

SENATE

Friday, September 14, 2018

The Senate met at 1.30 p.m.

PRAYERS

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

**REVOCATION OF APPOINTMENT**

Mr. Vice-President: Hon. Senators, I have received the following correspondence from Her Excellency the Acting President, Christine Kangaloo:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency CHRISTINE KANGALOO
Acting President of the Republic of Trinidad
and Tobago and Commander-in-Chief of the
Armed Forces.

/s/ Christine Kangaloo

Acting President.

TO: MR. RONALD GAHERIS DUKE

WHEREAS by Instrument dated 10th September, 2018, I appointed you to act as a temporary Senator, with effect from 11th September, 2018 and continuing during the absence from Trinidad and Tobago of Senator Taurel Shrikissoon.

In exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, I, CHRISTINE KANGALOO, acting President as aforesaid, do hereby revoke, with immediate effect, your appointment to act as a temporary Senator.

UNREVISED

Revocation of Appointment

2018.09.14

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 14th day of September, 2018.”

SENATOR'S APPOINTMENT

Mr. Vice-President:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By Her Excellency CHRISTINE KANGALOO
Acting President of the Republic of Trinidad and Tobago and Commander-in-Chief of the Armed Forces.

/s/ Christine Kangaloo
Acting President.

TO: MS. SHERVON IFILL

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

NOW, THEREFORE, I, CHRISTINE KANGALOO, acting President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, MS. SHERVON IFILL to be temporarily a member of the Senate, with effect from 14th September, 2018 and continuing during the absence from Trinidad and Tobago of Senator Taurel Shrikissoon.

Given under my Hand and the Seal of the President of the Republic of Trinidad and

UNREVISED

Senator's Appointment (cont'd)

2018.09.14

Tobago at the Office of the President, St.
Ann's, this 14th day of September, 2018.”

OATH OF ALLEGIANCE

Senator Shervon Ifill took and subscribed the Oath of Allegiance as required by law.

URGENT QUESTIONS

Retrenchment Exercise at TCL

(Urgent Steps to Resolve)

Sen. Wade Mark: To the hon. Minister of Labour and Small Enterprise Development: Given reports of a retrenchment exercise at TCL which left 16 persons on the breadline and which was reportedly conducted without the consultation of the OWTU, can the Minister state the urgent steps being taken to resolve this matter?

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): [*Desk thumping*] Thank you very much, Mr. Vice-President. Mr. Vice-President, the Office of the Minister of Labour and Small Enterprise Development this morning received a piece of correspondence from Trinidad Cement Limited. The letter is dated September the 11th and it is titled: Notice of Retrenchment—informing the Minister of Labour and Small Enterprise Development of the retrenchment, giving formal notice of the retrenchment of the services of 16 employees on the grounds of redundancy using the criteria, last in, first out, or as popularly known within the trade union movement, as the LIFO principle.

Mr. Vice-President, this piece of correspondence inform me as Minister that the company had been engaging with the Oilfield Workers' Trade Union which is the recognized majority union for the employees at Trinidad Cement Limited, on

Urgent Questions (cont'd)

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the urgent issue of redundancies, in good faith since September 2017 with a view to exploring the possibility of averting, reducing or mitigating the effects of the retrenchment. However, these attempts have proved unsuccessful.

In addition, the company also informed that upon a review of the original 24 redundancies identified, we were able to revise these redundancies to 21 employees. However, we were only able to secure one suitable comparable position and four other alternative positions to which five employees can be redeployed or transferred.

Mr. Vice-President: Senator, for Urgent Questions you have two minutes for a response. That time is up. Sen. Mark, do you have a supplemental?

Sen. Mark: Thank you, Mr. Vice-President. Can I ask the hon. Minister whether the company, that is TCL, has in fact honestly represented their position to the Minister, particularly as it relates to consultation with the union? Is the Minister aware therefore that there has been no consultation—

Mr. Vice-President: Sen. Mark, I am trying to decipher—

Sen. Mark: No, I am coming with the question, Sir.

Mr. Vice-President: Okay.

Sen. Mark: Can the Minister inform this honourable Senate whether there was any consultation between TCL and the OWTU before this action which resulted in the retrenchment of 16 employees, Mr. Vice-President.

Sen. The Hon. J. Baptiste-Primus: Mr. Vice-President, I can only go on what is before me. This morning I received this piece of correspondence from TCL outlining what they have done.

1.40 p.m.

I am not in receipt of any correspondence from the Oilfields Workers' Trade Union sharing information with me or requesting my intervention. Under section

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11(1) of the Industrial Relations Act of 1972, as amended, either the recognized majority union or the employer, or the affected employees, can write the Minister requesting the Minister's intervention, and I have no such request before me.

Sen. Mark: Mr. Vice-President, can the Minister indicate whether the chairman, or CEO—I think chairman of TCL—is the same chairman of the board of Petrotrin, one Mr. Wilfred Espinet? And whether, if that is so, that individual is involved in a union-busting tactic involving the OWTU, in particular? [*Crosstalk*] Can I ask the hon. Minister that, Mr. Vice-President. I “doh” understand why this lady is so jumpy.

Mr. Vice-President: Sen. Mark, finish your question if you are asking, because your time is running out.

Sen. Mark: I am asking, Mr. Vice-President, whether the Minister can inform this Parliament that the name of the individual, who chairs the board of directors of TCL, is Mr. Wilfred Espinet, which is the same individual that chairs the board of directors of Petrotrin? That is the point I am asking.

Mr. Vice-President: And I would not allow that question, Sen. Mark. Next question on the Order Paper for Urgent Questions, please.

Cut in Salary at Petrotrin

(OWTU Proposal)

Sen. Wade Mark: To the hon. Minister of Energy and Energy Industries, who is facing me: Given the latest proposal by the Oilfields Workers' Trade Union that workers are willing to take a 15 per cent cut in salary to pay off Petrotrin's debt, can the Minister indicate whether the Government is considering this proposal to urgently and amicably resolve this matter?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Vice-President. The Oilfields Workers' Trade

Urgent Questions (cont'd)

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Union presented to the board of Petrotrin a proposal called, “Saving Petrotrin, OWTU’s Alternative Plan”. Mr. President, I “doh” know how Sen. Mark is informed, but nowhere in that plan did it indicate a 15 per cent pay cut. This article in the *Express* today is also misleading. “OWTU Proposing 15% pay cut”. What they have proposed is as follows: To ask the bondholders on the \$850-million bullet payment to refinance for a three to five-year period with interest rate pegged at US five-year treasury bond yield, which is 2.75 per cent, plus 1 per cent risk premium. The current bond interest is 9.75. US five-year bond yield interest is for your prime borrowers, people who you are certain can repay the loan.

So that is a nonstarter to start with. The second option is issue local bonds, of US \$850 million, same as the interest rate of 3.75 per cent. And finally, what they are saying is that Petrotrin workers could buy back bonds with a 10 to 15 per cent monthly salary contribution. But Petrotrin still has to pay the full salaries for you to invest in the buy-back bonds. So this is not a—even this, which is flimsy at best, is still not a 15 per cent wage cut.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Mr. Vice-President, can I ask the hon. Minister whether the Government is considering negotiations with the bondholders with a view to having the US \$850 million owed—and is due for payment in August of next year—refinanced?

Sen. The Hon. F. Khan: Yes, obviously, because Petrotrin cannot come up with a cheque for US \$850 million, nor can the Minister of Finance come up with a cheque for US \$850 million. So we obviously have to talk refinancing and those discussions are in a very preliminary stage.

Mr. Vice-President: Hon. Senators, that brings us to the end of the Urgent Question period. The 10 minutes is up.

ORAL ANSWERS TO QUESTIONS

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Mr. Vice-President, the Government is pleased to announce that it will be answering questions No. 177, 178 and 179.

Piccadilly Street Area Upgrade**(Details of)**

177. Sen. Wade Mark asked the hon. Minister of Housing and Urban Development:

In light of reports that the Government intends to upgrade the Piccadilly Street area, can the Minister indicate what are the changes envisaged for this community?

The Minister of Housing and Urban Development (Hon. Maj. Gen. Edmund Dillon): Thank you, Mr. Vice-President. The Piccadilly Street Urban Regeneration Project was conceived with a view of creating a new mindset for the targeted population, stimulating a new culture, improving the current lifestyle and quality of life in the area, increasing opportunities for employment, social services and recreational spaces, while at the same time addressing the incentives which foster criminal activities.

The Piccadilly project will be implemented by the Ministry of Housing and Urban Development through its agencies, the Trinidad and Tobago Housing Development Corporation and the Urban Development Corporation of Trinidad and Tobago. The redevelopment zone, phase one, comprises two blocks separated by Laventille Road and bounded on the west by Piccadilly Street and the south by Piccadilly Street and Besson Street, and the north by Jackson Hill and on the east by Lodge Place.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Can the hon. Minister indicate when this first phase of the Piccadilly Street Urban Regeneration Project will commence?

Hon. Maj. Gen. E. Dillon: Mr. Vice-President, this project is awaiting Cabinet's approval and until such time, a timeline cannot be provided.

Sen. Mark: Would the Minister indicate to this Senate, at what stage is this project at? Have we been able to design the project? Have approvals been granted, or is the project not yet off the ground?

Hon. Maj. Gen. E. Dillon: Mr. Vice-President, I just mentioned a while ago the project is awaiting Cabinet approval and until such time, no more information will be provided.

Sen. Mark: Can the Minister indicate in that plan whether there will be any dislocation or relocation of residents or businesses in that—*[Interruption]* No. Allow me to speak, please. Can you share with us elements of that plan and whether it would involve any dislocation or relocation of residents or businesses within the areas that you have mentioned?

Mr. Vice-President: I will not allow that question. Next supplemental, if you have it, Sen. Mark.

Sen. Mark: Mr. Vice-President, may I also ask whether the Minister can share with us, in this project, how many workers or employees are anticipated to be engaged in this project, phase one, that is still awaiting Cabinet's approval?

Mr. Vice-President: I will not allow that question as well. Next question on the Order Paper, Sen. Mark, 178.

Sen. Mark: You will allow this one, Sir?

**Increased Motor Vehicle Robberies
(Implemented Countermeasures)**

178. Sen. Wade Mark asked the hon. Minister of National Security:

Given reports by the Trinidad and Tobago Police Service that there has been a 94 per cent increase in motor vehicle robberies in 2018, can the Minister indicate what countermeasures, if any, are being implemented?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Vice-President. I apologize on behalf of Sen. Mark for the rudeness he just displayed. And, in the continuation of misrepresentation of facts by the Opposition and the continued attempt by the Opposition to paint the Trinidad and Tobago Police Service in a negative light when they are doing their best to tackle crime, the Trinidad and Tobago Police Service has refuted the claim that there have been 94—

Sen. Obika: Mr. Vice-President, Standing Order 46(6).

Hon. Senator: That does not apply.

Sen. Obika: Imputing improper motives to the Opposition.

Mr. Vice-President: Continue, Minister. [*Desk thumping*]

Hon. S. Young: Thank you very much. The Trinidad and Tobago Police Service has refuted the Opposition claim that there has been a 94 per cent increase in motor vehicle robberies in 2018. Whilst the Trinidad and Tobago Police Service has noted that there has been an increase in motor vehicle robberies, it is noted that the larceny of motor vehicles has decreased by some 40.4 per cent for the period January 01st to June 02nd, 2018, as compared to the same period in 2017.

Indeed, the Trinidad and Tobago Police Service has recorded an overall 20 per cent decrease of motor vehicle-related crimes for the period January 01 to June 02, 2018 compared with the same period in 2017. Notwithstanding the overall 20 per cent decrease in crimes related to motor vehicle theft, the Trinidad and Tobago Police Service continues to focus on heightening policing of roadways. The TTPS

has therefore implemented the following measures in an effort to further curtail motor vehicle-related crimes:

- (a) active stop-and-search exercises;
- (b) heightened the people-centred patrols, both mobile, foot and mounted;
- (c) continuous public awareness and sensitization by informing members of the public of safety tips via contemporary and traditional media, including social media, Facebook, Twitter pages, as well as YouTube and also using *Beyond the Tape*.

The TTPS has also partnered with local radio stations where their officers speak to issues of concerns to citizens of Trinidad and Tobago, inclusive of safety tips. It is regretted that the Opposition would pose something saying that the Trinidad and Tobago Police Service said there has been a 94 per cent increase when they have said the exact opposite.

Hon. Senator: Shame. [*Desk thumping*]

Mr. Vice-President: Sen. Mark.

