: Mr. President, a society that thinks the choice between ways of living, is just a choice between ways of eligible lifestyles, turns universities into academic cafeterias offering junk food for the mind. According to George Will, "Politicians fascinate because they are an elite that accomplishes mediocrity for the public good."

When I read this Bill entitled the Accreditation Council of Trinidad and Tobago (Amdt.) Bill, 2008, several immediate objections were raised in my mind. At the end of examining the issue, I must state that I cannot support this

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legislation as a matter of principle. It took my mind back to something said by John Stuart Mill and that is: “The general tendency of things throughout the world is to render mediocrity, the ascendant power among mankind.” Hon. Senators, this Bill is a reflection of mediocrity throughout and should not be tolerated. Enough, sometimes they say, is enough!

The Bill seeks to amend the Accreditation Council of Trinidad and Tobago Act, Chapter 39:06 to extend the transitional period from four years to five years and to allow for provisional registration. As far as I am concerned, four years since the passage of this Act and the ongoing training seminars that were conducted by the Accreditation Council and the Ministry of Science, Technology and Tertiary Education is more than enough time to have this system formalized and institutionalized, as intended. If schools and institutions are still in need of more time to have themselves registered and accredited, then, they have no business in providing tertiary education for the youths and citizens of Trinidad and Tobago.

This matter has a long-standing history. There have been several attempts over the past 34 years or so, to establish a system for the recognition of institutions of higher education in Trinidad and Tobago for the accreditation of programmes. The first attempt was made in the 1970s with the establishment of the Committee for the Recognition of Degrees, known then as CORD. We then had the creation of the National Training Agency, but like CORD, there were several limitations and the National Training Agency was not adequately equipped to examine the quality of offerings of higher education that we have come to know now.

All that set aside, the Government must be commended for pursuing the issue with some vigour once again. I state categorically that I am against any additional period being added for the purpose of this transition to accreditation. Even with a conservative estimate, it is my understanding that the Accreditation Council, together with the Ministry of Education, has been working assiduously over the last two years to move the process along. If after all this time, some schools have not been brought up to standard, then, with all due respect to this honourable Senate, they should be closed down. This Bill can be seen as an attempt to allow delinquent institutions to dictate the pace of progress and development. This must not be allowed to happen. Why is it so hard for some of these institutions to come up to scratch?

The process, as I know it, is in two stages. The process of registration is not as rigorous as the process of accreditation. In the registration stage, the institution is required to retain certain criteria. First of all, they must have proper physical

facilities; curriculum; demonstrate that they have a competent faculty and meet the minimum requirements for tertiary level institution. Once they are registered, they can make applications for the accreditation programmes offered by the institutions. In total, private and public educational institutions have had four years to get these things together. As I said before, they have had sufficient time. The time to act is now and Government must put its foot down on this issue. Mediocrity must not triumph with respect to the quality of education that is being offered to the public.

New applicants for accreditation must follow a few stages, if I am to refer to Britain which allows for a thorough assessment of applicants and colleges prior to full accreditation and for an initial period in which new colleges may address any outstanding requirement by the British Accreditation Council (BAC). This is not provisional registration, but part of a process within a specified time frame.

I am referring to the British system. Stage 1 of the accreditation process is a paper-based submission comprising an application form and substantial supporting documents. Stages 2 and 3 constitute on-site inspections of the college, focusing in the main on regulatory compliance and more in-depth aspects of provision, respectively. After a satisfactory stage 2 inspection, accreditation may be awarded for a period of six months while a successful stage 3 inspection would see the college's accreditation extended for up to four years.

PROCEDURAL MOTION

The Minister in the Office of the Prime Minister and Minister of Trade and Industry (Sen. The Hon. Dr. Lenny Saith): Mr. President, I beg to move that the Senate continue to sit until the completion of the debate of this Bill.

Question put and agreed to.

ACCREDITATION COUNCIL OF TRINIDAD AND TOBAGO (AMDT.) BILL

Sen. G. Merhair: Mr. President, the Bill focuses on providing additional time for tertiary institutions to prepare for accreditation. Let us see what happens in England as far as the time line is concerned. Assuming that all required documentation is submitted along with the initial application form, the BAC schedules a stage 2 inspection within six weeks of the application. Positive consideration of the stage 2 report by the sub-committee of the Accreditation Council results in the award of accreditation for an initial six months.

A stage 3 inspection is then scheduled before this initial accreditation runs out. Where colleges are well established and have been operating successfully for some years, it is considered appropriate to combine the inspection for stages 2 and

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3. The report is presented at the next meeting of the accreditation committee which meets six times for the year. If the committee considers that the college meets all the relevant requirements, accreditation is awarded for a period of up to four years.

Therefore, after considering all that I have said in the British system, the likely timescale for new colleges, if they provide all the necessary evidence of meeting the British Accreditation Council's requirements, is to attain stage 2 accreditation within four months and then to have their accreditation confirmed at stage 3 within 10 months of their application.

Our local institutions have had four years to come up to scratch. I see no need for any additional time. This will lead to the perpetuation of mediocrity. If they do not come up to scratch, I think that they should be closed down.

It has come to my attention that some persons have been given provisional registration and are also Government Assistance in Tertiary Education (GATE) approved, at least in one course of study, while a fully accredited institution has not been given GATE approval for the same course of study. This is not fair. How can this be fair? It cannot be. It is grossly unfair and one of the main reasons I oppose this provisional registration and the granting of additional time.

If the Government remains committed to this path, I would make some suggestions. Some sort of punitive action should be taken against institutions that do not meet full requirements. Such actions that can be taken are the non-approval of GATE for provisional registrants and limiting these institutions to charging two-thirds of tuition until they qualify for accreditation. If this is put in place I can bet you—and I am not a betting person—that these registrants would complete what they have to do within months.

The mission of the Accreditation Council of Trinidad and Tobago is to assure the quality and integrity of higher education through the recognition, registration and accreditation of institutions and programmes, for the improvement of the educational sector and the advancement of society. It is my assertion therefore, that we get on with the business of guaranteeing the highest possible standards. If we continue down this road, the provision of tertiary education would be seen as ordinary, average and mundane.

I urge the Government to reconsider their position and make examples of those institutions that do not come up to scratch.

Thank you.

6.25 p.m.

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Mr. President, I rise to support the amendment and to try to clear up some of the misconceptions that I have heard. One thing I want to say first is that grace is a word that humankind should carry around all the time. The whole idea of the extension is to give a grace period to the institutions. Rather than demonize the institutions, the Government is seeking to give them a grace period to do something that is new to the country and to the Caribbean. The accreditation process is Caribbean-wide. Accreditation Councils were set up across the Caribbean to bring regulation to the tertiary level education industry. It is something that was not in the region before.

We are hearing many words—registration, accreditation—and people are taking things out of context and taking even the time offered to a level that is not really part of the Act. The spirit of the Act is to cause this regulation process to occur and to bring in line an industry that has been proliferated across the Caribbean; not just in Trinidad and Tobago. We find that in Trinidad and Tobago we may probably have more tertiary institutions than most other countries in the region, but this is a process that all countries in the region are undertaking.

I want to speak to the University of the West Indies (UWI), which I know, then I will come to the other comments I have heard. I worked at the Cave Hill Campus of the University of the West Indies for 17 years. They had significant problems coming up with the documentation and all the things required for registration. While that is so, the Accreditation Councils across the region are seeking to gather baseline data. If you look at what the Accreditation Council is called upon to do, it is audits, reviews and evaluations, and you must have baseline data to do that. In order to get that data, the Accreditation Councils are asking the tertiary level institutions to bring a lot of information to the table and to bring their physical plant, their faculty, up to a particular level.

The whole idea of regulating a particular industry is quite a difficult thing. Any industry you are going to regulate calls for a lot of work. The amendment seeks to give both the Accreditation Council, and moreover the institutions, an opportunity to be registered within a particular time. If we were to close down institutions, what would be the consequence?

The Government has a broader objective and that is to widen access to tertiary education. It would be counter-productive for a number of reasons and it would affect students who are in institutions if the institutions were to be shut down

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because they do not meet an administrative requirement. We understand the importance of the requirement, but there is a need for grace. That is our recognition.

