



REPUBLIC OF TRINIDAD AND TOBAGO

Debates of the House of Representatives

5th Session – 10th Parliament (Rep.) – Volume 33 – Number 19

**OFFICIAL REPORT
(HANSARD)**

THE HONOURABLE WADE MARK
SPEAKER

THE HONOURABLE NELA KHAN
DEPUTY SPEAKER

Wednesday 21st January, 2015

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HOUSE OF REPRESENTATIVES*Wednesday, January 21, 2015*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I have received communication from Mr. Colm Imbert, Member of Parliament for Diego Martin North/East who has asked to be excused from sittings of the House during the period January 20—23, 2015. The leave which the Member seeks is granted.

PAPERS LAID

1. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2001. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2002. [*Hon. R. Indarsingh*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2003. [*Hon. R. Indarsingh*]
4. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2004. [*Hon. R. Indarsingh*]
5. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2005. [*Hon. R. Indarsingh*]
6. Annual Audited Financial Statements of the National Trust of Trinidad and Tobago for the year ended September 30, 2013. [*Hon. R. Indarsingh*]
Papers 1 to 6 to be referred to the Public Accounts Committee.
7. Annual Audited Financial Statements of the National Helicopter Services Limited for the year ended September 30, 2013. [*Hon. R. Indarsingh*]

Papers Laid

Wednesday, January 21, 2015

8. Audited Financial Statements of Youth Training and Employment Partnership Programme Limited (YTEPP) for the financial year ended September 30, 2012. [*Hon. R. Indarsingh*]
Papers 7 and 8 to be referred to the Public Accounts (Enterprises) Committee.
9. Audited Financial Statements of the Trinidad and Tobago Electricity Commission for the year ended December 31, 2013. [*Hon. R. Indarsingh*]
To be referred to the Public Accounts Committee.
10. Proceeds of Crime (Prescribed Form) Regulations, 2015. [*Hon. R. Indarsingh*]
11. Annual Report of the National Trust of Trinidad and Tobago for the year ended September 30, 2013. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
12. Framework for Developing the Outreach and Communication Strategy of the Parliament of the Republic of Trinidad and Tobago. [*The Deputy Speaker (Mrs. Nela Khan)*]
13. Assessment Report of the Constituency Relations of the Parliament of the Republic of Trinidad and Tobago. [*Mrs. N. Khan*]

JOINT SELECT COMMITTEE REPORT

**Ministries, Statutory Authorities and
State Enterprises (Group 2)
(Presentation)**

Mr. Fitzgerald Jeffrey (*La Brea*): Mr. Speaker, I beg to present the following report:

Eighteenth Report of Joint Select Committee on Ministries appointed to inquire into and report on Government Ministries (Group 2), and on Statutory Authorities and State Enterprises falling under their purview on the Inquiry into the Administration and Operations of the Government Human Resources Services Company Limited (GHRS).

PRIME MINISTER'S QUESTIONS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, may I ask that the Prime Minister's Questions be deferred to after the responses to the oral questions, please?

Mrs. Persad-Bissessar SC: We just got sight of these questions.

Hon. Dr. R. Moonilal: We would like to move that the questions be deferred until after the answering of the oral questions on the Order Paper which will take us just about 10 or 15 minutes more.

Mr. Speaker: Hon. Members, the Leader of Government Business has made a request and with the indulgence of the House, because of the importance of this particular item, I would seek the House's indulgence and we can return to this item as soon as we complete the item that the Member has referred to, which is Questions for Oral Answers.

Dr. Rowley: Mr. Speaker, before you put it to the floor, may I crave your indulgence? This is quite unusual. Is it that we are following the Standing Orders and is it that the Members on the other side are indicating that there was some breakdown in the arrangement which is now causing them to plead in the House that they have only just got sight of questions? What has happened here? We would like to have it cleared up before we vote.

Mr. Speaker: Well, we do not want a debate on this matter. What I am suggesting is that a question has been put before us that the House is seeking the indulgence or the House is being sought to have the Prime Minister's Questions time just be deferred temporarily because of the fact that the Members would like a little more time to confer. So, I do not think we should debate on it too much. And as soon as the oral questions have been addressed, we shall immediately return to Prime Minister's Questions time.

Dr. Rowley: Mr. Speaker, can I seek your indulgence again? I am not talking about a debate, I am not asking for a debate, I am simply—[*Crosstalk*]

Mr. Speaker: Please!

Dr. Rowley: Mr. Speaker, could you control the Member for Oropouche East?

Mr. Speaker: Yes, Member for Oropouche East, please.

Dr. Rowley: All I am saying, Mr. Speaker, having heard from the Member for Oropouche East, Leader of Government Business, that the reason for this is that he just got sight of it. We have 13 questions on the Order Paper in keeping with the Standing Orders. How could he now be pleading he just got sight of the question? That is all I am asking.