Sen. Mark: May I remind this johnny-come-lately Minister—[*Desk thumping*]

Sen. Gopee-Scoon: What?

Sen. Mark:—that we “doh need no”—

Sen. Gopee-Scoon: No, no, no. No. [*Crosstalk*]

Mr. Vice-President: Okay. All right. I am waiting for silence. Sen. Mark, please ask the supplemental question.

Hon. Senator: Withdraw that statement.

Sen. Mark: Withdraw what? Withdraw what?

Sen. Gopee-Scoon: Yes.

Sen. Obika: You all are not the Presiding Officer.

Sen. Mark: “Look, nah man.” You—

Hon. Senator: “Doh point at me.”

Hon. Senators: Ohhhhh!!!

Mr. Vice-President: Sen, Mark. Sen. Mark. [*Short pause*] I am not going to allow this Chamber to descend to that level of decorum at any stage of the proceedings during the day. But we have just started. We have limited time for certain procedures. So every time I have to get to my feet and stop the proceedings, it is the time that is running. Sen. Mark, please, just ask the question.

Sen. Mark: Anyway, “ah better look at you”. I think you are a little more pleasant. Mr. Vice-President, may I ask you—may I ask the hon. Minister, that is, to share with this Senate what is the percentage—that is the question I asked, not the comparison. What is the percentage increase in motor vehicle larceny for 2018? That is the question, not to demand some comparison. What is the percentage increase?

Hon. S. Young: Thank you very much, Mr. Vice-President. The question actually says that the Trinidad and Tobago Police Service has reported a 94 per cent increase. As I answered a short while ago, despite the continued attempts by the Opposition to mislead the public of Trinidad and Tobago, the Trinidad and Tobago Police Service has said that it has decreased by 40.4 per cent. There is no other way to turn around a decrease into an increase, unless they have a way to do it. So there has been a decrease by 40.4 per cent as per the Trinidad and Tobago Police Service, who have provided the information. Unfortunately, the Opposition continues to attack, frontally, the Trinidad and Tobago Police Service. [*Desk thumping*]

Sen. Mark: We have not attacked, frontally, the Trinidad and Tobago Police Service.

Sen. Gopee-Scoon: Next question.

Sen. Mark: No, “doh ask me”—

Mr. Vice-President: Sen. Mark. Sen. Mark.

Sen. Mark: But—

Mr. Vice-President: I know. I know. I am not my feet. [*Crosstalk*] So here is what I am going to have to do. I am going to have to allow the Minister to respond to the questions asked, but I am going to have to ask for silence—one, when the hon. Senator is posing a supplementary question and, two, when the Minister is responding. What is happening is that every time there is a response or a question asked, there is a lot of crosstalk and banter across the floor and time is running. So there will be silence when the Minister is responding, as well as when the hon. Senator is making his question.

Hon. Senator, just make the question so that there can be a response. Hon. Minister, when you are responding, try and respond as succinctly as possible.

Sen. Mark: Thank you, Mr. Vice-President. Because, you know, we are quite capable of responding. Mr. Vice-President, I am guided by you. Mr. Vice-President, could the hon. Minister share with this Senate what is the number of vehicles involved? How many vehicles were stolen in 2018 thus far? Move away from the percentages. Let us know how many vehicles were stolen in Trinidad and Tobago for 2018 thus far.

Mr. Vice-President: I would not allow that question, Sen. Mark. Next question.

Sen. Mark: Is it the same one, or another one?

Mr. Vice-President: No, you have supplementals. So this is your third supplemental, if you are going to—

Sen. Mark: No, well, I think that you want to exhaust my supplementals.

Mr. Vice-President: So, do you have any more supplementals?

Sen. Mark: No, no. I think you have exhausted my supplementals. So could I go

to the third one, Sir?

Mr. Vice-President: Yes, the third one. Yes, next question.

Sen. Mark: I am through with supplementals. I am now going to Question No. 179 to—"I go to say something else" but I think I will run afoul of the Standing Order.

Home Invasions and Robberies

(Measures to Address)

179. Sen. Wade Mark asked the **hon. Minister of National Security:**

Can the Minister indicate what measures, if any, are being implemented to address the increase in the number of home invasions and robberies nationwide?

The Minister of National Security, Minister of Communications and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Mr. Vice-President. According to the information received from the Trinidad and Tobago Police Service, comparative data for the period January 01, 2017 to June 30, 2017 and January 01, 2018 to June 30, 2018, point to an overall reduction in the number of home invasions and robberies across Trinidad and Tobago. During the period under review, records indicate a 26.49 per cent reduction in home invasions and a 1.73 per cent reduction in robberies at residences.

Notwithstanding the reduction, the Trinidad and Tobago Police Service continues to pursue a number of measures to address residential crimes, which include: maintenance of high police visibility within residential communities; close monitoring and consistent patrolling of locations where break-ins and robberies occur; direct community engagement via town meetings; active investigation of reports of break-ins and robberies; targeting of priority offenders; and utilization of

a dynamic public sensation and awareness campaign using social media platforms, various media forums to raise awareness of safety and security measures, including public service advertisements and the daily television programme, *Beyond the Tape*.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Mr. Vice-President, can the hon. Minister indicate, given the number of home invasions that we are faced with in this country, and robberies, can he share with this Parliament, this Senate, how many direct community meetings the Trinidad and Tobago Police Service would have conducted during the period identified by the hon. Minister? He just identified a period.

Hon. S. Young: Thank you very much, Mr. Vice-President. Mr. Vice-President, I do not have that information. If the Senator asks another question in another manner, I am sure we will provide that information.

Sen. Mark: The hon. Minister said that they were targeting areas and targeting the communities that have been involved or experiencing this particular phenomenon. I want to ask the hon. Minister about the social media platform and the public awareness programme. Can he share with us what has been the response? What has been the success rate in the implementation of these public sensitive campaigns that was mentioned a short while ago?

Hon. S. Young: Thank you very much. Mr. Vice-President, it does not surprise me that my friends on the other side are most interested in social media à la Cambridge Analytics. What we can say is that the Trinidad and Tobago Police Service's Twitter page is being very closely followed and they are being utilized. Their social media platforms, there has been an increase in viewership and persons who are liking and following.

Mr. Vice-President: Sen. Mark.

Sen. Mark: No, I am okay.

**MISCELLANEOUS PROVISIONS (SUPREME COURT OF
JUDICATURE AND CHILDREN) BILL, 2018**

[Third Day]

Order read for resuming adjourned debate on question [July 02, 2018]:

That the Bill be now read a second time.

Question again proposed.

Mr. Vice-President: The list of those who spoke: the hon. Faris Al-Rawi, MP, Attorney General, who moved the Motion; Sen. Gerald Ramdeen; Sen. Elton Prescott SC; Sen. The Hon. Jennifer Baptiste-Primus, Minister of Labour and Small Enterprise Development; and Sen. Ameen, you have 21 minutes remaining.

[*Desk thumping*]

Sen. K. Ameen: Thank you, Mr. Vice-President. Mr. Vice-President, it is said that he who opens a school door closes a prison—a French author, Victor Hugo, said that many years ago. And at this time, sadly, in Trinidad and Tobago, the PNM, unfortunately, is closing schools and opening prisons, even children's prisons. [*Desk thumping*]

I was in the process, on the last occasion, of outlining some areas that I have objection to, including having these children rehabilitation centres under the management of the Commissioner of Prisons. I spoke about strategies for rehabilitation and I want to continue from section 12 of the Child Rehabilitation Centre Act, 12B, C and D, in particular, where new section 12B makes a provision for a resident who is a child to spend a period of leave from the residence with a “proposed host” who must make a request to the Commissioner of Prisons to initiate the process of such a grant of leave. And new section 12D, which will allow for the summoning of parents or guardians or persons with responsibility for

a child to produce that child where the court finds that there is reasonable grounds to believe that such persons should produce the child, and where the child refuses or fails to return to the children's home after permission is granted for his absence.

Mr, Vice-President, it is my view that you must include provisions for monitoring while those visits are taking place, or while the child is staying with the "proposed host", visits by the authority, officials of the residence or the commission, even though I have objection to the commission. But you must have, in my view, Mr. Vice-President, while the child is with the host and away from the home, regular visits and monitoring so that you will not reach to a situation where the child refuses to return and there is an absence and you have to then summon the parent or guardian. And I think if you have those provisions for monitoring and visits by the authorities, you will reduce the possibility of the children not returning to the home.

I move to the Children Act, Chap. 46:01, a new subsection (7A) where there are specific provisions where corporal punishment shall not be used. And I want to say that I fully applaud this measure in terms of no corporal punishment being used, where a child is:

"...in a Nursery, a Children's Home or Foster Home;"—where a child is—

"(b) a resident in a Rehabilitation Centre;"—where a child is—

"(c) ...in the custody, care and control of a fit person."

But I ask: What are the alternatives? Even in schools, teachers, many years ago, when Trinidad and Tobago signed on to the United Nations Convention on the Rights of a Child, we stopped corporal punishment in schools, but I do not think that our teachers or our caregivers have ever been adequately trained in alternatives to corporal punishment. What is the approach to disciplining a child? And there

are standards that we can follow, and I feel, perhaps, this is the opportunity to have a policy document to guide caregivers in the nurseries, children's homes, foster homes, but also in our nation's schools, because there are many other alternatives to corporal punishment, and simply stopping the use of corporal punishment, without putting an alternative for discipline in place, puts the caregivers at a disadvantage.

I want to move now to 54 where amendments were made for consistency with new section 51A and that is to allow the court to make an order permitting a child who is remanded in custody to leave the place he has been remanded, for educational or vocational purposes. So if a child is a resident at one of the rehabilitation centres and he attends public school or YTEPP, or any form of vocational training centre, he is interacting with children and students from the general public. Is there going to be a system in place for an escort? Not necessarily military, because I am against that approach, but a social worker, a chaperon-type of supervision for that child while they are at that facility and interacting with children in the general public. Because you can have situations where a child who has committed crimes or who has been involved in a gang, or involved in criminal activities, may influence the others who are in that public facility for educational or vocational purposes.

The other is where—this is 59—that gives the court a discretion to order that a person who is detained in a rehabilitation centre as a child, to remain there after attaining the age of 18, because usually that is when they would leave, but if there is a balance on their sentence—sorry, this one is where they are pursuing a vocational or educational training, that they be allowed to serve the duration of the time in the rehabilitation centre, as opposed to being sent to the prison when they

reach 19. But that is, of course, if they are in an educational programme.

And I want to ask—because there is another section that deals with these children moving to the adult prison, the “big people jail” as we call it, when they reach 18 and there is a balance on their sentence. But I want to ask that this provision, for the court to use its discretion be extended to other children, other residents. I will not call them “inmates”—other residents of children rehabilitation centres.

And for there to be provisions such as the length of time remaining on the sentence—if it six months or a short period—for the behaviour of the child to be considered, and for provision to be made for the court to be approached to make such representation on the behalf of that child.

2.10 p.m.

That section I referred to was the new section 54A where the court will have the power to relocate a person who is remanded as the child in the child rehabilitation centre or to grant bail to a person once they have attained the age of 18 while in remand. So, I do not know if that is something that the Attorney General can take note of for that provision for an application to be made to the judge in the case of 54A, and as I say considering good behaviour and time remaining on the sentence.

Mr. Vice-President, there is a new section 75A which confers discretionary power to place a child offender convicted of murder at a community residence as the sentence if it is the opinion of the court that no other punishment under the Act is appropriate. This I believe we mentioned when we spoke about the Children’s Community Residences, Foster Care and Nurseries Act some time ago in this very Senate. Here I think separation according to the nature of the crime and the

psychological condition of the resident, the child, the offender should be taken into consideration. It is my view that children should not simply be housed at these facilities based on geographical location, for example, but we should perhaps look at separating the facilities based on the nature of the offence.

Even in our national prison, there are separate facilities, maximum security, and so on, for offenders of different types, but I think with children we ought to separate because there are children who have serious psychological issues and their influence on the others who may not be serious offenders but who are in the residence could be something that could have a negative impact on them.

Section 82 which is being replaced with new a section 82 and provides for the internal disciplinary procedures of a children's home, it says that these internal disciplinary procedures will be used and, of course, speaks about where a home has breached its rules. It simply says in this section that:

“Where a child...has been placed in a Children's Home breaches the rules of the Children's Home, he shall be dealt with in accordance of the internal disciplinary procedures of the Children's Home.”