Let me switch to something that I heard. Why not give them five years instead of one more year because they will keep coming back? One year gives us the assurance that we are not saying to people that we are promoting mediocrity. It says to the institutions that we are giving them one more year, but they are required to speed up their systems and get ready.

I want to speak to something else that I heard about the UK system, which I have not researched myself, but I studied there twice. As a fact, not all institutions that deliver tertiary education are accredited in the UK system, and they are not shut down. They are given an opportunity to do so and if they do not, they are not accredited and it is up to the students to decide if they will go there.

Also, the issue of how the UK does the registration period is that you get stage 1 and 2, as articulated by Sen. Merhair. Stages 1 and 2 actually articulate an embedded provisional period. If you get accreditation for six months, you get accreditation for six months until they come to do stage 3. That is provisional, which is what the amendment at clause 4, where section 30 is being inserted, is seeking to do. It is international standard. It was a provisional period that was articulated by Sen. Gail Merhair with respect to the UK's system. When you talk about stages 1 and 2, they give six months accreditation and then you have to do stage 3, which is provisional until stage 3 happens in ten months.

I went to Cambridge University and when you look at the walls, you know that they were up there for 500—1,000 years. The UK has centuries of experience in this. Accreditation was not in existence all the way back then. We are speaking about a developed society that has experience and experience is not something to be disregarded in doing these things. Ten months, six months and four months; those time periods to conduct such accreditation speak to experience, which we will develop as we go along. We are talking about grace on two sides: grace for the Accreditation Councils in the region to get their acts together and grace for the institutions to get their acts together.

I know that all the campuses of the University of the West Indies spent a lot of time getting their documents together to be registered with the Accreditation Councils in the territory in which they were established. Therefore, it is wrong to think that giving a grace period is promoting mediocrity. It is being tough on institutions and I think we are demonizing institutions by dismissing them out of

hand, if we are saying that they should be shut down or that they are not good enough. Students have been going through these institutions for a long time and bringing discipline and order to the industry takes some time and we are working with the process.

I am satisfied, having worked at UWI for 17 years and having been to three universities in my life as a student and working in some of them doing tutorials and so on, that we have the making of a good system in this Accreditation Council and the whole idea of accreditation. It is not just Trinidad and Tobago; it is across the region that this is being introduced.

One of the other things I wanted to mention was the notion of UWI having been accredited internationally and not being accredited here. We are using words incorrectly. UWI has an international reputation. UWI itself is not accredited because accreditation is a special thing in the industry of tertiary education. Accreditation happens by discipline. For example, the Faculty of Engineering is accredited by some international engineering body. UWI spent millions of dollars getting itself in order to be accredited and it was a long process. It was not six months or ten months.

I have not researched the British system. What Sen. Merhair was referring to with respect to the British, which is called accreditation is indeed registration. There is an aspect of accreditation that is in registration. It is very subtle. When the Accreditation Council registers institutions here in Trinidad and Tobago or across the region, it is giving a blanket accreditation, but not as in a particular discipline. We are actually dealing with terms that many people are not familiar with and we are just throwing them in and making a big I-do-not-know-what that is not making sense and that is misleading everyone else. [*Desk thumping*]

My contribution is to try to clarify a few things. The main concept I want to leave is the idea of grace. That is how I interpret the amendment. It is giving a grace period for people to be ready and the provisional actually introduces something that exists elsewhere. Giving provisional registration allows institutions to continue and shows good faith on the Government's part that says that we want institutions to be registered and to be a part of this big process.

UWI and UTT alone, whichever institutions we set up as a government, cannot meet the needs for tertiary level education. You must encourage, support and regulate other institutions. We have many institutions run by persons with good intentions, who have put out a lot of resources to establish themselves. These

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things take time; therefore we encourage persons to support the amendment. It is seeking to do something that is worthy—widening access to tertiary education in Trinidad and Tobago and in the Caribbean.

Do you know that it is not just Trinidad and Tobago students here? Students from across the Caribbean come here especially to access accounting certification. We have training offered here by a number of accounting schools that have high credibility across the region and from the UK. To say that you will shut them down puts many people in jeopardy.

We are able to attract into Trinidad and Tobago a lot of money from students who come from elsewhere to pursue those qualifications. We are talking about an industry. It is not just that you have people who may be mediocre—you may have those—but you are speaking about an industry that brings returns that result in a high level of employment and people being able to achieve something they would not normally achieve.

Students are not able to go to the UK to do ACCA anymore. The cost is prohibitive. We have to consider the wider implications of this amendment. So the Minister has brought to us an amendment seeking to continue to do good—the good that the PNM Government always seeks to do. We do not always get it right—and nobody always gets it right—but I believe this is the correct way to go. If we were not to give this and say that institutions not registered should be shut down, there would be a hue and cry that is worse than what we hear for even little things. This will be a big thing, so the implication of not supporting this is significant.

I encourage persons to revisit their views and to understand that this process is Caribbean-wide, the problems are Caribbean-wide and it is not something that we alone experience. I am sure if I do the research historically, when they came up with the whole idea of accreditation, it was not easy to do.

When I go through the old Act—I know I am not supposed to talk about the old Act—it speaks to registration that results in a general accreditation. You are saying that this institution can now—and that is the sense of accreditation there—deliver legitimately programmes to students at the tertiary institution level.

When you drill to the other level of accreditation, accreditation by discipline is a more rigorous process and it is not about the entire institution. For a business school, for example, seeking international registration is extremely rigorous. When the Department of Management Studies at Cave Hill even thought about doing it, they had to put it out of their minds because they knew that UWI was not

giving the millions of dollars required. At the same time, we did begin slowly to do the things we needed to do so that within 10 years—that is how long it will take—we may be at that point where we could say that we are going for accreditation.

So the outlay you would need right away would not be as much as if we had tried to do it now. It takes a lot of time for any discipline to be accredited at the international level. When we say accredited, we do not mean by local institutions only. We are talking about international bodies.

So it was very unfortunate to hear the comment that was made about UTT; that the UTT has bought something that it had to earn. It would have started out at a level with people like Prof. Julien, people of international reputation. Prof. Julien was a visiting fellow at Cambridge when I was a student. So, we are not talking about someone who is not aware of what needs to be done to get a programme accredited. I am not aware of the particular thing he was speaking about, but accreditation is not bought. If you talk about \$60 million, that is probably how much they spent to get their act together in order to register to apply for accreditation.

6.40 p.m.

So, it is unfortunate that we bad-mouth the institutions that are actually providing great service to our students. In the past, students had to go abroad for everything and a large number of our students cannot afford it. Having UTT here, an accredited UTT, gives our students an opportunity that was not before available.

I want to end by, again, encouraging Senators to think again on the position that they held. I believe it was a position that might have been misinformed. We really should see this amendment as one that seeks to inject grace. We need a lot more grace in the country. We are being very hard on each other. People are being—We are seeing many things happening in the country that requires a softer approach. That is what we are seeking to do. We are seeking to continue that caring. We say that we are caring and we mean it and this is a demonstration of a caring government. It does not mean that we are promoting mediocrity, because the one year and the provisional are indeed seeking to give people an opportunity. We are serious about what is happening here.

I believe the one year also reflects, from some of the discussions I have heard, where institutions are in the registration process—Institutions are close to being ready to be registered and, therefore, we need to give them an opportunity to do that.

I thank you.

Sen. Dr. Jennifer Kernahan: Mr. President, thank you for the opportunity to contribute to this Bill to amend the Accreditation Council of Trinidad and Tobago, Chap. 39:06. This Accreditation Act, No. 16 of 2004, is an Act to provide for the establishment of an Accreditation Council of Trinidad and Tobago and for related matters.

The issue before us this evening is to amend this Act in section 29 for the second time in two years. Parliament is setting new records today for inefficiency and indecisiveness. In 2007, we increased the time frame for registration, from the time of the establishment of the Act, for a period of four years and now we are being asked this afternoon to amend this Act once more, to allow a five-year grace period of registration from the time of the establishment of the Act.