Hon. Dr. R. Moonilal: Mr. Speaker, look, this is a very simple matter. There are 13 questions here that have been presented. Minutes before the sitting here, we have received the 13 questions. The Government tries its best to get accurate information to answer 13 questions. There are questions here that call for some detail, some type of research. Is the Member saying “he wish” that the Government will get up and “extempo” answers and present answers that may not be precise and accurate?

All we are asking is for a few minutes after the oral questions so we can get to the 13 questions and have information that is accurate and as precise as possible to respond to 13 questions that call for, in some cases, financial details and information. That is all.

Mr. Speaker: Okay, all right. May I suggest before we go to oral questions, we have Urgent Questions that comes before oral questions. So, could we take Urgent Questions and then we can look at the oral and return to Prime Minister's Questions? [*Crosstalk*] Hon. Members, we are under Urgent Questions, so I will ask the hon. Member for Point Fortin to put a question.

Miss Mc Donald: Mr. Speaker, before the hon. Member for Point Fortin responds, I do not think that we are yet clear on exactly why we are not dealing with Prime Minister's Questions time. In accordance with the Standing Orders which were approved by this House, we are supposed to submit questions at least one hour prior [*Desk thumping*] to the sitting of this Parliament.

Mr. Speaker, each person submitted their questions in accordance with the Standing Orders, in accordance with the time permitted, and I find it passing strange that the Leader of Government Business, my colleague from Oropouche East, could say they have just had sight of it; just minutes before, sight. These questions were all in on time, an hour before the sitting. In some instances, more than an hour before. I crave your indulgence here. Clarification, Sir.

Mrs. Persad-Bissessar SC: Mr. Speaker, given the time that we have taken for the other side to raise the objections and so on and the back and forth, I think I have had enough time. [*Desk thumping*] I will try my best in the circumstances to give as accurate information as I can to these questions, and what information I have not been able to obtain yet, will be presented at another stage and I thank you very much for your indulgence, Mr. Speaker, and Members of the House. Thank you very much. [*Desk thumping*]

Mr. Speaker: The hon. Leader of the Opposition, we return to the Prime Minister's Questions time, your question.

Dr. Rowley: We return to the Order Paper.

Mr. Speaker: To the Order Paper.

Dr. Rowley: Thank you, Sir.

Mr. Speaker: Yes, you are on the floor now.

**Post-Cabinet Press Conference
(Attorney General's Appearance)**

Dr. Keith Rowley (*Diego Martin West*): Thank you very much, Mr. Speaker. Did the appearance of the Attorney General in the post-Cabinet press conference last Thursday, January 15, 2015, to announce a judgment of the High Court in his private matter in his favour, have the approval of the Prime Minister and/or the Cabinet?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Thank you very much, Mr. Speaker. The answer to question one is as follows: persons are selected for the post-Cabinet briefing by the Minister of Communications. As such, neither the Prime Minister nor the Cabinet is required to approve an individual's attendance at the post-Cabinet briefing.

Dr. Rowley: Was the Prime Minister aware that the Attorney General would be speaking at the Cabinet press conference on matters of a private nature which relate to operations in the Judiciary?

Hon. K. Persad-Bissessar SC: Thank you, Mr. Speaker. Yes, the Prime Minister was aware that he had been selected as one of the Members to make a presentation at the post-Cab briefing.

Dr. Rowley: And was the Prime Minister aware of the subject that he would be addressing?

Hon. K. Persad-Bissessar SC: The Prime Minister was aware that he would be addressing a matter relating to the fraudulent emails that had been alleged in this House, [*Desk thumping*] and therefore felt it very necessary and very important that the matter should be dealt with at the post-Cab.

Dr. Rowley: And having said that, is the Prime Minister aware that the outcome of that development of the Attorney General arising before the press conference is now a matter that is heading towards a criminal investigation with respect to the perversion of justice?

1.45 p.m.

Hon. K. Persad-Bissessar SC: Hon. Speaker, I have no knowledge of what is under criminal investigation and, therefore, I cannot say. I am not in the police service and the police has not advised us there is any such criminal investigation. Again, are these again allegations being made in this House without any substance, without any evidence? [*Desk thumping*] Aspersion have been cast time after time. I have no knowledge or information that there is any criminal investigation which has to deal with the perversion of justice with respect to the Attorney General. Look at the language, aspersion.

Mr. Speaker: We go to question 2 because we have 13. If we go with four supplementary we will have to cut by half. Would you like to go with your fourth?

Dr. Rowley: Mr. Speaker, I am on two.

Mr. Speaker: Would you like to go with your fourth supplemental?