This legislation, its only guidance, is that there shall be no corporal punishment, but there are no guidelines for what type of internal disciplinary procedures will be allowed, and that is something that I think has relevance to a number of other clauses.

I move now to the amendments in the Children's Community Residences, Foster Care and Nurseries Act where there is a provision for a new subsection to be inserted after (2) and it provides for a person intending to operate a community residence to make application to the authority, and it says that:

“The Authority”—must—“cause all investigations to be conducted to

determine the suitability of the applicant to be granted such a license.”

I agree with that.

Time and time again, we have heard laments about the capacity of the Children’s Authority in terms of their staff, in terms of their resources. So, yes, they do have powers to investigate, but they do need more manpower, investigating, monitoring, keeping data, using that data in a meaningful way, and that is something I want to advocate again for at present. Even with the present allocations, not all the releases have been made to the Children’s Authority and it is my view that they do need more than what they are getting in the budget because they do have a shortage in terms of the complement of staff there.

Mr. Vice-President, subsection (2) is also amended to increase the term of validity of our residence licenced from one year to two years, and I feel that two years unchecked is a little too much. While there are provisions for monitoring, somehow I feel there must be a mandatory one-year check. Even though you are not reviewing the licence per say, the licence does not expire, you can review in one year and have the comments from that review go towards the application when they do make that application the next two years on.

In subsection (3) where previously the resident was required to display a licence in a conspicuous place in the community residence, that is being repealed and I am asking what is the rationale for that. I do not know what the Government explanation would be, but there is no harm in that type of transparency continuing when businesses have a liquor licence, they have a VAT certificate, even public health certificates. For people who operate kitchens and restaurants, they must have it on display in a conspicuous place, and for me when we are dealing with children you would want visitors, parents, and others to know that this place has a

licence and that it is displayed and it is valid. So I want to ask for that not to be taken out, for that not to be repealed. Leave it as is, please. There is no harm for having the licence on public display.

Section 8A amended to reduce the number of years that a temporary community residence licence will remain valid from three years to one year. That is good. In my view, there is the use of time to correct whatever shortcomings prevents them from getting a full licence should be something that they are very expedient in, and I want to ask that that period should such remain at one year. The provision for extending a conditional licence, it did not say for how long. You can extend the conditional licence for how long? It is going to be one year? Was there going to be a limit to the number of times you can get an extension? Because a home can have a conditional licence and then apply for an extension and it could be indefinite and they never get a full licence. So I feel that 8B defeats 8A.

Where there is a provision to revoke the residence licence if the authority is unsatisfied with the corrective measures being taken, previously the authority had to provide the home, the residence, with an explanation of what are the conditions, and so on, that you do not meet, and I want those rules to apply for the temporary application as well.

The provision where previously the resident would get—14 days prior to revocation they would get a notice, the subsection is being amended to ensure that the authority whilst serving a notice ensure that they get it before 14 days. There is no warning system. So most times when you have an offence, even littering offences, and so on, you get a notice advising you to clean up, you get a notice advising to correct, and then when you do not comply you have 14 days before you are notified of the date of revocation, and I think you should have a warning

system in there.

Subsection (2), repeal and substitute—*[Interruption]*

Mr. Vice-President: Senator, you have five minutes.

Sen. K. Ameen: Thank you—where the authority must state the grounds on which it intends to revoke the licence, this subsection says that it is no longer required for the State to give corrective measures. So when they are notifying that you do not meet the requirements, you are no longer advising them what to do to correct it? I think it is reasonable to give them time and to let them know exactly what they have to correct, because I mean, this in my view would allow for victimization. A home could be told that they have to close down and give no reason why and how they can in fact correct that.

A section that allows the temporary placement of a child within a children's home with a person who is willing to receive and care for the child after having applied for permission from the manager of the home, and this section provides that for such a person to make this application, he must apply to the authority with a police certificate of good character and certain particulars, but where there is a temporary placement of a child, Mr. Vice-President, I want to suggest that you have a list of prequalified persons so that you are not, for instance, in an emergency placing the child with someone and then after within 24 hours checking that that person really has a good character.

So, there should be a procedure for emergency qualification to speed up the process, but I believe that if you have a list of prequalified persons the authority could call on to send a child in quick time and then you deal with the full qualification of that person, otherwise, we are sending our children into the hands of unscrupulous persons. I agree with there being a fine and imprisonment for a

person who performs acts of punishment that are contrary to the Act, that is, the corporal punishment, but again I ask for the alternatives and for us to have a guideline document.

Mr. Vice-President, the Children's Authority Act is something that came into being under the People's Partnership and the general principles in the Act remain the same, and I am in support of strengthening it as we go along, regardless of which Government is in place. However, I also want to remind that where you have the need for members of the board of the Children's Authority, where you have need for four members of the board be present from youth, from the THA, from NGOs who promote the welfare and protection of the Children's Authority, I am cautious that just as—I think it was the Children's Life Fund or one of those under the Ministry of Health where the representative for THA, the THA could not identify a representative and so the board could not be constituted. So, I think in my view we could ask for perhaps three out of the four to be represented so that you will not run into a situation where somebody who has to recommend a director does not do so.

I agree with the need for qualifications for members on the board in child psychology, social work and paediatrics, and so on. Mr. Vice-President, I want to say that I hope—the thing is this Bill has a lot of areas being dealt with and where changes are being made. I hope that the Attorney General will be willing during the committee stage for us to go through to ensure that we have good provisions for children not to be punished, but for our children to be rehabilitated and I want to reiterate something I said on the last day when I started my contribution, that we have to move away from the children's rehabilitation centre being under the care and management of the Commissioner of Prisons. The prisons' authority in

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Trinidad and Tobago does not have a good track record at all when it comes to rehabilitation and we should not be subjecting our children to this.

I want to reiterate the need for the Government to ensure that schools are kept open and that opportunities are provided for young people. Let us focus on preventing them from going into those children rehabilitation centres, the child jails, the YTC. Let us prevent them from going into that life. So every Minister who holds a portfolio that can have an influence to create opportunities, I plead with you now to take that route to ensure that our children do not end up in these facilities.

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

Sen. Paul Richards: Thank you, Mr. Vice-President. Good afternoon everyone and, Mr. Vice-President, thank you for the opportunity to make a contribution to the Bill entitled an Act to amend the Interpretation Act, Chap. 3:01, the Supreme Court of Judicature Act, Chap. 4:01, the Summary Courts Act, Chap. 4:20, the Bail Act, Chap. 4:60, the Administration of Justice (Deoxyribonucleic Acid) Act, Chap. 5:34, the Legal Aid and Advice Act, Chap. 7:07, the Child Rehabilitation Centre Act, Chap. 13:05, the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01, the Children Act, Chap. 46:01, the Children's Community Residences, Foster Care and Nurseries Act, Chap. 46:04, the Children's Authority Act, Chap. 46:10, and the Family and Children Division Act, 2016.

Because of my passion for issues dealing with children I thought it was very important that I make a contribution, although I understand our sitting would be truncated so I would try to be as brief as possible or concise as possible. I always say that I know, and it would be remiss of me not to welcome to this honourable House the Chairman of the Children's Authority Mr. Hanif Benjamin and his

colleagues, because a lot of this Bill references responsibilities within of the Children's Authority and the Children's Authority Act of Trinidad and Tobago.

Let me from the onset say I agree with 90 per cent of what is contained in terms of provisions in this Bill. I think most of it is admirable. I would not go through in detail what I agree with, just to say I agree with 90 per cent and the principle, by and large, of what the hon. Attorney General is trying to do as it relates to tightening up legislation that deals with the welfare of our children in Trinidad and Tobago. My comments which are not in agreement are not meant to be pejorative—pejorative means holding in contempt or disapproval. It is just the disapproval part of it that I want to outline. And let me from the onset state that I agree wholeheartedly with Sen. Ameen, that the responsibility under which rehabilitation of children in particular should not be reposed with the Ministry of National Security by way of the Prisons of Trinidad and Tobago and the Commissioner of Prisons. It is an anathema to think [*Desk thumping*] that you are trying to rehabilitate lives but you put them in an environment that is in close proximity to a prison, because our penal system has not made the '70s jump to contemporary learnings and thinking to a corrections centre.

Just the word “prisons” has a particular connotation and meaning. It is a house, a place where inmates are housed as opposed to a correction centre which has a totally different meaning. And, with that said, the science of child behaviour, emotional disturbance, disorders and the learnings of that have told us—and this is widely available in countless credible documents that children do not just get up one day and be bad, or feel to be truant, or feel to be juvenile or delinquent. They do not. There is a particular aetiology and origin on several factors that contribute to any or most children ending up on the wrong side of the law or value systems,

and good law solves issues and weak law masks the symptoms of these issues. And, as I said before and not meant to be pejorative, laws and policy must be based on proper research which provides reliable data which drives effective policy practiced by qualified and caring personnel, and supported by resources that makes a difference in realizing beneficial results especially related to our most precious resource, children.

The general trend of my contribution is going to be from incursion with the criminal justice system to institutionalization and sanction and punishment to rehabilitation, primarily prevention of one in particular, children who run afoul of the law in terms of turning into what would be productive citizens, and the main three clauses I want to see amendments, and I will outline it a little later, are clauses 8, 10 and 12.

As in any jurisdiction and according to an article by Sarah Alice Brown which is entitled “Treating Mental Health needs of Juvenile Offenders”, you see in any area as crime in any jurisdiction in criminality increases, you see a direct positive relationship to the increases in juvenile delinquencies and that is not by guess. Children learn what they live and there is really a strong relationship between criminality and juvenile delinquency. In the US, from 1985 to 1995, the US recorded a 75 per cent increase in detention of juveniles for truancy and crimes. The institutions in the US, with a lot of resources, also recorded overcrowding and strained resources, and less efficacy as time went on.

Our prison system and rehabilitation centres for juveniles are already overloaded. The Children’s Authority is getting more and more poured onto its ambit and without the commensurate resources attached for them to do their jobs effectively, and prison recidivism rates in Trinidad and Tobago are over 85 per

cent. So when we, in principle, elect or appoint the Commissioner of Prisons as the agent for identifying agents for rehabilitation of our nation's youth, when the prison's main function of adult inmates is showing over 85 per cent recidivism, we are basically casting our aspirations into the wind and hoping for the best. Because the prisons themselves—and I am not condemning hard-working prison officers in Trinidad and Tobago—working in a system that is extremely challenging for the efforts they are making, but let us call a thing a thing. It is not working, and to think that you can add more responsibility on a broken system with limited resources and think it is going to add something especially as it relates to children is wishful thinking at best. This responsibility should be reposed with the Ministry of Social Development and Family Services and in conjunction with the Ministry of Education, which has a natural symbiotic relationship with the Children's Authority of Trinidad and Tobago. So that is my first suggestion.

In terms of the contributions to juvenile delinquency, I also see this Bill and others that are intended to work alongside it, terribly bereft of any provisions for rehabilitation of the homes from which these children come and you cannot expect there to be a full rehabilitation or restorative justice system if the primary caregivers are not included in this process because in most cases you would find the contributing factors to these children, these juvenile delinquents, have been primarily in the home. So we go through the process. In many cases the Bill has provisions under 7, under 14 and under 18, which is the legal age of being a child, with no references to mandatory rehabilitation of the household or significant elements in the household. And then we have to add to that, which I would not go through into any details, the shortcomings of our education system which are, to me, one of the most significant contributors to the levels of juvenile delinquency

we are seeing in Trinidad and Tobago.

Mr. Vice-President, one of the studies that I referenced in my contribution, an Auburn study has indicated that more than 85 per cent of juvenile delinquents, or those ending up in the system in juvenile delinquents, have been identified as having socio-psychological issues or mental challenges which tells you a lot. Because in many cases they have been abused or neglected, or not given the level of resources or training you need to be a productive citizen or child who is thriving in that society, and the same thing is happening in Trinidad and Tobago.

By your leave, Mr. Vice-President, I want to tell a little story about a woman who I had the honour to interview day before yesterday and I will try to be short with this because it elucidates my point about us just feeding children, just getting up one day at eight-years-old and feeling to give trouble, and by this I hope to really pull together my contribution in terms of us understanding what happens in a child's life when they start to go into a life of crime later on. This is a story about a—and she gave me permission to use her name because she is now a minister. Her name is Stacy Ann Beckles and she is the founder and CEO of Women of Transformation, and very quickly at nine years old there was an adult who attempted to rape her. That attempt was interrupted. At 13 years old her single mother of three sent her to a neighbour's house to collect some money to help pay the rent, or some family utility, and an over 60-year-old man raped her at 13 years old. She never told her mother. The man gave her \$200 to go back home. She did not tell her mother because she was ashamed. She thought it was her fault.