The Minister spoke to our affiliation with the International Network of Quality Assurance Agencies in Higher Education (INQAAHE) and she also stressed in her presentation that the issue of registration is mandatory for all institutions in Trinidad and Tobago offering tertiary education or higher education. Then the Minister declared today that, a very startling announcement, accreditation is voluntary and it just provides for the development of excellence in the field of tertiary education. I would like to alert the Minister to the fact that the International Network of Quality Assurance Agencies in Higher Education, which she quoted, disagrees with her. I have a document here called *International Network of Quality Assurance Associations in Higher Education (INQAAHE) Strategic Plan 2008—2012*. In this document it says that higher education is a major driver of economic and social development and, therefore, accreditation is an increasingly important aspect of higher education, both nationally and globally. This is what INQAAHE is saying. The Minister quoted INQAAHE and our affiliation to INQAAHE.

INQAAHE went on to say in their strategic plan 2008—2012:

“The need for secure and respected national arrangements for managing the quality of higher education...and the standards of qualifications is now widely acknowledged...”

A lack of effective, transparent and internationally respected quality assurance arrangements will act as major brake on such international mobility and transferability of qualifications, to the detriment of all concerned.”

INQAAHE is very clear that the issue of accreditation is very important, both nationally and internationally. They spoke about the fact that there is this global village and a flow of nationals cross borders and there is need for institutions such as this to act as an international forum for the support of good practices. I expected that is why we are a member of INQAAHE.

The Accreditation Council of Trinidad and Tobago stressed the need, four years ago, for the establishment of this Accreditation Council. They said, four years ago, that it was urgent because they quoted a number of cases in which the lack of accreditation of institutions in Trinidad and Tobago is holding back the development of important institutions of tertiary education and higher education. The Accreditation Council made those statements. They said and I quote:

“Global trends and the internationalism of tertiary education have created a situation in which the quality of programmes offered locally is being questioned and in some cases challenged.”—This is the Accreditation Council speaking—“Students transferring from one institute to another and graduates seeking admission to post graduate or other programmes as well as those seeking to be employed or promoted on the basis of advanced qualifications are the most affected.”

We are in a quandary. We are at a loss this evening to understand what the Minister meant when she said that accreditation is something voluntary and that it is meant to just advance excellence in tertiary education. We are seeing this announcement by the Minister this evening as something very sinister. It exposes a blatant disrespect for the hard work, sweat and sacrifice of 85,000 students who are anxiously waiting to be properly accredited in Trinidad and Tobago. That is the problem we have with the statements made by the Minister this afternoon.

In fact, I would go so far to say that the Minister had repudiated the Act. I totally agree with my colleagues, Sen. Seetahal SC and Sen. Rahman, when they said that the whole purpose of the Act is to accredit. That is the purpose of the Act. Registration is the first step in the process towards accreditation, but your major issue is to accredit. That is what the whole Act is about.

How can you come here this afternoon and announce to all those students out there who are waiting with bated breath to get their institutions properly accredited so that they can transfer their credits to different institutions and go internationally and be recognized, and tell them that is voluntary?

The purpose of this Act is to protect our students, to ensure their advancement in tertiary education as provided for in section 8 of the parent Act. There is

subsection (2)(a), (b), (c), (d), (e), (f), it goes right down to (x). This Act was so detailed in all the issues related to accreditation. The Minister has come here and told us this afternoon that accreditation is voluntary.

Another example of the absolute need for accreditation was also quoted by the Accreditation Council of Trinidad and Tobago, when they mentioned the fact that approximately four years ago Britain had stopped recognizing the degree of medical graduates because of their affiliation with the European Union. Caricom had to run very quickly and establish an accreditation institute so that the graduates of medical schools would be recognized and accredited by an established accreditation institute.

The issue is that a degree, award or certificate is useless/worthless unless it is properly and legally accredited by a recognized accreditation institute. That is the problem. We could have 10 million institutions here giving our degrees, awards and certificates, but if it is not properly registered and legally recognized by an accreditation institute, then we would have problems.

Mr. Vice-President, it is the role of the Accreditation Council, under section 8 to establish the standards, requirements and regulations with which registered institutions must comply in order to have their programmes accredited and reaccredited to have their awards recognized by the council. This is the nucleus of the Act. This is the heart of the Act. If the Minister is going to come here this afternoon and cut out the heart of this Act, then we are back almost to square one. I do not know what we are debating this evening if we are going to tell the country that accreditation is voluntary.

This is why the major issue before us is that we are being asked in clause 3, to amend section 29. We are also being asked to add another clause that says:

“Notwithstanding section 8(2)(c), the Council may provisionally register a post secondary or tertiary institution which does not fulfil the requirements for registration, for a period not exceeding one year, if the Council believes that the post secondary or tertiary institution will be able to fulfil the relevant requirements within a reasonable period.

(2) The Council may extend the period referred to in subsection (1) for a further period not exceeding one year.”

In fact the Minister is asking us this evening, in this amendment, not to give them one year, the grace that they are asking for, but possibly two years, based on the amendment before us.

Mr. Vice-President, the problem is that when the former Minister came to this Senate last year and asked for the extension, he made his request on the basis that the Accreditation Council had spent the two or three previous years and that they had put a lot of time, energy and effort into putting together their policies, programmes and systems to earn international recognition. This is what he said. I have the *Hansard* before me. He maintained, I quote:

“Accreditation is about network. You really have to be part of an international network which has already established standards and seek to learn from the standards that they had established, meet those standards and join the network.”

This is what the Minister assured us. He said that we are part of INQAAHE and we were totally recognized by INQAAHE and, therefore, we were well on our way to establishing all the standards and programmes that are necessary and that we would be in a position, the administration would be in a position, to implement the Act as it stood, in terms of accreditation and registration.

The Minister, when he made this initial request for the extension, said, I quote:

“What this means is that the Accreditation Council of Trinidad and Tobago has met the requirements established by INQAAHE to be a member of that particular accreditation council...”

Mr. President: Senator, two things; one is that I want to tell you that I am the President and not the Vice-President and you punctuate many of your paragraphs by addressing the Chair. I want to assure you that I am listening and you do not need to address me that frequently. When you do, I am the President.

6.55 p.m.

Sen. Dr. J. Kernahan: Mr. President, the former Minister made those points. When the present Minister came here this afternoon, she also made the point that we are members of the International Network of Quality Assurance Agencies in Higher Education (INQAAHE) and, therefore, we are fully recognized by this institution.

Last year, when the former Minister asked for this extension, he went on to say that having gained acceptance into INQAAHE, we have formed a sub-regional network which is an excellent move for the region. He was referring to the regional network which is the Caribbean Area Network for Quality Assurance in Tertiary Education (CANQATE)

At that time, we took the Minister's word because we did not have a choice. The Minister assured us that it was not easy to get into these institutions. He said that in order to be accepted, you must have the policies in place and you must have governance programmes, policies and organizational capacity. He went on to explain that they looked at these variables to determine whether they are going to admit you. He told us that you just cannot say that you are an accreditation body, and that you have to prove to INQAAHE that you have the infrastructure in place to be admitted. It was based on the assurances from the former Minister that the House granted the Minister an extension of another year. We were thinking that the Minister really had all these things in place and that the implementation of the Act would take place within a year.

When I saw that this present Minister had to come here and ask for another year—very few institutions have been registered; only 30 per cent and we are not even talking about accreditation—I wanted to find out what is the issue with INQAAHE. What have we proved to INQAAHE that they have admitted us to its prestigious organization and so forth? What have we put in place? He said that we must have policies, programmes and a lot of other requirements to get into INQAAHE. I went and looked up INQAAHE just to find out what we have in place, since we do not get any answers from Ministers here. We keep on asking them what they have in place. What is the situation? What is the establishment? Do you need more people? The last time we asked all these questions: Do you think that two years is enough or do you want three more years or four more years? Do you think that you would be able to do it in two years? These same questions that we asked then we are asking today. We got no information. What is the situation? What is the problem? How is the problem going to be solved if there is a problem? What is the criterion for the time frame? We did not get any answers.

I went to the INQAAHE website and to my surprise I am perfectly able to join INQAAHE. INQAAHE is an association established under the name of the International Network for Quality Assurance Agencies in Higher Education.

Mr. President, the purpose of the network is the sharing of information and results of research. Through the expression of its collective view of its members, they do a number of things like collect information, dissemination of information and promote the theory and practice of the improvement of quality in higher education. It is a professional network and the requirements are—they have four grades of membership—full, associate, institute and affiliate.