Dr. Rowley: No, no she answered the question. She is not aware.

Mr. Speaker: Okay. The hon. Leader of the Opposition.

**Extension of Defence Force Service
(Kenrick Maharaj)**

Dr. Keith Rowley (*Diego Martin West*): Thank you very much, Mr. Speaker. With respect to the extension of the service of Officer Kenrick Maharaj of the Defence Force, what was the extenuating circumstance which warranted his retention as Head of the Defence Force even though he had reached the compulsory retirement age as required by law?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Thank you, hon. Speaker. First of all, let us make it very clear, this is not the first time that such a case has arisen and, therefore, perhaps, that should be put on record. I think it was Major General Williams had been extended for some time and I believe Joseph Theodore had also been extended.

That on the record, secondly, two other factors come into play. One is that all members of the Defence Force will benefit with extensions of time, and thirdly there was a study done by consultants which recommended such a move be made for extending the retirement age. That was done under the previous administration. Of course they never implemented it. Fourthly, this is the practice in other jurisdictions to keep officers with experience, and so on.

Having said that, what are the extenuating circumstances? We should note that Brigadier General Maharaj has a critical role to play with revision to these very same compulsory retirement ages and ranks.

Further, he plays an integral part in several key national security responses, all of which require optimal staff structure for the Defence Force, in the short, medium and the long-term. It is to be noted that several of these projects are at a critical juncture and completion would be greatly assisted by his staying on. These include the development, conceptualization and implementation in the following national security projects: Ministry of Defence, newly created joint military headquarters, national counterterrorism policy and strategy following up on the United Nations Resolution, a regional think-tank advisory group to advise the Office of the Prime Minister and Trinidad and Tobago, which has an overview of regional security matters, threats and challenges affecting our region as a whole.

In addition—yes these are the matters, hon. Speaker, and I thank you very much.

Dr. Rowley: Since the Prime Minister has raised some report of great vintage and also has informed us that Officer Theodore was extended, could I correct, just for the record, Mr. Speaker, that the extensions in the Defence Force were at the last 25 years ago and it was not Theodore. It was the first two when we had no officer corps and for 25 years we have not done what has happened here and since it is against an old report, how come this was done only a matter of hours before Officer Maharaj was due to leave his post?

Hon. K. Persad-Bissessar SC: I am not sure what is the question because that was a long statement made prior to the question. I repeat, the answer that I have given, hon. Speaker. Should a further question be posed to us we will try to get the information and provide the relevant answers.

Dr. Rowley: The question is still there. Given the basis on which the action was taken, I am asking, question: how come this only arose a matter of hours before Officer Maharaj was due to leave his post?

Hon. K. Persad-Bissessar SC: I am not sure what you are saying, it arose a matter of hours? What arose a matter of hours?

Dr. Rowley: The action of the Government, the Cabinet action of last Thursday as reported last Thursday where his term of office was extended, he was due to leave a few hours later, I think it was Monday was his last day or Sunday and on Thursday the Cabinet took the decision. I am asking: what was the reason

for it being done at that time? And I was correcting the record, with the Speaker's clearance that the statement you made about Mr. Theodore and others being extended, not being entirely correct because I am not aware that Mr. Theodore was extended as you have done with your Government.

Hon. K. Persad-Bissessar SC: Sure, well we will look into that to get further information. We had looked at—before we went to the Cabinet on Thursday. Please understand when you go to the Cabinet on a Thursday your work does not begin on that Thursday, it starts prior to that. And, therefore, research had been done and was being done prior to that in order to effect a policy decision to make sure that we were following precedent and protocol, with respect to the matter. So, if the decision was made on that specific Thursday, the prep work for that was long prior to that particular day of the decision in the Cabinet.

Mr. Warner: Mr. Speaker, I merely wanted to correct the Prime Minister also because—*[Interruption]*

Mr. Speaker: No, no, no.

Mr. Warner: I have no question, Sir. I have no questions.

Mr. Speaker: We are asking supplemental. All right continue, Leader of the Opposition.

Dr. Rowley: Is the Prime Minister aware of the knock-on effect, with respect to the suppression of the promotions of officers and other ranks within the service by this act of retention of Officer Maharaj?

Hon. K. Persad-Bissessar SC: Certainly, sure, we looked at that knock-on effect and it is a great knock-on effect, because everyone is going to have the benefit of that extension. *[Desk thumping]* When that retirement age is increased it is done by order. I do believe the order has been prepared. I am not certain, as I speak, if it has already been gazetted. So, yes, the knock-on effect was considered. I am told that this would allow all officers to benefit and I am further told by the Minister of National Security that in consultation with those in the Defence Force, that they had agreed to this measure being undertaken.