Her mother continued to send her to this 60-something year old man who continued to rape her—I am not saying have sex. Rape her because she was a minor—for two, three years giving her more and more money to go home. So she

made an immediate association with money and sex. By 14 and 15 she had stopped going to school. I think she was going to Curepe Junior Secondary at that time because she was taking rides with maxi men who started to do the same thing, rape her. She did not perceive it as rape because she thought she was having fun, and these men were taking advantage of her and giving her money. Eventually, her mother found out she was not going to school. By the time she reached, I think in her early 18, or 19, or 20—I cannot remember exactly—she had found herself in a cycle of giving her body for money to men and eventually ended up in a situation where—I do not want to say a gentleman—a man whom she met in a party offered her US \$20,000 to transport cocaine to New York, and by the time she got to the Piarco International Airport she was apprehended, she was charged, she spent nine years on bail awaiting trial, was eventually convicted for eight and half years I think and served five and was out.

Her seven-year-old daughter, 10 weeks before she was to be let out, witnessed the murder of her father—shot in the back of his head in front of a seven-year-old. I say this to say there are so many other young people being exposed to these circumstances. You see the trajectory of this young woman through very little or if any at all fault of her own, and we have to take these things into consideration if we are to pass effective holistic laws to deal with the situations in Trinidad and Tobago. As I said before, I think the efforts of the Attorney General are extremely honourable, but I think they are misplaced in many ways because they do not address the preventive measures and the holistic approach to dealing with juvenile delinquents [*Desk thumping*] in Trinidad and Tobago.

It is well-documented the effects of neglect, abuse, family circumstances on

children rejected by parents who are more than likely, more than 80 per cent, or neglected in terms of a causal and social sciences—I do not like to use the phrase causal—but in terms of a strong relationship to those who end up in the cycle of delinquency, about a general consensus about what the trajectory would be so much so that 25 years ago the UK Government made an overt effort and passed laws and put systems in place because they were seeing the data presented and analysis that children of single mothers, primarily—I am not saying all children of single mothers end up on the wrong side of the law. Let me put that out there on time because I know I am going to get burn. But the UK Government was seeing 25 years ago primarily children who ended up as juvenile delinquents in the system were children of single mothers or single parent home because the mother had to go out to bring the bacon and the children were left in many cases unsupervised and ended at the hands of gangs, other bad influence, et cetera.

So we have to learn from these things and I do not see the provisions in this Bill, Mr. Vice-President, with all due respect, that deal with those issues, and then when you put these children in environments—because environmental surroundings is also a significant factor in how a child internalizes his or her self-esteem. So I am put into YTC and when I look over the fence I am seeing a prison. I had already made an assessment about my life and my possible trajectory. Although the persons in YTC are doing a fantastic job with the resources they have, but it is not a productive environment in which to rehabilitate a child offender, and if we keep making these simple mistakes, we will not be achieving the objectives that we really envisioned.

You know, in the beginning of the 1960s a lot of research started to be done—and I know Mr. Benjamin and his colleagues have access to all of these, so

they know what I am talking about. A lot of emphasis started to be placed from 1960s, to '70s, to '80s, not as much on rehabilitation although they stayed with the rehabilitation, but on preventative measures because they proved more effective, on measures that dealt with the social ills and the shortcomings in the family circle that are one of the major contributing factors to juvenile delinquency.

Because very often, they went through quite a number of phases including institutionalization and punitive measures as opposed to looking at the societal factors that made these phenomenon very, very pervasive. The approaches included the first phase: discipline and deterrent including external control techniques. Programmes are oriented toward instilling discipline like boot camps—prison visitation to scare children into good behaviour, did not work.

2.40 p.m.

And then there was an enlightenment in the 1980s, early '90s, into more enlightened philosophies including skill-based cognitive behaviour techniques, social skill development; going into the schools and talking to children and teaching them about the facts of life and how they can become productive citizens; identifying the learning disabilities because in many cases, the children who were struggling in their educational settings were the ones who were more than likely getting into more trouble. So I really want to make a plea, an impassioned plea for us to look at the Ministry of Social Development and Family Services as the repository for this kind of legislative approach, because that is the direction we need to be going in and working in close conjunction with the Education Ministry, Mr. Vice-President.

So I went through the area included in clause 8 which is the Child Rehabilitation Centre Act as amended and the reference to the Commissioner of

Prisons being the person who really, according to the advisory board—and this is clause 8(b), new section 1A(i), and the area which says the:

“‘Advisory Board’ means the Advisory Board appointed under section 3(2);
‘prohibited article’...”

We also need to include in this—and as it is written here, it says:

“the possession of which by a resident is considered by the Commissioner to
present a threat to the maintenance of security, good order and discipline;”

And we really also need to include some sort of reference to medications because we do not include these. Very often, some of these young offenders can misuse medication and technologies which are presented to them to try to better themselves, and if it is as broad as this, we could end up in serious problems.

Clause 8(b), new section 1A(i)(c), the responsibility provision which says:

“‘responsibility’ includes custody, charge, care and control;”

I think, Mr. Vice-President, it needs to specifically state “rehabilitation”, although it is a rehabilitation centre but if you are going to include “custody, charge, care and control”, you should specify rehabilitation, education and training as mandates for the agency.

I also want to reference the area, as I said before, which is clause 8(e), new subsection 1A:

“A Rehabilitation Centre shall be under the management and control of the
Commissioner of Prisons subject to the Children’s Authority Act and the
Children’s Community Residences, Foster Care and Nurseries Act.”

And as I said, I cannot reiterate enough for the hon. Attorney General, if someone is taking notes for him, to have a serious consideration given to that where that approach is changed.

The other specific reference I want to make is new section 12B, Mr. Vice-President, and there is a list of requirements where:

“A request submitted under subsection (1) shall be accompanied by a valid police certificate of character issued in respect to the proposed host and shall include the following:

- (a) the reason for leave;
- (b) the intended period of leave;
- (c) the name, age and address, sex and marital status of the proposed host;
- (d) the occupation and place of employment of the proposed host;”

And it goes on to also identify persons visiting that intended home which the child is intended to visit and there are a lot of provisions and none indicate whether or not visitors to the home, because it has name, age and sex of each person residing at the place or visiting the place—there are no provisions. There is a provision in the Bill for the host to have a police character of good reference but no questions, specific question about visitors being able to be questioned about their criminality or their background. And in many cases, children who are induced into delinquency or crime, the gang members and gang leaders do not easily let them go. They make several creative entreaties into trying to keep them in the gang, they will visit them, and if you do not specifically ask, in the law, for them to provide—at least ask if you have a criminal record or are associated with a gang. You are opening that child up to further indoctrination.

I also want to reference clause 10 where the Children Act is amended in section 3 and there are references in part (j)(ii)—and let me read the whole thing so that we get context.

“(i) by inserting in the appropriate alphabetical sequence, the following

definitions:

‘appropriate adult’ means...”

et al, and we go down to:

“(j) a member of the police service or any employee in the police service other than—

(i) a family member;”

—and these are people who are prohibited access.

“(ii) a person who is well-known to the child; or

(iii) a person with whom the child is comfortable;”

And I would add, comfortable and safe because very often, victims of abuse become quite comfortable with their abusers and if you just leave it as “with whom a child is comfortable”, you do not know what psychological state that child is in and if you do not add the word “safe”, very often, the intention of protection of this part of the Bill will be lost.

Mr. Vice-President, in terms of us moving forward, we really need to place our resources legislatively and in terms of infrastructure on—if we are serious about rehabilitation particularly of minors, on putting the resources into building institutions and structures and buildings that are specifically designed for and geared toward rehabilitation. YTC should not be an annex of the prison and it should not be in the general area. Because if you think about it, we had a prison break—when is it, 2015? And if something happens at Golden Grove, what is going to be the safety status of those young men up there or those boys up there? That to me is anathema to really caring about the rehabilitation and mental state of those boys.

We should be looking at providing the Children’s Authority or the Ministry

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of Social Development and Family Services, with the resources, the funding, to construct buildings, which can be, I guess, double, as in some instances, safe houses for battered women and abused families. Multi-purpose facilities that are housed and resourced with the trained personnel to make sure that those persons, who may have ended up as juvenile delinquents through many circumstances in their lives, have the State's full support, not part-time or piecemeal support in their rehabilitation, so that we, one, deal with the prevention aspect of making sure that the homes have what they need and the training that the parents need. But also those who have actually run afoul, they are put into an institution that is more likely to benefit them in terms of their full rehabilitation. And not in these, what we have seen, homes that we have had to close down over the years because of the dilapidated condition, the St. Michael's home and other institutions that are supposed to be housing children as wards of the State. In more than 70 per cent of those cases, those structures are 40, 30 years old, poorly resourced and we think we are going to have success in rehabilitation, inclusive of YTC, as I said, which is in too close proximity to the nation's prisons.

So that is basically the crux of my contribution this afternoon and I really want to, again, make an impassioned plea, because, you know, the research is shown that when we do not rehabilitate effectively—minor offences usually lead to serious crime. You find that truants, juvenile delinquents, start with simple stealing property crime to personal crimes and violence later on in adolescence. The research is there: Wolfgang 1980, Gulick 1950, and so on. The age of onset of the truancy, if not mitigated by proper rehabilitative methods and environments, is a great predictor, a strong predictor of continued delinquency and eventual criminality and chronic offenders in terms of juvenile delinquents who are not

properly remediated will have a 90 per cent chance of ending up running afoul to the criminal justice system before they are 21 years old. The data is there. It is not brain surgery anymore, it is pervasive in terms of the international research and credible research done. But we do not seem to be applying the research when we are crafting Bills to make law which influence policy and also putting the necessary resources into the agencies tasked with doing this important work.

I want to close, Mr. Vice-President, as I started, very simply. Laws and policy must be based on proper research which provides reliable data and there is a lot of research right here in Trinidad and Tobago. I cited quite a lot of international data. Right here in Trinidad and Tobago which by Prof. Selwyn Ryan, Prof. Ramesh Deosaran, which all point to the same findings as overseas researchers. So, laws and policies must be based on proper research which provides reliable data and drives effective policy and legislation for practice by qualified and caring personnel and supported by resources which make a difference, especially as it relates to our children. Because as I said as I started, good law solves the issues and weak law just masks the symptoms and push the can, 'kick de can down the road'.

And with those few words, Mr. Vice-President, I thank you for the opportunity to contribute. [*Desk thumping*]

Sen. Pastor Clive Dottin: Mr. Vice-President, when I looked at the vacancies on the Government's side, I was wondering if they were involved in coaching Dwayne Bravo for the match tonight. [*Desk thumping*] Even the learned Attorney General is not here, who piloted the Bill. So I think we have to look at these things extremely seriously. But I will race on and I know you will give me a tip off for when we have five minutes, so I will race on.

Mr. Vice-President, I have had 27 years' experience with playing a role in either being chairman of boards of these homes or sitting on the board as a director. And so what I did, when I got the call a few days ago to appear here, I sat down and I said—when they sent me from the Parliament, the Bill with this cluster of—“um hmm”, a number of them, 13 clauses, I said I will write from my experience on my postgraduate training what I would like to see. And then I will check the Bill [*Interruption*] —oh, the hon. Attorney General is here, I am so happy. I will write from my experience and training and then look at the Bill, so I did exactly that.

But before I go into that, Bro. Vice-President, I want to make one serious quotation here from Nathalie Alvarado, who is the economist attached to IADB, the Inter-American Development Bank. And she made the following statement:

“We live in fear...of assault, of being killed, of being robbed...”

And she made the clear analysis on producing the figures that in:

“Latin America and the Caribbean...”—we have—“eight percent of the world's population but...31 percent of its homicides.”

Now, that has to be a very serious thing. And then she gives two factors. The first one, she speaks on the last decade:

“...our cities have grown rapidly, but in a disorganized manner.”

And then she spoke to the issue of public institutions and she made a statement, this Latin American and Caribbean economic expert at the IADB, that:

“...public institutions—including the police and criminal justice system did not adapt to new realities, resulting in even more impunity and corruption.”

Was she writing about Trinidad and Tobago? Was she writing about some parts of the developing world? And then she went on to talk about the “Neither-Nors”.

What she called the “Ni-Nis” population of young people who neither study nor work. Now, these are the persons who will end up in these homes.