Full members are organizations responsible for assuring the academic quality of post secondary institutions or education programmes other than their own such

as accrediting agencies, universities that accredit other institutions, evaluation agencies and other similar organizations.

Affiliates are persons with a major interest in evaluation accreditation and quality assurance. So, that could be me. If I had an interest in higher quality assurance in higher education, I could join INQAAHE and be part of that network and receive their brochures, information and be part of their symposia and so forth. The only obligation that you have is to pay your money. As a full member you have to pay 400 euros a year. That is the only criteria.

When the former Minister came to this House and made a song and dance about having all these policies, programmes and infrastructure in place to be admitted into INQAAHE and so forth, he was misleading the House. There is no such thing. That is why I began to understand that it is all smoke and mirrors. Apparently, they have nothing in place for the actual accreditation of institutions for higher education here, in spite of being part of INQAAHE. INQAAHE has an information sharing network. They could very well do it, but they do not have the political will to access the information and the help, and put what they have to put in place. They are talking about wanting grace now which is awful. There is no excuse for this.

Mr. President: At this point, like all the other speakers, I have allowed a certain amount of latitude to talk about the context in which this Bill finds itself. However, you have failed to make a direct comment on this Bill. I am asking you to do that. If you cannot do that and you do not have anything to say about this Bill, then please give way to the next speaker. I am going to ask you, whatever you are saying, to make a nexus to what we are talking about here.

There is no question, at this point, in front of this Senate, as to the issue of accreditation or registration and the difference between it. The only issue is very simple, and that is to extend the period of registration for one year and to give a discretion to the council for registration only. The issue of accreditation is not before this Senate. While this sets in that framework and I have allowed certain latitude, there is no question that can be resolved at this time and, therefore, pursuing that argument is really a waste of the Senate's time at this point. I have allowed a lot of comments but to put them within a certain context. I have given everybody about the same amount of time but, at this point, I am going to ask you to bring your comments back to the Bill.

Sen. Dr. J. Kernahan: Mr. President, thank you. I am elaborating on these organizations because they were mentioned by the Minister. The Minister mentioned INQAAHE. She said that we are an affiliate of this organization. The

Minister mentioned these organizations and I am replying to her. I am telling her that being an affiliate of this organization has nothing to do with the task. If you are an affiliate of this organization, you are supposed to take advantage of the organization's information, programmes and so forth to implement the Bill before us. Therefore, the question of extending the time for accreditation is carelessness.

You have all the information and you are part of the organization that is supposed to help you to have done this work in the time that you said that you would do it. They made a big deal about that and that is why I went into it. They said to us that their affiliation would allow them to do this in two years.

Mr. President: Again, I have allowed you a certain amount of latitude. I am not going to allow you to debate my rulings as to what you can talk about. If I make a ruling, I expect you to comply with it. When the Minister was making her presentation, I was here at the time and I paid very close attention. She did not talk about these matters as a matter for debate. She couched them in a certain background within which the Bill rests. I have allowed everyone else the same latitude to couch their arguments within the background against which this Bill rests. Those matters that you want to pursue do not form part of the debate here. The debate here is the Bill before us. What the Minister said was only by way of background information. I would ask you to deal with it in that context, and press on to talk about the Bill in front of us.

There have been some excellent contributions made so far that have been very pointed. From where I sit, the shorter that they were, the better they were and the sharper they were. I would ask you, therefore, to confine your comments to the Bill.

Sen. Dr. J. Kernahan: Mr. President, I want to continue by saying that Sen. Seetahal SC made the point that we need to have guidelines for the registration process. Sen. Seetahal SC was of the view that there were no guidelines. I did go to the Accreditation Council website and they did provide some criteria for registration of the institutions that have been accepted provisionally and those that are still before them for acceptance.

Hon. Kangaloo: Just to say, provisionally, they are candidates for registration. There is a difference. I just do not want us to get mixed up with the terms. We are trying to treat now with provisional registration.

Sen. Dr. J. Kernahan: The candidates for registration and the ones that have already been accepted—the Minister said that 19 organizations have already been accepted. In fact, currently, the information on the Internet is that there are 18.

The Professional School of Accounting Limited is not on this list that is presently on the website. On the website, there are actually 18 registered institutions and providers.

The criteria for registration have been outlined. There are standards that have been elaborated for each criterion. There are seven criteria. One is legal policy and regulatory requirements. The institution's activities must comply with legal policy and regulatory requirements. The institution must be established as a legal entity with certificate of incorporation and the certificate of conferment of institutional title bearing the name under which the institution wishes to operate. That is the first criterion which was established.

The second is the question of governance and administration. The corporate governance body and management must actively show their commitment to achieving the development and continual improvement of the quality management systems. Attached to this is a number of standards.

The third is the quality management system. It says that the institution has a well-planned quality management system that is in keeping with its vision, mission policies, processes, organizational structures, responsibilities and resources in order to ensure the quality of educational outcomes.

The fourth is resource management. It says that the resources essential to the institutional operational activities are identified and available.

The fifth is the teaching/learning process. The institution has a plan for the various stages in its teaching/learning process.

The sixth is review. The institution's management reviews the quality management systems at planned intervals to ensure that it is suitable, adequate and effective records of review are kept.

The seventh is continuous improvement that the institution continually reviews its quality management systems.

Mr. President, the problem with this is that when we look at the fact that the Minister said that about 28 institutions have not been presented for accreditation and 27 institutions are still to be reviewed—they have sent in their registration papers, but they have not been reviewed.

7.10 p.m.

It means that all these issues that impact so closely on the quality of higher education and tertiary education in this country, remain, after four years, after the establishment of the Act, unregulated; remain in the realm of whatever the

particular tertiary education feels to implement; they remain in the realm of an unregulated activity, and these are important activities: quality management systems; management of the physical resources; management of the human resources; ensuring that quality services are delivered to the students. These are important issues and they are spelt out here, but the problem is to translate this from paper, from the 18 or 19 organizations, to all the organizations that purport to offer services to the people of Trinidad and Tobago in the area of higher education.

This is not obviously an easy task and that is why we keep asking, do we have the human resource to carry out these tasks? Do we have the infrastructural resources? Is the problem money? Is the problem not having the quantum of persons who can be trained to do this? We are not getting the answers. If we get an idea of where the problem is, then we will know that we can ensure that maybe 50 per cent of these institutions are actually operating to the standards that have been elaborated by the Accreditation Council, and that we give the other 50 per cent a grace period to bring themselves up to standard. We do not know what is happening inside the Accreditation Council and that is the problem.

Without that knowledge; without that information; without the Minister being frank and above board with the problems they are experiencing, if it is in terms of manpower, training, money, infrastructure, buildings, I do not know what is the problem. We keep coming here year after year, five years have passed and we do not know how long we will continue like this and this is unacceptable. We believe in grace but we also believe in efficiency.

The problem is that in the absence of grace, thousands of students stand to lose so much of their time; hundreds of thousands of dollars in fees, because of the inefficiency and the inadequacy of this Government and their refusal to deal with the serious issues that concern thousands and thousands of young people of this country in a timely manner. So, you are actually holding us hostage. This is what you are doing. In this case there is a very thin line between grace and a hostage situation and that is where we are this afternoon.

The Minister made the point that there was this last minute rush to get registered and therefore the Accreditation Council presumably was swamped with applications and maybe implying that that is a reason the Accreditation Council would need another year or two based on the amendments before us. She also said to us that there are 27 institutions that have submitted but had not been assessed. So, in any case, even if the others who have not yet brought in their registrations had brought them in, that would not have solved their problem, because apparently

there is a backlog within the Accreditation Council in terms of being able to process the applications that are before it. This is not a simple process; it is time consuming; you have to have people out there in the field; you have to have them going through the books; going through records; interviewing; it is very time consuming; a very painstaking process and you are talking about over 75 institutions.

It is a huge task. I do not know if this Government does not know what it is doing. You have to know, well this is the task before you. You are affiliated to the Caribbean Regional Network, which you say you formed. In fact, that Caribbean Regional Network was formed in 2002 in a Conference in Kingston hosted by International Network of Quality Assurance Agencies in Higher Education (INQAAHE); it was not formed by the Accreditation Council of Trinidad and Tobago as purported by the Minister when he was here last.

If you have all these organizations; you are affiliated to them, they have all the information; all the systems; all the policies; they know what they are doing because they have organizations and institutions that have gone down that road; we do not have to reinvent the wheel. What is the problem? Why are we, five years down the road, still spinning around; still asking for a year, another two years maybe? Why is this administration so lax about a very important issue that affects the lives of thousands and thousands of people? Then they want to throw the ball back in the court of the Members on this side and talking about grace. You are paid to do a job; why are you not doing your job? Why are you jeopardizing the lives of 85,000 students in this country and talking about grace and begging for grace?

Mr. President, the Minister mentioned that the Accreditation Council has participated in numerous seminars and symposia and they have had numerous information sharing opportunities and so on. Therefore, if this is so, if the Minister is implying that the training programme has been on stream; that by our participation in all these seminars, symposia and so on, that we have the necessary resources to implement the Accreditation Council of Trinidad and Tobago Act, both in terms of registration and accreditation, why are we in this position? They must give us an answer in order for us to support this measure before us this afternoon. We cannot continue assenting to requests by this administration in the absence of information; we need information.

Sen. Wade Mark made a point here that information is the oxygen of democracy. And if we do not have information we are starved; we cannot breathe; we cannot contribute; our contributions are in a vacuum; we really do not know what we are talking about on this side, and they have all the information and they are not sharing.

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Mr. President, we are very saddened this afternoon by this situation. We are saddened by the many misrepresentations that have been brought to this Senate, giving us the impression that the Accreditation Council was fully prepared; was fully in tune with the international quality assurance organizations; that they had all the instruments at their disposal to implement the Act that was so painstakingly brought to this Senate, debated and passed; and the Act that holds the hope of thousands of students who want to be accredited.

When we reach the point where we have this level of inefficiency, it means we have to ask certain questions: Who benefits and who loses? We are seeing that when you have a situation where scores of institutions are mushrooming practically overnight—I think Sen. Prof. Deosaran made the point that they are springing up in the most unlikely places because they now have access to GATE and that sort of funding and so on.

If you are going to leave these institutions without the proper regulatory process in place, all the important criteria for registration, which they have so nicely set out here; if you are going to tell these institutions and make a statement here this afternoon that sends a message to them, that you know what, all you have to do is come in and be registered, do not worry about accreditation; accreditation is voluntary, you do not have to do that; then it sends a message to these institutions that there is money to be had for the taking. That all you have to do in this country is to establish your institution and you get the funding and so on through GATE and you are okay. Who loses, Mr. President? The people who lose are the students of these institutions who spend thousands of their hard-earned dollars for their education; some of them work and study at the same time; they spend long hours at their jobs in the day, then they have to go to classes at 5.00 p.m. and 6.00 p.m. and they reach home at 10.00 and 11.00 in the night, under the most dangerous circumstances, given the social climate of anarchy, chaos, murder and mayhem in this country. They are going through all of that to achieve a level of accreditation and certification and the Minister stands here this afternoon, very merrily and says, you know what, accreditation is not important.

What are you saying to these students, Mr. President? They are the ones who are losing; they are the ones who are aghast this afternoon; they are the ones who are in a quandary because they are waiting on accreditation—perhaps to go to a university abroad; perhaps to transfer to another institution—which is the heart of your studies. If you study for three years, four years and five years and at the end

of the day you are not properly accredited, then you have wasted all your time; all your money; all your effort. Therefore it is very, very sad. I am sure that students are totally, totally at sea at this point after hearing the Minister this afternoon, because they are the ones who will lose.

We are not surprised that this administration could come with statements like this, because this administration we know is an administration for the rich and for those who want to get rich and for those who want to increase their riches. This administration always penalizes, always oppresses the ordinary people of the society who are fighting to make something of themselves.

Then they wonder about crime; about the war on the streets and about drugs, because this is what you are doing to your brightest, your best and your most motivated students. You are telling them that you do not care about accreditation. Accreditation is not important to you but it is important to them, because the quality of their life depends on it; their future depends on it; their earning ability depends on it. This is their life; this is what all the sacrifice is about. We are not surprised that the Minister can stand here so blithely this afternoon and make these statements, because this is what this administration is about.

I am saying, Mr. President, that because of the fact that those whom you care very much about will not be hurt by your statements, in fact they will benefit from your statements, and because of the fact that the young people whom you purport to care about are all victims in this society of the policies that you have supported; the policies of gang warfare, drugs and financing community leaders and so on—

Sen. Dr. Saith: I was wondering when—[*Laughter*]

Sen. Dr. J. Kernahan: These young people will sit up and take note and they will understand what the laughter is about; what the glee is about when they listen to this debate this afternoon and understand that the Minister had made a statement that benefits the rich and those who will get richer, and it redounds to the detriment of the young people in our society who need to be supported; who need to be motivated; who need to be accredited in order to advance themselves and get out of poverty and raise their standard of living and carry their generations. Poverty is cyclical and if we get one generation coming out of poverty, the generations come out of poverty and this is what this Government does not understand when it brings amendments like this for us to pass.

7.25 p.m.

Mr. President, we are very disappointed in this administration. We are saying that the levels of inefficiency, the levels of disdain and disrespect, know no bounds. The fact that you can come here this afternoon and propose amendments

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like this and talk about grace is absolutely atrocious. You are holding the young people of this country hostage to your inefficiency, and you are begging for grace. We on this side understand very much the ramifications of what will happen if this Bill is not approved this evening. It will be very bad for so many thousands of our young people. But we are saying to this Government that we understand what you are doing; we understand why you are doing it; we understand the interest and the class forces that you are supporting when you say that you do not care about accreditation, you just have to register; we understand that you are supporting the rich and helping people to get rich at the expense of the poor, and we hope that the young people of this country understand it too and they will know what to do when their time comes again to choose another government.

I thank you.

Sen. Dr. Carson Charles: Thank you very much, Mr. President. I rise to make a few comments on the matter before us and I want to begin by saying that the Minister came to us this afternoon in the Senate to ask for a one-year extension. That is what the Minister really came here to do, to ask for a year. Of course, in asking for a year the Minister had to dress it up with all the talk about promoting innovation and Vision 2020, whatever that is. Surely, by now that must sound very hollow. It does not sound hollow yet?

Sen. Manning: No way, no way!

Sen. Dr. C. Charles: You need a couple more years before it sounds hollow?

Hon. Senator: The vision has developed cataract vision—[*Inaudible*]

Sen. Dr. C. Charles: We are not on the way to any Vision 2020. We have no programme to get there.

Sen. Browne: You have one?

Sen. Dr. C. Charles: The council is established to achieve excellence as opposed to just capacity building and dealing with the issues of affordability and so on. All of this was just to dress it up. I understand the Minister wants a year. That is what it is all about, so you have to forgive us if we address all the issues the Minister raised, because the Minister raised so many issues, if I were to respond to these issues—I have notes of all the issues the Minister raised here—then I will be talking too much.

Hon. Kangaloo: Go ahead, talk.

Dr. C. Charles: I am not going to spend my evening here talking too much.

Sen. Browne: Do not talk, make it to the point. [*Laughter*]

Sen. Dr. C. Charles: Well, you have to ask what is the point.

Sen. Dr. Kernahan: Yes, that is the question.

Sen. Dr. C. Charles: That is the real question, what is the point?

Sen. Dr. Kernahan: Everything is a joke.

Sen. Dr. C. Charles: Is the point that you are really trying to achieve 2020 vision? Is that the point? Is the point that you are really trying to achieve what you call developed country status? Is that really the point? If that were the point, then you would have a programme, you would have some kind of path to get there, and all of this would be put in a particular context, but none of this is in context. You just want a year. The Minister wants a year. The Minister wants a year because, as the hon. Minister of Planning, Housing and the Environment said, you really want to show some grace to those organizations that have not made it. That is really the reason. You want to give them a little chance again.

I suggest, in fact, that it is not so much the organizations that need the grace, it is the Accreditation Council.

Sen. Dr. Kernahan: That is the point. [*Desk thumping*]

Sen. Dr. C. Charles: Because if you have registered—this is just registration—19 organizations over four years; you have 75 outside not yet registered and you are currently assessing 28, even before we go any further, we figure you are in trouble because the numbers are suggesting that you are in trouble. Four years for 19; you have 28 in front of you and you think you are going to do it in the next year. That is hard to believe without more information. Without some details it is hard to believe that.