You know amazingly, Bro. Vice-President, it is significant to note in terms of history, if you go back to the depression of 1930 in America, it is absolutely amazing. The more things change, the more they remain the same. Do you know, Bro. Vice-President and the rest of the Senate here, that when you had the great depression, you know what took place? Banks closed down, businesses closed down, small businesses closed down, big businesses closed down. You know what grew? Children’s homes and orphanages, that is what expanded. So when people are being dismissed and losing their jobs, now, right, you have to expect—and the crime rate is not properly managed, you have to expect a growth in these institutions and how we manage them.

Now, I do not know, whenever I came here and there is a Bill from the Attorney General, I keep complimenting him. Bro. Attorney General, my 27 years of running homes, these homes, a lot of provisions in this Bill—and you must be complimented. A lot of provisions in these Bills, [*Desk thumping*] a lot of them, we were crying out for it for 27 years and I want to quote a section there before I get a little deeper into it, and what I wrote before I studied the Bill, there are some sections that just bless me. The revocation of the licences and of course, Sis. Khadijah Ameen made a comment that I think you should take very seriously, all right, in terms of the one year provision, et cetera.

And then, there is a part that I love, including the—of course, when you make promises, you have to deliver, eh, because the issue of sending educational instructors to the homes. You know, in Diego Martin, I am PRO of the St. James Police Youth Club with Officer Sharbodie—one of the best policemen in the

country, actually in the Caribbean—and he turned that home, that place, that centre, into a residential unit with all the challenges. And there is a decrease in volunteerism in the country. People are trying to live, they are trying to survive, they are trying to earn a living, so they have less time to volunteer. That is part of the socio-economic backlash when you have a shrinking pie. But I heard the oil price is going up and I heard your Minister of Finance says, we are turning around the corner so therefore, we should not have such stringencies. I look forward to the next budget.

But we are talking about the making of application to the court for permission for a resident over the age of 16 years to engage in on-the-job-training outside of a rehabilitation centre. Bro. Vice-President, through you, addressing the Attorney General, let us not fool ourselves. This society is becoming more polarized, all right? We are warming up for the next election; racism is rearing its ugly head again and therefore, it will defeat any mobilization of the society that is required to make this Bill or cluster of Bills a reality in this society. “People just vex, they in ah rage”, there is hostility.

When I grew up in this country, I mean in my early teens, I grew up without a father basically, he died when I was 15, but people had a love for each other. You had DLP and PNM at that time, but at the same time, the ethos of our nation, what I remember it to be, is that in spite of the politics and in spite of the race, we would look out for each other. Foreigners were welcomed. I hear people making remarks about Venezuelans now and I am scared for the Spanish folks and even Chinese folks. I am scared for them because there is a new hatred, a kind of malice entering our DNA now that is foreign to us basically. And I would like to say that we need meaningful Constitution reform, you know, we need meaningful

institutional reform, especially of our security agencies, to make this a reality, Bro. Attorney General, otherwise it will not just happen.

But there are several clauses here and several provisions here that I compliment the department with the Attorney General. The issue of, you know, young people getting a chance to pursue the education with the proper provisions, the issue of the empowerment section, the issue of the board. Although I want to warn you that we got stopped with that Police Commissioner thing and I was part of the first process with Mr. Stephen Williams, and part of the problem sometimes is that we focus on academic qualifications but not experience and not on people who have a heart for children.

You see, to make this happen, eh, there is a social and emotional dynamic that must play out here because the issue of abuse is inter-generational you know, Bro. Vice-President. It is totally intergenerational, so I will tell you what I wrote. I wrote here before I looked at the Bill, Bro. Attorney General, that we must have consistent management audits of the home. Consistent management audits. Now, I did not pick up with that in the Bill, perhaps I missed it somewhere in the parent Act, maybe. Functional quality, functionality of the boards, that is important. And then the issue of building a new cadre of leaders. What we have with several children homes, like the St Jude's home, for example, the original leaders who came from overseas, like the Irish nuns and what have you, they are on their way out. I am not sure we had a philosophy, a strategic plan, to have new leaders—a plan, a proactive plan to have new leaders of institutions for children who are dysfunctional or who have been abandoned by their parents.

I should tell you, through you, to Bro. Paul, that in my first incarnation as leader of the Casa De Corazon, way back in 1991, a father brought me to court.

He was gambling money. His children were all over the place, abused, abandoned. They were in a terrible emotional state. Their self-esteem was low. They had an external locus of control. People controlled them, advantaged them, exploited them, abused them, assaulted them and there were no provisions, Attorney General, but I see you have provisions here for visitation. I also lean on what was said by a Member of the Opposition in terms of fine tuning that because a parent may come but sometimes, you have to have boundaries even for parents because sometimes the parents are the ones who abuse the children and because of their connection with law enforcement agents, they are still walking the roads clear and clean and so they will even pose a threat to the institution that is supposed to protect their children because, you know, they are the biological parents but they are actually abusers.

Well, thank God, in the end the guy did not have money to take care of his children, but he had money to hire a lawyer in Siparia there, and I was the defendant. You know, they said a society is in trouble when the corrupt are protected from the just rather than the just protected from the corrupt, and I see that as a big issue in Trinidad and Tobago, among other places in the region. I wrote a statement here: hurt people, hurt people. You know why abuse is inter-generational? Hurt people, hurt people. And then I wrote here before I read the Bill: the need to build capacity. And Mr. Attorney General, I was so happy when I saw what I wrote here and then I read the Bill, some of the provisions in there.

I said training programmes for leaders. I think there is greater need, Bro. Vice-President, for in-service training of leaders and workers. Accessibly to the counsellors; this is a big need. To my mind, the Government has a strategic plan to train counsellors particularly for these schools but I wonder Bro. Attorney General,

where are you getting them from? Because our schools are in short supply of social workers and counsellors and now you will need more of these counsellors. Then there has to be a moral and spiritual re-engineering of the society and of course, Brother, I wrote down here the issue of prevention which was very well handled by Independent Senator, Paul Richards. But the visitation, we have got to look at that very seriously, Bro. Vice-President, and also in relation to Mr. Attorney General and the cluster of Bills that you have here. So therefore, we have challenging situations to handle here.

Before I climax, there is a gospel song I want to bring to all the Senators here and to the entire country and I hope the Lower House is listening:

“...may all who come behind us find us faithful
May the fire of our devotion light their way
May the footprints that we leave
Lead them to believe
And the lives we live inspire them to obey”

Young people today need role models. They need adults who will set the right example. They need leaders with integrity, leaders who are sensitive to the issues. I am the incurable optimist when it comes to young people, but I want to remind you what Leela Ramdeen said in the *Guardian* today. She said for us to have peace among the young people and the society, we must have justice and that is very important.

I asked leaders—in the last 24 hours, when I got the Bill—of seven institutions involving children, what they really want, what they would really like from the State, from the Government, from the Parliament, what they would really want from us. I asked seven of them, come up with two. Bro. Attorney General,

through you, Mr. Vice-President, up to this morning around 6.00 and 7.00, I got reports from four. You know what they are saying? They would like when the state promises human and financial resources, that those resources are delivered. [*Desk thumping*] They would like that. And then they said something. They would like psychometric testing, that almost immediately—that psychometric testing, all right, because a lot of these children have been abused, a lot of them have low self-worth. And they would like that, and they would like regular visits from the authorities to check on how the homes are going. Now that, Bro. Vice-President, is what I got from the homes in my last 24 hours in my unofficial poll. You wanted to say something, Bro. Vice-President? [*Interruption*] “Oh ho.” So I want to mention this very carefully, that a lot of these children need a particular kind of motivation.

I want to raise a case about the institutions in our country. You know, I worry about Gary Griffith. I worry about him for one major reason. We have put a new person in the police force but he has basically the same team and he says give him a year. I think he needs much more than that. The problems he has to deal with come from, I mean, 30 years of blunders to 40 years, and he is faced with turning the country around now. And I want to tell the Senators here, all of us have to be involved in making the Commissioner of Police a success. All of us have to be involved. That is why I favour constitutional reform because I think this present Westminster brand we have right now is really archaic and anachronistic. We have to use it until it changes but really speaking, it is not an easy thing, even to get reform in the various security institutions.

I want to raise an issue here, Bro. Vice-President, of a 12-year-old girl in East Trinidad. She is not in an institution. But I will tell you the challenges the

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Commissioner of Police would have, the Commissioner of Prisons, and I agree to the comment on the prisons, eh. Give other institutions that role to play, not the Commissioner of Prisons. Do not over burden him. He has already a Mount Everest to deal with so I will say no more on that. I had to deal with a 12-year-old girl recently.

Hon. Al-Rawi: Sorry, Senator. Could I ask a question, please?

Sen. Pastor C. Dottin: Yes.

Hon. Al-Rawi: Much obliged. Could you just clarify the last point you just made about the Commissioner of Prisons, please? Is it in relation to the proposed amendment that the Commissioner of Prisons have supervision over the state positions? Is it that?

Sen. Pastor C. Dottin: What you mentioned here—and I will come to that in a short while—what you mentioned here, I would prefer to see another institution and another group of people in charge of that, all right? Because I do not want to belabour the point that—I think you were absent when Bro. Richards was making his point. *[Interruption]* Yes, and I appreciate that, but I want to say that I would prefer, perhaps religious groups, perhaps—the Ministries of Sport and Youth Affairs and Education were recommended, to have a taskforce to look at that, okay, but I am little worried about that provision in the Bill and when it comes to the committee stage, I will make a few comments on that. *[Interruption]* Yes.

Hon. Al-Rawi: Much obliged, Sir. Thank you so much, hon. Senator. If I could just indicate, the rationale for using the Commissioner of Prisons is a matter of law because it falls under the state authority of prisons. However, they are entirely subjected to the Children's Authority being plugged into that matrix, so it is a hand-in-hand position and the Children's Authority has the ability to enter without

warrant. So they can enter any day, any time, et cetera. So it is actually driven by the fact that the law requires that the Commissioner of Prisons handle child rehabilitation centres which are handled by the State. In other words then, that which was once a youth centre, the YTC, falls under Commissioner of Prisons and is plugged in from the law for his supervision but must be in tandem with the Children's Authority and right of access.

Sen. Pastor C. Dottin: Bro. Vice-President, let me respond to the Attorney General. I notice in the home—in the cluster of Bills, I did not see the statement “transition centres” there and I feel your recommendation—I think the better place for those children, after 18, will be in a transition centre. So that is my strong recommendation to you, Sir. Okay? I want to continue. Bro. Vice-President, how much more time do I have?

Mr. Vice-President: You finish at 3.33.

Sen. Pastor C. Dottin: Okay, so I will just take about 15 minutes before I conclude. Okay, so I made that point to you very clear. I want to raise an issue of this 12-year-old child to tell you how, unless we have institutional strengthening, we are going to be in trouble.

3.10 p.m.

Bro. Vice-President, I was called to deal with a girl in East Trinidad—and she is not the only case, and I want to raise this issue. I will not call the exact place. Form 1/Form 2, secondary school student in East Trinidad—was abused by a person, emotionally and abused otherwise, 40 years her senior, on the road. I mean shockingly, shockingly, this young lady—the case went to the police, it went to the school, and amazingly it even went to a religious leader. And all sectors of the society failed that girl for three years, Bro. Chair. And I am making the point

that it is good to have lot of documentation and a lot of laws. But if the institutional heads, all right, are not in tandem and accept the commitment and the responsibility in terms of the portfolio they have, this Bill will fall flat. I want to emphasize that.

How could a 12-year-old child? The parents did not know what to do. The house became a jail because—and you know, in the police service you have something called batch loyalty, eh. And let me say this to you, Bro. Vice-President, I fear one of the serious challenges the new Commissioner of Police will have is that issue of batch loyalty. Because when you have people being scared—and the recent kidnapping case has not helped any.

Now, I believe 80 per cent-plus of the police force are good policemen. I want to emphasize that. I am not painting everybody with the same brush. “But ah tablespoon full of Grammoxone could poison ah whole one litre bottle, eh.” That is something that we have to watch at. But I am saying this child—we had to get counselling for the child outside of the system.

So I am saying to the Attorney General, through you, Bro. Vice-President, that it is not good enough to have the laws. It is how we implement them and the time level. And I do not know. I missed it, in terms of the deliverables in the law, if there is any time limit, or that might be in a supplementary document in terms of how we are going to accomplish what we are going to accomplish. So that, to my mind, is valid.

A point was raised Bro. Richards about the homes. Bro. Vice-President, I want to emphasize that. In Block 22 in Laventille there was a situation, all right, where the boy was finishing primary school and his mother told him—

Unless we have—and my new Senator here, Sen. Ifill mentioned to me the

issue of having a national male development policy. Unless we have the homes and the parents and a significant—and is not a department alone or family life and social services. Everybody has got to come together in this society, every department, every Ministry. I think they need an Inter-Ministerial task force—if I have to advise Dr. Rowley—involving all the elements of society to save families and to save the homes. We have a serious male crisis and it shows up in this.

The mother was alone. Bro. Vice-President, she was totally alone. She had this child and she told the child: “You will not go to secondary school.” “Yuh boy passed de exam”, Secondary Assessment exam. She told him: “You will not go. You have to work and mind me. You will not go to secondary school.” And that boy is one of the biggest drug lords in the country right now; drug dealer at the middle level, serious, and that came from a deficiency in the home.

However we have bad news and good news, because think of Ajamu Crosby. His mother—strong lady. And what happened is that Ajamu came first in the CAPE exam, from Beetham if you please, in 2014. So, we mentioned that but we also mention the success stories that we have. I mentioned the decreasing level of voluntarism; that is very significant.

One of the things I have found the Bill was lacking is the issue of support group mechanisms to make what is here—community support group mechanisms and the proper use of community centres to make a difference and to make sure that what is promised here is delivered. Because what I see here—and to accomplish what is there and to make these institutions, these children rehabilitation centers—you are now calling them total quality institutions—would require a significant community transformation, greater volunteerism and a greater level of motivation and leadership in the country who will have and model the

ability to unite rather than to divide.

Hello. “Dey” say the greatest challenge in 21st Century is embracing diversity, you know. This is a diverse country. And, therefore, our leaders on both sides of the political divide must show themselves as mentors and models to unite the society together, not polarize the society, and to show the value of pulling together. That, to my mind, is the greatest need of Trinidad and Tobago at this time.

I want to tell the folks and the Attorney General, he had to slip out again, let us be very careful about admitting people into the homes, crossing boundaries, taking pictures and that kind of thing. When I read the Bill that jumped out at me. I hope we have—and at the committee stage I will be making a point that we have great checks and balances in terms of admitting people into the homes. I agree with the decision to give permission, with proper supervision, for you to go and further the education. I agree with empowerment. I agree with the board management. I agree with the increase in size. I disagree with the fact that you leave out people with experience and who have a proven track record of ministering to people in homes. It could be people from churches, people from NGOs. I think that is a major lack in the Bill, Bro. Vice-President. It is important for us to look at what is taking place in the youth population.

In terms of people, you have to have serious background checks for those who lead these institutions and I want to see a greater emphasis on this. I want to see annual audits of these homes to check on what is going on. I want to see us have a master plan for the future of developing and producing leaders, both academically and experientially in running these homes. We have a bankruptcy in terms of leadership to respond to these homes.

You know I went to a YTEPP programme and I saw a retired soldier with a whip in his hand. That is how he was trying to control teenagers, and I wondered how he got there. Then I went to a Civilian Conservation Corps programme. The same mistakes we make in the past of thinking once you come from the army you could be a good National Security Minister is the same mistake we are making in terms of, Bro. Vice-President, leadership in some homes.

Some of the homes, like the one we started in Grande, the Heart Home, now called Casa de Corazòn. They came out of a heart. I will tell you, before I sit down, how that home came into existence. In the 1990s and the late 80s, we had people very, very concerned about getting AIDS. There was a lot of misinformation. “People feel by touching ah child dey could get AIDS”. And the hospital in the east in Grande there sent two children, all right, two and three years old, to the Port of Spain General Hospital. They sent them out. They did not want to even deal with them. And I said: “Yuh know something? We need homes to take care of children who nobody else wants to take care of.” And I repeat, Bro. Vice-President, children who are dysfunctional, who have low self-esteem, who are abused, who are depressed, all right, who have low coping mechanisms, they need a certain kind of individual with a certain kind of emotional and psychological profile to really do a good job. Otherwise the rehab homes will make them worse than better. What I am saying, they will come in a certain way and leave worse.

We compliment those who are doing the best that they could. But there is need to empower those with consistent training who are already there. And we have to prepare a new cadre of leaders for the next decade. And I want to see—we deserve to ask for a master plan for leadership training for the future of these

homes because a lot of the good leaders are dying out or retiring and that is very important.

I want to make two more points, folks. Let us think of the young people. Let us deal with the issue. Remember abuse is intergenerational. That is important to note. We need people with the skills and the heart. Thorough background checks must be made so we do not have people in the homes with a tendency to abuse children. That is very important.

Bro. Vice-President, in closing let me repeat. We need consistent training programmes for leaders. We need to have a solid in-service training programme which, of course, the Children's Authority may be the one to really deal with. And we need to train a new cadre of counsellors and social workers, with special emphasis with serving dysfunctional children and children whose self-esteem is rock-bottom low. I think also we must recall that we need a spiritual reengineering of the society.

I close off this way. You know, for years we have lamented over the fact of a male crisis in the society; for years. And I have made points in this country, at several institutions, whereby if we have a male crisis and we do not deal with it, it will spread across to the females. Amazingly, Dianne Pearce, so I am climaxing with this, wrote a book called the *Feminization of Poverty*, where she spoke about the absence of males and the immense responsibility of women. So the whole issue of poverty is very serious, and the role that women—and that is why some women give up their children, because they have to double up. They have to be both parents as Edith Clark said in her book, *My Mother Who Fathered Me*. All right? *My Mother Who Fathered Me*. That is why she said we have to pay attention to mothers, all right, who have to play the role of both mother and father.

I am yet to see a strategic plan to deal with this issue, and it is vitally important. That is why we have to have, within this law, strategically, a networking bridge between these institutions and a parenting network system because after the kids leave the rehabilitation centre they have to go back home. They have to go back to the society. They have to go back to their community. And unless we have effective measures—that is why I feel we must invest more resources in the transition homes. You know, look at it, it is important. All right? It is their last step before they enter the wider society and could cope with the wider society with the challenges of choosing a job, on having a career. I would like to see in these rehab centres greater emphasis on career development and career training and career selection. That is vitally important.

Bro. Vice-President, I want to say that I thank you for affording me this time and I hope that what we have said and when we come in the committee stage we could look at some of the recommendations that we have made. May God bless you. May God bless the Nation. [*Desk thumping*]

Sen. Garvin Simonette: Hon. Vice-President, thank you for permitting me the opportunity to contribute to this very important debate on what is, in effect, one element of a suite of legislative intervention by the Government to address the issue of crime and to improve the delivery of justice in the country and the adherence to good conduct and lawful behaviour.

Hon. Vice-President, the overarching policy and objective of The Miscellaneous Provisions (Supreme Court of Judicature and Children) Bill is the delivery of a suite of amendments, principally focused on recidivism in respect of child offenders, that is, interventions that are likely or highly likely to stem repeat offending and the hardening positions of child offenders into adult offenders.

I want to congratulate Sen. Pastor Dottin on his contribution. He spoke from a position of experience, from a position of having lived within the context of this issue as it existed in the past, recognizing the benefits of the legislative intervention now being made by the hon. Attorney General. I also want to congratulate my friend Sen. Ameen on the other side, who, in her contribution today, sought to identify areas for some improvement in what is being proposed.

The same, however, cannot be said of my learned friend—he is absent here—Sen. Ramdeen, who sought to condemn the initiative as being incapable, as one bullet solution, to solving crime. Nothing could be further more disappointing than that treatment of what is before this honourable House.

What we have seen of the approach being taken by this Government, by the Attorney General, is the intervention across the range of legislative instruments to attend the issue of crime. That intervention we saw with the DNA Act. We then saw the appointment of a permanent Commissioner of Police. And, we now have before us the establishment of the Criminal Division Court and the adjustments in the Magistracy, to unburden the Magistracy of certain traffic offences and the like; an approach that appreciates that there is no magic pill to solve the issue of chronic crime in the country.

So that when my learned friend, Sen. Ramdeen, refers to the solution of the witness protection Act or legislation, it is with a failure to acknowledge two things, firstly, there is no one bullet approach that is going to deliver a solution. And secondly, in relation to the accuracy of intervention in opposition or critique of what is being done by the hon. Attorney General, he failed to share with us that the Justice Protection Act, which is the Act that provides for the regime of witness protection, is law in Trinidad and Tobago. It is Chap. 5:33, and it was assented to

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in the year 2000, 27th October. It is legislation that was piloted by then Attorney General Ramesh Lawrence Maharaj. It is legislation that has not been operationalized fully since its assent, inclusive of the period in office of my learned friend, Sen. Ramdeen. Interestingly, that legislation, which I believe Sen. Ramdeen ought to have been aware of, he put forward as not being in existence or as being a priority to be brought into existence. The legislation requires serious and myriad intervention of the creation of structures within it that have not been attended to by successive Attorneys General since Attorney General Ramesh Maharaj.

It is, however, of interest that this Attorney General will shortly bring to this Parliament legislation to amend our Evidence Act to provide for the admissibility into evidence of anonymous whistleblower-type witnesses, as well as legislation to provide for the sequestration of ill-gotten gains, whether white collar, blue collar, penitent, priest or attorney.

Mr. Vice-President, it is also important to note that the amendment being sought, permitting for the increase in judges from 49 to 64 at the High Court level and from 12 to 15 at the appellate level ought not to be stymied on the basis of the current difficulties in the Judiciary or to await any admitted useful amendments to the manner in which judicial officers are appointed, which would require constitutional amendment.

My learned friend, Sen. Ramdeen, sought to refer to a study commissioned by the Law Association, with regard to reporting on judicial appointments. That study has not yet been discussed by the Law Association and has not accordingly become the subject of recommendation to the wider society. However, it is a very important study that the Law Association commissioned with the panel of

committee members indicating and interestingly benefiting from the contributions of many retired judges, as well as senior practitioners.

The study, I am reliably informed, does not—whilst it makes recommendations for improving the system for appointment of judges and the manner in which judges are to be appointed, can be an aid, when discussed, to persuade the current arrangements to apply some of the principles therein set out in the expanded appointments now being provided for by the amendment. It cannot be the case that Nero fiddles while Rome burns. Yes, we accept that the Judiciary is in some degree of difficulty with regard to recent events, but this is not a circumstance in which we have not found ourselves previously.

Prior to this, we did experience several conflicts, several areas of disputation, with regard to the Judiciary. It is worthy to reflect on some of that history. In our period after 1970, there was a delay by the then Government in the appointment of a Chief Justice. Following that, we had the Crane issue, where the de facto suspension of a High Court judge was challenged and the flawed proceedings for his removal were the subject of review in the courts.

We had the conflict between the Attorney General and Chief Justice on accountability of the Judiciary, which was a period in which I myself was a member of the council of my trade union, as I call it, the Law Association, ending with the Telfer Georges Report initiated by said Law Association. That conflict was brutal. I would suggest it raised very deep and serious issues regarding the manner in which the Judiciary interacted with the legal profession and the manner in which the Executive interacted with the Judiciary. That report of Justice Telfer Georges, deceased, I recommend as reading for all Senators embarked upon the exercise of oversight of any constitutional amendments to the processes for the

appointment of judicial officers.

Following that incident, we had the conflict between the profession and the Judiciary over the implementation of the Civil Proceedings Rules, again, one with which I was intimately involved. We were able, that is the profession, to press the Judiciary to accept and accommodate several useful amendments to what then was being proposed by what was called the Woolf Rules.

We have been at section 137 before in the regrettable scenarios regarding the impeachment or the process for impeachment of Chief Justice Sharma. So that, to bury our heads in the sand and say to make provision for expansion of the number of judges, which is predicated upon the patent overload of the Judiciary at this point and practitioners know and accept and members of the general public, who are the customers of the Judiciary know that notwithstanding the imposition of the CPR, the Civil Proceedings Rules since 2000, justice still grinds ahead far too slow.

One of the causes for that, one of the causes, not the only cause, but certainly one of the causes, is the fact that we are a highly litigious society and with the number of new cases being filed every year and docketed and allocated to judges, judges are burdened sometimes with as many as 50 cases, sometimes more, under their management.

Yes, the system requires further technological intervention to make it work. Yes, the system requires better management, as adumbrated by Sen. Elton Prescott Senior Counsel, but it cannot be ignored that the sheer volume of work can and requires a greater number of judges.

So that, the provision for that expansion is not expediency. It is logic. What is being reviewed is the manner in which the judges are appointed, the process for

appointing judges, the treatment of applications and the criteria for such elevation.

3.40 p.m.