Sen. Dr. Kernahan: True.

Sen. Dr. C. Charles: But on top of that, you have 20 more that you have not yet received enough information from to be able to really say that they could make it, because the council did some advance work with the 20 and it cannot say that the 20 are not really ready as yet. So 20 is further down the road. I think 27 more have not even taken you on as yet. One might ask the question right away, what do you do when an organization does not take you on? If you came before to the Parliament and you extended the time for two years, and all these organizations did not take you on then, and these two years have now passed and you come back for another year, what have you done about these 27? Have

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you made this public? Has the council informed the national community? Has the ministry informed the national community? Has the ministry informed the students of the nation that there are these 27 organizations out there that are not taking on the Accreditation Council? Have you put any pressure on them of any kind?

Sen. Browne: Soon.

Sen. Dr. C. Charles: Soon you are going to put pressure on them? Okay. You know I am an optimist and so on, I even give a chance to people when they have made a case for it. But, really, you have to do better than that.

Surely, you must admit that you have to do better than that. So, it is all right to come and ask for a year's time, I understand that. We all understand that here, but we expect more. We expect that if you come to the Parliament and say, listen, after four years, and a very public debate which provides an extension of two years, so the matter was debated already before the national community, and all these organizations were aware of this debate and that they were given two more years; they still did not take you on, you come back here to ask for another year, we expect you to say, listen, we have now done the following: We have informed the organizations, we have written to them and told them that there is some time line here, we have reinforced in their minds the consequences of not falling in line; we have informed the national community, students are aware in the country, so the students would put some pressure on them.

The students would not be rushing out there like lambs to the slaughter registering for courses with these organizations that are not taking on the accreditation body, and students are already going out and doing this. So, you cannot sit there and just tell us across the aisle here, what about the students. Are you going to use the students as hostages? It is not us you are holding hostage, it is the students. You should have informed the students. They should have been aware, so that organizations that are not even bothering to apply would, at least have recognized the necessity for so doing, and would have had to answer to the students who, when they went to register for their courses, would ask a question; with the information available to them, would have asked a question: "Have you all applied for accreditation to the accreditation body for at least registration, and if not, when are you going to apply?" So, as a student I would know that this organization that I am going to is providing probably a good service in higher education—

Sen. Dr. Kernahan: Publish a list of those which have not applied.

Sen. Dr. C. Charles:—but does not think it is necessary to bother with the Accreditation Council. But the students will be able to say, “Well listen, when I come to you to apply for your course, I know that you did not apply. I would like to get an answer”. At least those students who think that is their right [*Interruption*] would know to ask a question.

You see, this is our problem here on this side. It is not that we do not want to support you with these things, but we have to pull you up when you are not doing the most elementary things that are required. It is not enough to sit there and simply jeer or get upset if you think that we are attacking you. It is not personal. At least, I do not attack you in any personal way. I try to point out what I think you should do, what are your duties. It is not directed to any particular Minister. Minister, I am happy to see you. You are not often here with us. So this is not directed to any particular Minister.

I have complained before about Ministers coming to the Parliament and not presenting a cogent case for their Bills. I have complained about that. Because you have a majority it does not mean you automatically simply use it. You should have, at least, respect for the nation at large, that you present—if not for the Opposition at least for the nation—a cogent argument when you come with your Bill. I have said so before. So it is not directed to any particular Minister at all, not by any means. That is my first point, Mr. President.

The Minister asked for one year, and nothing is wrong with giving the Minister a year, but the Minister should also tell us what will happen in that year. What is going to happen within that year? What will happen in that year to bring all these organizations into the fold and to address the ones that you have not yet addressed? What will happen? Tell us what is your plan for the year that you have asked for. Or is it you have asked for a year just to think about things? Nothing is wrong with that; a year to review the situation so that you will come with something different, you would not come with a further extension. At the end of a year, perhaps, you would come with a new Bill, because a case has been made here that there is a need to address the parent Act and perhaps you will come in that year with a new Bill, maybe. If you tell us you have a plan of reviewing the whole situation in a year, again we could understand that, and that is what your year is for, to see where you have been, what has happened and what is necessary now, so you have a rethink.

Sen. Rahman: I support that.

Sen. Dr. C. Charles: I would not react to all the dressing up with the innovative people that you are promoting and so on.

Is there a human resource needs plan? Is there a plan? You talk about using this whole Accreditation Council to promote developed country status and so on, which I will loosely interpret to mean you want to improve the condition of the country that we live in. That is how I interpret developed country status. I cannot see any other reason you would want to have a developed country, if it is not because you are trying to improve the condition of life of people in Trinidad and Tobago, so I will interpret it that way. Would you like to improve the condition of life of people in Trinidad and Tobago? Towards that end you know we have to do certain things. So you should have a human resource plan, so you have some kind of benchmark, something against which you are going to assess these various bodies that are providing advanced education. Do you have a human resource plan? I mean, it is something that I have raised before. I think you should address that, especially in the ministry dealing with higher education, you should have a human resource plan. So, what are your needs? What are the country's needs going down the road? So that people are aware; students are aware; teachers are aware; schools are aware of where the country is going and what we really need. Do we need people in this field as opposed to that field? Are we promoting this as opposed to that? Where does our future lie? It is not easy making it in the world without oil and gas. I am sure all of us know that. It is a nightmare for us to think about the day when we do not have high supplies of oil and gas or high prices of oil and gas, because it is not easy.

I do not think any of us have the answer to what is going to happen then, but we have some thoughts and at least we know human resources are important. That is an important part, if you like, items in our arsenal, to face the future and to face the world, and we should be using our resources that we have now to prepare our people for living in that future where we can create wealth without having to drill it from the ground. That is what the true test of this so-called developed country status is going to be about, when you can create wealth by your engagements, by your entrepreneurial activities and so on; engagements in the world on a day-to-day basis, regardless of what are the going industries of the time, because industries will rise and fall. What is the plan towards that? So that the Accreditation Council has some context in which to function, so that we can understand you have a plan, because we would like to know your plan. Forgive us for wanting to know it, but it is something that as Members of the Parliament we would very much like to share in.

Sen. Rahman: In the back pocket.

Sen. Dr. C. Charles: It is obvious that registration and accreditation go together. It is the Accreditation Council doing registering. That is sort of axiomatic. The Accreditation Council is carrying out the registration process;

obviously they go together. In fact, I will go further to say that the very registration process itself is a stage in accreditation, because you are registering bodies after they have submitted information, they have to tell you that what they say they are offering they really can offer. They have really got the plan, they have the human resources, they have whatever it is. So it is a kind of exercise in assessing the truth. You are offering these things to students; you cannot get registered until you can provide the Accreditation Council with evidence that you really can offer these things to students as you say. So it is the first stage, if you like, in the accreditation process and, therefore, I do not like the impression I am getting here that it is almost like automatic, that these 75 bodies will automatically get registered. That is how it looks.

When I read the presentation of the other Minister and I listened to the presentation here, and the debate, I get the impression that this is how it is heading. Forgive me if I get that impression and it is not so. I am sure you can correct it when your turn comes to wind up. But it is the impression I got, like it is automatic; 75 bodies out there and we are going to get all 75 of them eventually, so they would all be registered. I would like to think it is not like that, and, in fact, perhaps, there might be some organization out there that cannot back up what they really say they can offer. In which case, we need to give them a time line, because they are fooling the students. So we need to give them a time line.

7.40 p.m.

Mr. President, what help does the Accreditation Council need? That has been raised before, but I thought that I should at least mention it. I would like the Minister to tell us what help does the council need to do its work with this year ahead of it. What is it going to do with the organizations that would be given this provisional registration? What is it going to do with them? You give an organization whether it is—first of all, I get the impression again, you would have to correct me, that the institutions that do not make it within this year, might very well apply to be provisionally registered, otherwise they would be in trouble with the law. They would be trying to use that I am sure, that little loophole there that is now being created to get provisionally registered.