The starting point, is indeed, I believe, the comprehensive review conducted by the committee appointed by the Law Association which has not yet been discussed. However, Sen. Ramdeen ventilated the existence of that report and quoted it to some extent.

I think it is important to share that that report, and the findings in that report, can be used by the current Judicial and Legal Service Commission to calibrate their approach to these new appointments. If even those appointments come before comprehensive constitutional reform of the process for the appointment of judges. And that is what is required in a mature environment that is productive in its behavioural deployment for change.

Not highlighting what is patently recognized as the flaws in the system, but understanding that the recommendations and the body of Commonwealth learning ought to be marshalled to influence the current office holders on the JLSC in their approach to the work that they are left to do prior to the intervention of, admittedly, relevant constitutional reform.

We have to do the best we can with what we have, and that is what Attorney General Al-Rawi is about; it is not a cavalier approach to just increasing numbers, it is not a dismissal of what is patently required in the long term. It is grappling with the issues today, so as to effect some degree of improved performance now, as opposed to down the road, when in this polarized environment, we hope that constitutional reform will be delivered to give us the Rolls-Royce model as opposed to a good working Cortina.

So that in the area of guidance to the current JLSC, no doubt the Law

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Association will speedily put to discussion its very considerable report on appointments of judges, resulting in a change of step of the current JLSC. A change of step, having recognized that the predecessors to the current commissioners fell into error in certain areas.

The other position that we find ourselves in is that the criticism raised of the suggestion or the proposal for recruitment from the wider Commonwealth. This opposition to the selection of judges from the Commonwealth requires some careful deliberation in my respectful view, if only because the concerns have been expressed by my learned friend and Senior Counsel, Mr. Elton Prescott, by reference to the criteria and conditions he cited for recruitment of judges to the CCJ. Now, let me start by saying this, that the expansion to drawing upon the Commonwealth Bar, or the Commonwealth judicial officers for assistance is salutary.

We have in Trinidad and Tobago certainly a limited resource, a limited reference to persons who would be considered eligible or qualified for this magnitude of expansion of the Judiciary.

But more importantly, we have always as a community, and by this I mean the Caricom Community or West Indian community, contributed into the wider Commonwealth at all levels. So that it is instructive that we are noted for having assisted West Africa in their pursuit of Independence. In this regard, the two Trinidadians of distinction and my learned friend Mr. Stephen Creese would support me on this, George Padmore and CLR James. They were leading guide-lights in the independence of Ghana and Nigeria. In the post-independence period of those countries, our own Ulric Cross served for many years as a judge in Ghana.

Hon. Al-Rawi: That is right.

Sen. G. Simonette: So where does it stand for us to say today that Commonwealth involvement in stabilizing and contributing to our judicial system is unacceptable on the ground of nationality? I would have thought that the pertinent issue is the criteria for an understanding of the law and the intellect to be applied in that area.

Notwithstanding, we can point to other recent Trinidadians or West Indian involvement in the wider Commonwealth, and I speak no less of Justice Telford Georges, a Dominican-Trinidadian, who served as Chief Justice of Tanzania, who served as Chief Justice in what then was the recently liberated Rhodesia that became Zimbabwe and who served throughout the Commonwealth as a judge. So that the bogeyman of the anti-Commonwealth argument, I hope we can put to rest without further ado.

Mr. Vice-President, in relation to the issue of Commonwealth qualifications as well, it is important to note that Trinidad and Tobago still retains the Privy Council as its highest Appellate Court. So, if the Privy Council can remain the highest Appellate Court, what is the objection to Commonwealth citizens with relevant legal training and qualification assisting us if our Judicial and Legal Service Commission chose to interview such persons?

Hon. Al-Rawi: Anyone from the Commonwealth can sit in the Privy Council.

Sen. G. Simonette: And Telford Georges—thank you Attorney General—sat as a Privy Councillor in the Privy Council as well. And anyone from the Commonwealth can sit at the Privy Council.

Hon. Al-Rawi: At our highest Court of Appeal.

Sen. G. Simonette: When one looks at scaling back on what the Commonwealth means, the very CCJ Act, referred to by my friend Sen. Prescott, treats with the

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establishment of the Regional Judicial and Legal Service Commission, and that commission which is the regional—it is called the—just give me one second. Yes, it is called the Regional Judicial and Legal Service Commission and that commission establishing the judges, and reviewing the judges to be appointed of the CCJ, itself provides for the appointment of Commonwealth Caribbean persons.

So that clearly, if provision is made as being pursued by the hon. Attorney General for there to be a wider access to Commonwealth citizens, we can expect that we would look to our own Commonwealth Caribbean pool as well. So that the concern expressed that such persons would not have an understanding of people and society, which was the position taken by my friend Sen. Prescott, would not really be appropriate in opposition to such an initiative in my respectful view.

In relation to the guiding principles that ought to be looked at, in relation to what is being recommended by the Committee appointed by the Law Association, it is important to note that they are keen to have equality of opportunity for all, which the statistics thus far indicate is reasonably complied with in the appointments so far. Appointments on merit, and that appropriate consideration be given to the need for the progressive attainment of gender equity and the removal of other historic factors of discrimination. And in Trinidad and Tobago, I think we have been able to achieve that balance in the appointments made thus far.

Mr. Vice-President, the clamour of opposition to the increase in numbers of judges is not being pursued by reference to the reality of the burdens in the Judiciary at the moment. And interestingly enough, the statistics support the concerns that judges are overloaded. For 2014/2015, which are the last statistics that I could unearth, as published by the Judiciary, we had 4,716 civil matters filed, with 811 of those not having been disposed of. In relation to the criminal filings

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and caseload, there were an average in 2014/2015, and these are capital cases—you had 129 filed of which 21 were capital offences and 108 non-capital, and the disposal rate was way under 50 per cent. With that type the statistic, what you can draw is this: that the appearance of justice being delivered is absent.

Hon. Al-Rawi: That is right.

Sen. G. Simonette: If cases are not resolved, and this applies to the civil and possibly more so to the criminal arena, cases left pending and unresolved raise the prospect of the law being viewed as irrelevant. Or put another way, there being no consequence for deviant behaviour.

So that the starting point has to be, in my respectful view, support for making it possible for there to be additional judges to relieve the logjam, to relieve the backlog of cases—

Mr. Vice-President: Senator, you have five minutes.

Sen. G. Simonette: Thank you, Mr. Vice-President—in promotion of the manner in which justice is administered.

Mr. Vice-President, there can be no doubt that the Judicial and Legal Service Commissioners—the Chief Justice; Ms. Maureen Manchouck, who is Chairman of the Public Service Commission; Senior Counsel Ernest Koylass; Madam Justice Charmaine Pemberton and Ms. Nicole Beaubrun-Toby—are challenged to reverse the impressions and the record of recent times of errors of the Judicial and Legal Service Commission. Nobody is running away from the reality of that task. Let such persons, let the commissioners reflect upon what the nation expects of them. Lift their approach to task and duty and with the support of the Attorney General and this Government start moving the process forward to achieving respect for the law and delivery of justice. I thank you, Mr. Vice-President. [*Desk thumping*]

Sen. Anita Haynes: [*Desk thumping*] Thank you, Mr. Vice-President. As I join the debate on this omnibus Bill, I just would like to put my contribution here today in some context. When the Attorney General moved the debate on this Bill, the Attorney General asked for our support and told us of the importance of the Bill. And I think there is no denying that this is an important piece of legislation, and that there are a lot of sections in it that are worthy of supporting moves in the right direction.

But, I would just like to go to Sen. Ramdeen's contribution, where he highlighted that we cannot use expedience and we cannot try to do things quickly and sacrifice doing things the right way. And the Opposition has time and time again said that we are willing to work with the Government to pass good law. But my fear is, after almost a year of sitting in the Senate, that the Government has weighed heavily on legislation being their main achievement after three years in Government. And so, what you will see happening is that we come here and we use the Parliament, and we pass laws without giving any real thought to the impact and how it affects the citizens of Trinidad and Tobago. That is to say, if what we do today in a few months will the Attorney General be able to report to us and give us an assessment saying this is how the delivery of justice, this is how the lives of our children have improved since the passage of this legislation.

And I bring that up, Mr. Vice-President, because what we are looking at here in this Bill, we are seeking to amend crucial pieces of legislation that form fundamentally the platform of our State's responsibilities and duties towards the children of Trinidad and Tobago. And because we are doing that, Mr. Vice-President, it is where I would like to urge a certain amount of caution and thoroughness that we look at the clauses in the Bill, and we really ensure that what

we are seeking to do will have a real impact on the lives of these children who are in this vulnerable situation.

And it took me back to when we were debating the Children's Community Residences (Rehabilitation Centres) Regulations earlier this year. At that time the Minister in the Office of the Prime Minister with the responsibility for Children and Children Affairs, the hon. Webster-Roy, said that the Government has a holistic plan to transform the child-care system in Trinidad and Tobago. And that we were going to be involved in this robust move to improve the system.

And in that debate, and why I brought it up, is because a number of Senators had recommendations for the community residences, rehabilitation centres—the Bill and the Regulations—and the Government and the Attorney General at that time said that we were not able to look at, to facilitate the amendments and the work at that time. But the Attorney General gave the undertaking saying, look at our robust legislative agenda and you know as a Government we are always willing to come back to the Parliament and say—but he had asked then for us to just start and if we were to just start we would go forward and we would be able to fix these things as we go along.

But then here we are, Mr. Vice-President, back and we are looking at some of the same pieces of legislation, the Children Act, the Children's Community Residences, Foster Care and Nurseries Act, where a number of recommendations and as I get into the meat of my contribution you will see that the recommendations that would have been made then have not been taken on board. And this was, I think, an ideal opportunity for us to revisit things like international best practices with respect to these children's rehabilitation centres, et cetera, and do the work necessary to really make a significant impact in the lives of our

children.

And, Mr. Vice-President, at that time the Attorney General lamented—and if you would allow me to just quote from the *Hansard*—that while he is on board with looking at international—

Mr. Vice-President: The date, Senator.

Sen. A. Haynes: Sorry, yes, the date is June 12, 2018, and this is in the debate on the Children’s Community Residences (Rehabilitation Centres) Regulations, 2018. And I am quoting the Attorney General, who said:

“In treating with children community residences rehabilitation centres, I”—have—“heard”—many colleagues—“refer to international best practice, and I do ascribe to the same philosophy that my learned”—as my learned colleagues—“that Trinidad and Tobago ought to adopt the most prudent and international best standard practice for itself.”

And the Attorney General goes on to say:

“But can we get there today immediately, particularly”—when we are looking at having—“the prisons manage children rehabilitation centres as this Motion allows”—and the—“international best practice has it somewhere else.”

And the reason I brought that into context is that Sen. Richards today had to bring up the same issues. Sen. Ameen today had to bring up the same issue as in, why are we seeking to amend the legislation and still today not seeking to go towards international best practice with regard to these centres? [*Desk thumping*]

So, you have to ask, are we simply doing things to get them done? Are we all being asked to participate in this national mamaguy where we come here day after day and we say to the nation, “Look at all this work that we are doing, too bad

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you cannot feel any difference or it has made no difference to you whatsoever”? And I feel that having been asked to participate and I will participate and I will give recommendations and I will go through the clauses but doing all of that and then knowing that despite having this platform and despite being in this Chamber, because of the way our system is set up, I cannot actually make a difference because the system does not allow us to make a difference in the lives. It is almost disheartening and I am sure it is even more disheartening for the people looking on, looking on at us day after day, coming here and doing things while they have to go about their day-to-day lives and the system is set up not to make a difference in their lives.

And, Mr. Vice-President, Sen. Richards, I think, started—and Sen. Ameen—started with the right approach as in when you look at this if you are, as the Minister in the Office of the Prime Minister had said, looking at a holistic plan to transform the child care system, the ideal place to start is at the beginning with prevention. And the office of Juvenile Justice and Delinquency Prevention, this is a study by the Yale-New Haven Teachers Institute, looking at rehabilitation and the control of juvenile delinquency offenders. They noted that what you ought to be doing is creating a specialized programme to treat with juvenile delinquents and you are looking at what creates a juvenile delinquent. So you are looking at child abuse and family disintegration, economic and social deprivation, low neighbourhood attachment, parental attitudes condoning law-violating behaviour, academic failure, truancy, school dropout rates, a lack of bonding with society, fighting with peers and anti-social behaviours in early life. And when you take that into consideration, and I have noted that the Government has stopped talking about their all-of- government approach, because that used to be the tagline and it

has withered away over time.