I am not objecting to it really, I am just saying that whether it is those bodies or new ones that come on the scene that you are going to give provisional registration to—it is a good idea by the way, for new bodies and for new organizations that come on stream—you cannot register them right away; you cannot assess them right away; but you do not want to shut them out, so we give them provisional registration status and people know that they can operate, they

can function and they can get students and so on. There must be some way of making that clear by the way, the difference between provisional status and full status, so that students who are going to choose programmes from those institutions know there is only provisional registration with this new body. But assuming that you do that, what is your plan for the bodies that are given provisional status over the one-year or the two-year period being registered fully? Or are they simply going to take advantage of this, and because there are thousands of students, put some pressure on them to come back and look for some way out, some escape hatch?

The real work for the Government clearly is in addressing the more fundamental issues of accreditation. It is a big issue in the country. I have made various points before, in addition to the sheer hard work of assessing programmes, courses and output and so on, that is a lot of work, we know that. If it is proceeding, I do not think we have a problem with the fact that it might take a long time to happen. In the meantime, you have to come with something to us that will really solve the problem in a more realistic time frame than the one year, because we do not even know what the accreditation side of it is. So, I am assuming that the Minister will also come back and say what is the wider picture; the bigger programme regarding the whole accreditation issue itself.

Is there a 10-year programme or some kind of programme to deal with accreditation issues across the board, because that will take you time? You must have benchmarks and so on as to how you are going to judge this and how you are going to inform the nation of it. But in the current circumstances, Mr. President, we really have to be responsible and recognize the difficult position that our thousands and thousands of students are in, bearing in mind the Government is at fault in many respects here, but the students must not be made to suffer after having put themselves to expense, in many cases in ignorance, because they would not have known all of this is happening. So we cannot penalize them and have punishment for this. All we can do is make our points to the Government and expect the Government to be responsible in this matter. [*Interruption*]

Do not tempt me, Minister; how are you being irresponsible? I ask you to be responsible in this matter because I could start talking about all the other matters in which you are not responsible. I have pointed out in this particular one—I do not want to repeat myself—so many things you could have done, including informing the public, the students, setting benchmarks and targets, writing the organizations and publishing their names and all these things. I have pointed them out already. I do not want to repeat these things, I am sure the Minister was listening and paying attention, so the Minister understands.

The Minister in the Ministry of Finance is always so gung-ho to go to war that he is just chomping at the bit there, but this is not an occasion for that, Minister, I am sorry to tell you. It is not one in which you can self-righteously go to war it, is one in which you have to listen carefully and take some notes.

So I am making the point, very simply, that in the current circumstances, we have a lot of students who are already in and cannot get out, and in many cases and in any event, some of these institutions have foreign accreditation, and therefore, even though they have not properly registered and so on, they are offering programmes which are of benefit to students.

So as I said, all we can do is make the points that the Government should take into consideration and to point out that in the Lower House, or the other place, our colleagues did support this measure and stand in support, and so we do also in this particular situation, in the interest of the students, and urge the Government not to hold the students to ransom; not to put them in this situation again; and to do what you have to do. You have a year; you are getting a year, well at least use the year for something productive and let the nation know what is happening in that year, so something different will happen at the end of the year, to what has happened over the past four years.

Thank you very much, Mr. President. [*Desk thumping*]

Mr. President: Do we have any more speakers on the Independent Bench? Minister.

The Minister of Science, Technology and Tertiary Education (Hon. Christine Kangaloo): Thank you very much, Mr. President. I have been here for a long time, I have no problem with that, I enjoy being here and I must say that I found the contributions very interesting. I may not have and I do not agree with some of the contributions, but I want to say at the very outset, that I understand some of the concerns that have been raised today. I understand those concerns.

I was here when the original Act was passed. I was here when we came back asking for the extension, so I understand the concerns that have been raised and let me just say that we are asking for a one-year extension. We are also putting in the clause for the provisional registration, and the Accreditation Council will be mandated to do all in its power to ensure that institutions that should be registered will be registered within the one-year period.

Mr. President, I want to say though that people seem to be—I understand the issues—thinking that the blame lies with the Accreditation Council only. I am not sure and I do not think that that is the attitude to adopt because the Accreditation

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Council has sought in meeting with these institutions to bring to them what they need to do. The Accreditation Council—Sen. Dr. Kernahan herself read out the criteria for registration, all of this is put on the website as Sen. Dr. Kernahan herself talked about—has been trying in meeting with institutions to help the institutions to have the capacity to even go through the registration process.

I say this because when I was here for the initial passing of this Act, I remember the Opposition talking at that stage and I remember them saying, “They hope that the Accreditation Council will not move with a big stick against the private tertiary institutions, that they will not have to adopt the big stick attitude.” The Accreditation Council has been working with the institutions and seeking to get institutions to come up to standard in terms of their internal quality assurance issues.

So I want to say that while I understand the concerns, what I am hearing here is everyone is blaming the Accreditation Council and I just want to say—
[*Interruption*]

Hon. Senataor: [*Inaudible*]

Hon. C. Kangaloo: Well—and of course, the Government. All right? Mr. President, that is what I am hearing. Let me just talk first of all about accreditation because that is where I think a lot of the problems started in this debate. We have come here and we have spoken about registration. I took in front and I spoke about the difference between registration and accreditation, and maybe I brought it on myself. Maybe it was like waving a red flag, but I felt that I needed to make the distinction.

The Minister of Science, Technology and Tertiary Education is not making up what I have been saying about accreditation being a voluntary process. It is not something that I have stood up here and made up, that is how it exists with institutions across the board. Do you know why? Because the philosophy which underlies voluntary accreditation is that it must come from the institution's desire to evaluate and improve its operations. That is the underlying philosophy with respect to accreditation.

There are two types of accreditation: there is institutional accreditation, and there is specialized or programme accreditation. So this issue of accreditation is not a simple one and I cannot even try to be an authority on all aspects of it, but what I am sure about in speaking to different professors in treating with the Accreditation Council, they all have assured me and they have explained to me about the process of accreditation.

Mr. President, let me just say that again, accreditation can be obtained upon application after a college or a university has produced its own first set of graduates and it can be made retroactive. That is what happens. So all that I am hearing here about programmes and students suffering, and they are going to be studying, and they are paying money, and they are not going to be recognized, all of that, Mr. President, you are proceeding on the wrong assumption about accreditation and I just ask members to remember that. I just ask Members to remember that.

This fact that whether the Act is not named properly, I am not going to go into that, but I think I need to make the distinction once again between accreditation and registration and I do not want to bring institutions into disrepute. I have no intention of doing that.

Sen. Dr. Ramadhar-Singh, I understand—I was not present in the Chamber—spoke about UWI not being accredited. He said it and then I know what will happen, all the headlines would be “UWI not accredited.” Mr. President, I told you there are two types of accreditation: there are programmes of the University of the West Indies, the engineering programmes which are accredited by recognized accreditation bodies in England and all over the world; the medical programme is also accredited. So it is dangerous when we go along this path because I know what is going to happen. I know what the headlines are going to be tomorrow and how will that affect the students who are attending those institutions? Who is doing more damage? And then people get up and tell us that they are here to protect the students.

I do not want to go and start one by one, and I do not want to start going into all the issues that have been raised, but Sen. Rahman, for him to imply that the University of Trinidad and Tobago paid to get their accreditation, to me it was a vulgar proposition and I have to say so. Because on the one hand, we heard them talking about accreditation, saying that institutions are not doing it and they quarrelled about it and when I said that the University of Trinidad and Tobago submitted itself to a voluntary system of accreditation and got the accreditation, he turned around and he wanted to imply that it was because they bought it. Vulgar, vulgar, vulgar, and also does damage. It also does damage to the students who are attending the University of Trinidad and Tobago, and then they turn around and say that they are for the students.

Sen. Dr. Nanan: I think the Senator is raising improper motives against Sen. Rahman.

Hon. Senators: No, no. [*Crosstalk*] He said it.

Mr. President: I do not think so. Minister, please continue. [*Crosstalk*]

7.55 p.m.

Hon. C. Kangaloo: Mr. President, I think a lot of issues were raised about the Caricom environment. When the Accreditation Act was passed, it was my understanding that it was passed using a model for all Caricom countries. Jamaica has a national accreditation body; Barbados and Guyana set up their bodies in 2004; St. Kitts and Nevis has also set up its accreditation body.

I just want to point out that Barbados and Guyana are now asking the Trinidad and Tobago Accreditation Council for some assistance. When I say that the Accreditation Council of Trinidad and Tobago has set up a system that is quite advanced, I am not saying it just to boast. The fact of the matter is that these two countries have asked for assistance in respect of the registration of institutions as well.

Just to point out, that the Cave Hill campus of the University of the West Indies is to be evaluated in September of this year, and the St. Augustine campus was registered, as I said before. All this was in respect to what Sen. Dr. Ramadhar-Singh said. I want to make something clear, although I am sure I know what I would read in the headlines tomorrow. You talk about accreditation; already three institutions have applied for accreditation; voluntarily submitting themselves to the accreditation process. I could call the institutions: the University of the Southern Caribbean; the Arthur Lok Jack Graduate School of Business; the Cipriani College of Labour and Cooperative Studies. They are undergoing the voluntary process of accreditation.

The Accreditation Council has said that it is seeking to encourage more and more institutions to allow their systems to be evaluated and accredited. So the Accreditation Council is very much aware of what it has to do in the areas of accreditation, but I must say that their focus has been on registration. They were trying to meet the deadline and work with the institutions, so their focus, in the first instance, was on registration.

Mr. President, in presenting the Bill, I spoke about the fact that there were 20 candidates for registration. Those 20 candidates for registration have a student enrolment of approximately 5,997 students. There are 28 candidates that have applied for registration, but are not candidates as yet. They have an enrolment of some 4,753 students, and then I said that there were 27 institutions that have not submitted applications for registration.

So if the deadline had come, we would have had the 20 and 28 that had applied and whose documents were properly being evaluated by the Accreditation Council. They would have been the ones with over 10,000 students. Of the 27 institutions that have not applied, the Accreditation Council has not been able to

give me a format of how much that enrolment is. We expect that it would be small pockets. The 10,000 we are talking about, those institutions really had gone a long way in respect of applying for registration. They were not as delinquent as we were hearing this afternoon.

I am making the point, because I keep hearing about 19 institutions out of whatever the number was. I keep making the point that the 19 which had been registered had the majority of students. But we felt that it was important enough, based on what the institutions that have not applied with what they had said, to come back, on behalf of those institutions and the students enrolled, to ask for one more year for everyone to get their house in order. If their house is not in order at the end of the year, that should be it.

Provisional registration I said initially was for new institutions. You could have an institution coming on board which would probably have all its documents in order and you would be able to give provisional registration to that institution. If we had provisional registration in place, then, perhaps, 20 candidates for registration could have been registered. That was the reason the Accreditation Council made the recommendation that we include the requirement for provisional registration.

It is not, as I am hearing, that we are going for one year, then one year and one year. We are proposing to extend the time for everybody to be registered for one year. Introduce provisional registration up to a year, to be extended, if the Accreditation Council sees fit, for a further year, and no more. That is what we are doing. There are cut-off periods for all this. It is not an open-ended situation that we are introducing.

Mr. President, I think I made the point that you could get retroactive accreditation, and we have seen that happening. It took the Institute of Business nine years before it got accreditation status. What I am saying here is not something that I am making up for the benefit of Members of this House. This is information that has been presented.

Sen. Seetahal SC in her contribution said that the situation was ridiculous; that we had wasted a lot of time, and that maybe either, A, we should not have set up the Act, or B, we should have passed the Act and then only proclaim it when we were ready to deal with registration and everything. I need to make the point once again, that the Accreditation Council Act was passed in 2004; in the first two years you had to set up the systems. I thank my colleague for that; you do not set up quality management systems and have all your processes organized just like

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that. We want the education sector to be underpinned by excellence. Therefore, the Accreditation Council needed some time just to get offices, to recruit staff and then, of course, they had to work on their procedures and everything else. I did not agree with Sen. Seetahal SC's contribution. I think the way we approached it was the proper way, and I certainly hope that support would be given for the Bill in the sense that we have explained why we were here with the extension.

Mr. President, there were some other issues raised that I just need to spend a little time on. I cannot respond to all that I heard from the Benches in the front, but Sen. Dr. Charles did ask about what help the council needed to continue its operations. I have explained to you that what happened was not necessarily just the Accreditation Council, it was also the institutions themselves. Whatever resources the Accreditation Council may need is being addressed by the Ministry of Science, Technology and Tertiary Education.

He asked whether we had a survey to say what the skills were that we needed for development of the country. That is something that the National Training Agency is doing, and something that the Ministry of Science, Technology and Tertiary Education is addressing as well. All those issues are being addressed by the Government through the Ministry of Science, Technology and Tertiary Education. Sen. Dr. Charles said that the students must not be penalized. I agree, and that is why we brought the Bill before the House this afternoon.

Sen. Drayton made a comment where she pointed that, perhaps, financial assistance should not be given; support from the Government should not be given to institutions that are not registered. Did I get that right?

Sen. Drayton: Yes.

Hon. C. Kangaloo: That is something the Government has to consider as well. We would get the reports from the Accreditation Council as to how the registration process would continue, and we would look at those issues and give it some thought as well.

I think it was Sen. Dr. Nanan who spoke about the University of Trinidad and Tobago (UTT). He also spoke about the fact that he disagreed with the statements made about the John Donaldson Technical Institute and the San Fernando Technical Institute. He said that under the UNC administration a lot of resources had been placed in these institutions. He said that they were good institutions, and that his administration had paid a lot of attention to them.

I merely want to ask him: If that was so, why did enrolment at the John Donaldson Technical Institute fall from as much as 4,000 to somewhere about 200, under that administration? I just want to pose that question for him to answer at some point in time. He asked what programmes were being conducted at these institutes. There are about nine engineering programmes being conducted, of course, under the umbrella of the much maligned UTT.

I really do hope that we will get the support for the Bill this afternoon. I do hope the extension of time could be given so that the institutions that have not been registered, but have very high student enrolment rates, could be given time to be registered under the Act.

Mr. President, I thank you and I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

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

8.10 p.m.

Clause 4.

Question proposed, That clause 4 stand part of the Bill.

Sen. Rahman: “Notwithstanding section 82(2)(c) the Council may provisionally register a post...”, I humbly suggest that you insert, “may provisionally permit to be registered”. In other words, the application for registration must come from the institution rather than the council deciding unilaterally who has to be approved. I do not know unilaterally who has to be approved. I do not know if it makes sense legally.

At the present time who has to determine the application? You register whoever you want. You do not have to apply to be registered. I am suggesting that the institution requires to apply. I can be corrected. Is there an application to be made?

Sen. Annisette-George: Mr. Chairman, section 8(2)(c) of the Act deals with the functions of the council and what the council can do. Among its functions is that it can register. We are seeking to say that it can do this despite what else is said about to register. It cannot be to permit to be registered.

Sen. Rahman: It follows suit from what obtains earlier.

Mr. Chairman: Before I put the question, at this table we have two versions of the Bill. The version on my right has five clauses. Clause four says, “this Act is deemed to have come into operation on July 8, 2008”.

The other version in my left hand has no such clause. With which Bill we are we dealing?

Sen. Annisette-George: The Bill as gazetted.

Sen. Drayton: One clarification. Clause 30(1), about the last line where it says, “if the Council believes that the post secondary or tertiary institution would be able to fulfil the relevant requirements within a reasonable period”, we are speaking of an extension of one year. I assume that that “reasonable period” is within that one year extension. It is not clear.

Sen. Annisette-George: The reasonable period must be within the year. It envisages that when the institution applies, if at that time it has not fulfilled all the requirements, but the council is of the view that it can in short order within the year fulfil those requirements, it would extend the period for a year. The only way “reasonable time” could be sensible in the drafting of this section is that it must be under the period of a year.

Question put and agreed to.

Clause 4 ordered to stand part of the Bill.

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

Senate resumed.

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

ADJOURNMENT

The Minister in the Office of the Prime Minister and Minister of Trade and Industry (Sen. The Hon. Dr. Lenny Saith): Mr. President, I beg to move that the Senate do now adjourn to Tuesday, July 08, 2008 at 1.30 p.m. at which

Adjournment

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time we will finish the debate on the Geneva Conventions Bill and on the completion of that, we would move to Item 5 on the agenda, the Pensions (Amdt.) Bill by the Minister of Education.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 8.17 p.m.