But I recall a Motion in this Senate brought by Sen. Mark that asked about what we were doing to stem school dropout rates. And it was treated in a very dismissive manner where no robust planning system was given and the Minister sought instead to look at the statistical data and insist that there was not a problem rather than focus on what the Government was doing to fix whatever problem may exist. And I think that is where we end up in this circular argument that whether or not we are admitting that we have an issue, we are admitting that we have a problem and that we are going to do something about it.

4.10 p.m.

So when I looked at the legislation in front of us, the Bill in front of us, there is the section that reads:

“The Commissioner of Prisons shall ensure that policies are prepared with respect to the following areas:”

—and this is important, because the Commissioner of Prisons is tasked with preparing:

“strategies for the rehabilitation and the reduction of recidivism of residents;”—and—

“training programmes for officers and residents of a Rehabilitation Centre;”

I will stop there for a minute, because how are we tasking the Commissioner of Prisons with creating these strategies? What in the job description of the Commissioner of Prisons allows him or her the expertise to create strategies for rehabilitation, but also training programmes for the officers and for the residents? So I go back to this New Haven Teachers Institute, because what they are doing, Mr. Vice-President, the institute has embarked on an entire four-unit programme to

train persons who work in centres. And not only that, but train persons who are in the juvenile delinquent system, who are part of the system, who may have run afoul of the law, but to train them to be peer mentors and peer teachers.

I think if at some point someone from the Government would speak to what we are doing in those areas, how we are looking at using Government funding and Government resources to increase the space for child welfare services that treat with areas of homeless youth and child abuse, and what we are doing and how we are building up the systems of the State to protect our children over time, then I think we would be more comfortable when we look at these pieces of legislation, and say, okay, well, it will have the desired impact. But as it stands, Mr. Vice-President, I really do not believe that we can be comforted that the system that we are setting up will treat the problem that we have identified that we need fixing.

When I listened to Sen. Richards, my mind went back to what Sen. Richards had raised before, and that I have raised before as well, that if you are going to take an approach to child justice and child justice reform that you have to be more thorough and be more detailed. I will give you an example of where I think the detail is lacking. There is a subsection in here which will repeal and it replaces the definition of the child care plan, and in a previous debate we had spoken about what this child care plan looks like. While it is a good idea, where is the space for things like psychometric testing? Where in the care plan are we actually looking to deliver to children the services that they need to become productive members of society? I raised it in a previous debate; I think Sen. Ramkissoon raised it and Sen. Mahabir raised it, and we were all promised that these things will be treated in the omnibus Bill that would come before us to deal with the Child Rehabilitation

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Centres, et cetera. It is not here. We are in fact putting in the same definition that we had recommended changes to, and they just simply have not been accepted. So on one hand you are telling us, yes, let us start somewhere, let us get something going and we will fix it as we go along, and here we have an opportunity to fix it and you are just not. So what, again, is the system that we are participating in?

The issue of specialists—this takes me to the Beijing Rules, which are the UN Standard Minimum Rules for the Administration of Juvenile Justice, known as the Beijing Rules. If you go to number 22 it talks about the need for professionalism and training, and it reads:

“Professional education, in-service training, refresher courses and other appropriate modes of instruction shall be utilized to establish and maintain the necessary professional competence of all personnel dealing with juvenile cases.”

That is the international standard, the international standard that our Attorney General admitted that we need to move towards. What is presented to us today is that we will put this under the remit of the Commissioner of Prisons, and then that is it. How are we to be comfortable after having made these recommendations in June of this year? And I am sure at different times in our different individual capacities, having made recommendations like these in different spaces, that we are now going to vote for this Bill, and it gives us the same thing. It gives us nothing new and nothing innovative, and nothing that we feel will really impact the lives of these children. So, as I started, I said it was disheartening, and it continues to be, I think, something that prevents us from lending our full support to a piece of legislation that really is not intended to change the lives of these children. [*Desk thumping*]

I am looking still at the amendments to the Children's Community Residences, Foster Homes and Nurseries Act, and there is a section that says:

“The Minister with responsibility for education shall, after consultation with the Commissioner of Prisons, appoint educational instructors, including special education instructors for a Rehabilitation Centre.”

I just want to figure out how in our system this would work, so is it that the Commissioner of Prisons approaches the Minister of Education and says, let me find some teachers, any teacher, to come into the juvenile detention centre and then utilize the programme that was previously devised by the Commissioner of Prisons. So you understand where I am going, this is not really designed to help, because one, what is the pool that you are looking at that the Minister of Education can pick educators from, is it teachers, any teacher? Are they looking at persons that will be specially trained to deal with the psychology of the children that you would be dealing with? How are you placing persons within the system?

Sen. Dottin in his contribution raised a number of ways in which you can move forward, and he spoke about one, volunteerism, and looking at how we get more people into the system, and I would like to suggest another way we can look at doing this if they were serious about using this all-of-Government approach. You have a number of students graduating who cannot find jobs. So you are going to university and you are getting degrees and then you do not find a space for yourself within the system, but here you have a space within the system. You need persons who are trained in psychology and trained in education, and so if we set up our system to work for our citizens then you can think, okay, you have a national scholarship programme where the Government offers students who excel in certain areas, offer more scholarships in areas that will fill positions like these, and this

looks like things like special education, child psychology, and then offer—and even if it is not a scholarship it can be done in the same way the American system of financial aid works, as in you get a financial aid from the state to go to university and then you come back and you work for the state, and that pays off your debt to the state over time. But you also have a job and you are a productive member of society, and you are making a difference in your society. So there are ways, Mr. Vice-President, for this to be done if you really wanted to have an impact, as opposed to if you just wanted a cheque or an achievement to say, okay, we have passed this, good to go, well done, and we pat ourselves on the back and then no difference happens.

So I think that this in particular, looking at who provides educational instruction, where the pool is coming from, where the specialist training is coming from, how the state facilitates this, and as we flesh out the details behind this, I think we could put a little more thinking and we can be a little more robust in our delivery of service to the people of Trinidad and Tobago. I would like to also note that on the point of specialist training, I know in the wider scope of who is in this system of caring for juvenile offenders, I had raised the point about specialist officers, and this is specialist police officers who are trained in dealing with children, and I was told that we do have the unit within the TTPS, the Child Protection Unit, and I knew that, but my question was, and it still is: What are the additional resources, or the resources that they are exposed to, to allow them to be efficient and effective at their job? Because despite what the Minister of National Security came here to say today, the Opposition is very much in support of the Trinidad and Tobago Police Service and the work that they do, [*Desk thumping*] and that we would like, as with any citizen, for the TTPS to succeed in their crime-

fighting activity and their crime prevention activity. But part of that, I think, comes from one, a policy position that this is where we will put our funding with respect to the TTPS, and this is how we will empower them to do a good job, and in the absence of those details, again, I think we are participating in a little bit of a mamaguy.

Going back to the legislation in front of me, it says:

“The Order for placement of a child shall be forwarded by the Court—

(a) in the case of a Children’s Home, to the Licensee; and

(b) in the case of a Rehabilitation Centre, to the Commissioner of Prisons,”

And going again, following the place this legislation has gone, the steps this legislation has gone through over time, I know that Sen. Chote had in a previous time raised the issue in terms of admittance into these spaces, and what do you do in cases of overcrowding and where are they going, and how are we treating with this. So you have it here again, and I saw the space for that, that you can now have temporary placements. They can be temporarily placed and that you have to go through the system, but let us think about how our system works in the real time. Is this what is really happening? How are going to assess the impact of the legislation on real time events? Sen. Dottin raised the point, as the social fabric and in times of recession, or when there is less money in the system you find more and more people going into children’s homes, and you have to beef up these spaces. You cannot live in la-la land and pretend that all is well in this country. You have to say, okay, this is what we are facing, this is how we make our systems more robust and more able to deal with the problems that we are facing.

Looking again at the guidelines for staff members, the legislation spoke

about the manager and ensuring that the manager of the Rehabilitation Centre meets specific guidelines, but what about everyone else that is in the system, everybody else that works in the system? How are we ensuring that the people who are in contact with these children are of the highest standards? Again, what is our employment pool? Who are we looking at to be in connection with children who may be of a more fragile, psychological nature at this point in the time, and in need of greater care, and of persons who you entrust these children with persons who are not just there to make a living but actually there to make a difference? I think that is something that we ought to be thinking about where we—how we design our systems to make a difference in the lives of these children. On the point of accountability, Sen. Ameen raised the point of the licence, you have the licence for two years, and Sen. Dottin raised the point of the robust auditing system, in Trinidad and Tobago I think we do not pay enough attention to continuous monitoring and evaluation.

So we will set up a system and you will put these things on a piece of paper and say, and then you just hope that everyone does the right thing, and that everybody acts the way they ought to. But if you put proper monitoring and evaluation systems in place and that also starts by having a means of assessing the success of the programme, the impact of your changes, or, as they rightly call it, impact assessments, then you can see that you make little tweaks here and there, and you make a move in the right direction, and you have a way to assess and judge the impact your changes are having. And what we have here, Mr. Vice-President, I think, a series of steps, but no robust auditing and monitoring, and evaluation systems, so we cannot say it has been successful. Sen. Ramdeen had raised the point in his contribution on the last day that Trinidad and Tobago is

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at this juncture where crime and criminality is our number one problem, and it is the number one problem facing the people of Trinidad and Tobago, if you start here with children who may be prone to criminal behaviour, and if you get this right you solve one of our biggest problems. So all of our efforts should be focused on getting these things right, and not getting it done quickly, but getting it done in a way that it treats our biggest problem.

Mr. Vice-President, I say that because when you look at where our focus is, it is all almost elementary in the way that we are putting it forward. There is no aspirational nature in the way we are setting up our systems. I remember in an earlier debate the Attorney General saying, yes, we can look at the videos of Norway and Finland, but we are simply not there yet, but what are the steps we are taking to get there? If in this debate we had been told these are the improvements to be physical structures of the Rehabilitation Centre, these are where we will have our training programmes taking place, these are the people that will be coming in to treat with our juvenile offenders, these are our special educators, this is our specially trained section of the police service and we have given them X and Y, then I think we would be a little more comforted in the fact that we are doing all that we could.

On that point of child psychology, and I think the point that others were trying to make is that the mere fact that you have a rehabilitation centre that is going to be run by a Commissioner of Prisons under a Superintendent of Prisons to be administered by prison officers, who, again, are not qualified in child care, not qualified in child psychology will tell you that you are creating a system where a person believes themselves to be a criminal and will act out in such a way. Unless we are more aspirational in our thinking, and we think how we can move Trinidad

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and Tobago forward, how can we do the things necessary, where can we get people involved in the process of reforming our entire society so that we have less juvenile offenders, and less people feeding into the system? Mr. Vice-President, what we are dealing with, what we are treating with is saving a next generation of Trinidadians and Tobagonians. We are looking at systems that will facilitate a better Trinidad and Tobago, and all the ideas I think that ought to be put forward we should be aspirational in our thinking. We should be looking at a big picture that is not just us checking boxes and making the most basic requirements, but we ought to be thinking, I think as leaders in society, of what the best possible version of this system and then doing the things we need to do together to create that. I think if that is done, and if we can see those things happening, the Attorney General and the Government will get the support that they need.

On the last occasion Sen. Ramdeen provided a packet of information, including all of the international best practices with respect to children. I still have the packet here today. I assume that the packet was not utilized in bringing these amendments before us, because if it were then you would find more and more people lending support to what we have before us. You would also find that a number of the questions raised by Sen. Ameen would have been answered, because when you look at what is the policy on punishment, et cetera, these kinds of things they would have been answered in the legislation had they taken on board the considerations that were raised at an earlier date.

So, Mr. Vice-President, my central point is that as we look towards bringing this piece of legislation and since we are making these robust amendments, we can take into consideration the amendments that were put forward before on how to make the system work for the children of Trinidad and Tobago, and in doing that

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we would have a better system put forward, and we would directly impact the lives of the people of Trinidad and Tobago. I thank you. [*Desk thumping*]

Mr. Vice-President: Leader of Government Business.

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you, Mr. Vice-President. Mr. Vice-President, I beg to move that this Senate do now adjourn to Tuesday 18 September, 2018, at 1.30 p.m. During that sitting we plan to complete this debate and carry it through all its stages.

Mr. Vice-President: Hon. Senators, before I put the question, just a notification that when you are exiting the building, if you are exiting through the Members' entrance, that the lift is non-operational at this point so just please take the stairs when you are exiting. That is also for visiting members as well.

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 4.32 p.m.