Comfort Security Officers (Powers and Immunities of)

Dr. Keith Rowley (*Diego Martin West*): Can the Prime Minister advise this House what powers and immunities do comfort security officers have as they carry out some kind of police activities?

The Prime Minister (**Hon. Kamla Persad-Bissessar SC**): Thank you again. These comfort security officers do not carry licensed guns. They did not have the

powers of arrest as provided under the Criminal Law Act, Chap. 10:04. Their duties include making an arrest where they suspect someone to be in the act of committing an arrestable offence, to make an arrest where they suspect someone to have committed an arrestable offence and to use reasonable force in the prevention of crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders.

That is not in my information, but if my memory serves me right, in other words not having the immunities given under the Criminal Law Act as persons carrying licensed firearms, they would have common-law immunities with respect to if they arrest someone on suspicion of committing an arrestable offence or having committed one, where they suspect, there is reasonable suspicion that someone is about to commit an offence, or where, again on reasonable suspicion, someone has committed an arrestable offence and to use reasonable force to prevent crime in effecting or assisting in the lawful arrest. Thank you.

Dr. Rowley: How are these persons recruited and were they screened to ensure that they meet the standards of persons who have been given that kind of authority?

Hon. K. Persad-Bissessar SC: Hon. Speaker, certainly, I will get that information in further time. Perhaps I would request the Minister of National Security to present the additional information requested, which I do not have with me at this point in time.

Mr. Deyalsingh: Thank you, Mr. Speaker. Hon. Prime Minister, have these comfort police been trained in what constitutes reasonable force in apprehending a civilian?

Hon. K. Persad-Bissessar SC: Certainly, I would want to believe that is so, they would have been trained. Again, I can ask the Minister of National Security to give details of the type of training that they would have received.

Approved Debt Ceiling (Available Local Quantum of Borrowing)

Dr. Keith Rowley (*Diego Martin West*): Can the Prime Minister state what is the quantum of borrowing in Trinidad and Tobago dollars still available to the Government, which will keep the Minister of Finance and the Economy within the debt ceiling as approved by the Parliament?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Answer to question 4: the quantum of borrowing in Trinidad and Tobago dollars still available to the Government, which will keep the Minister of Finance and the Economy within the debt ceiling approved by Parliament, the remaining limit on

the debt ceiling is about \$3.8 billion as at January 13. The available limit under the guarantee of loans, \$1.1 billion; available limit under the development loans, \$1.9 billion; and the available limit under external loans, TT \$0.8 billion.

Dr. Rowley: Given that room under the debt ceiling, is the Prime Minister—
[*Interruption*]

Hon. K. Persad-Bissessar SC: Given that?

Dr. K. Rowley:—availability under the debt ceiling, is the Prime Minister able to tell us what quantum of borrowing the Government is embarking upon now, in the face of oil revenue collapse?

Hon. K. Persad-Bissessar SC: Again, hon. Speaker, I would need to seek that information from the hon. Minister of Finance and the Economy and would be happy to ask the Minister of Finance and the Economy to provide such information at a later date.

Clico/Methanol Shares Sale Moneys (Intention to spend in Current Account)

Dr. Keith Rowley (*Diego Martin West*): Is the Government going ahead with its stated intention to spend in the current account in fiscal 2015, moneys obtained from the recent sale of the Clico/Methanol shares? If so, can the Prime Minister state how much and under what specific Heads of expenditure?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): The funds that we received from the sale of the MHTL shares, these have been placed, as I answered the question previously saying that we have placed it in the Statutory Fund held by the Central Bank and will be distributed after the portfolios of Clico are sold by the Central Bank.

Cabinet took a decision last year that the proceeds of the sale, when it eventually comes to Government, because it has not come to Government, as I say it is in the Statutory Fund, that it would be used to reduce debt.

Dr. Rowley: Am I to understand from the Prime Minister that none of that money would be used in support of fiscal operations of 2015 as in Heads of expenditure for consumption?

Hon. K. Persad-Bissessar SC: There is no policy decision at this point in time to utilize any of that money in the Statutory Fund coming from the MHTL shares for expenditure as being described by the hon. Leader of the Opposition.

Dr. Rowley: Given the nature of the origin of this situation where Clico policyholders have been issued Government paper as Treasury Bonds and now that Clico assets have been monetized, is it not reasonable for the Government to

assume that such payments should be made to discharge those liabilities to Clico policyholders thereby bringing down the public debt and satisfying their policyholders?

Hon. K. Persad-Bissessar SC: I did say that we will use it, when it eventually becomes available, for reducing debt.

However, hon. Speaker, we want to remember the genesis of this matter. We inherited a deep hole in the Treasury coming out as a result of the fiasco of this whole CL Financial/Clico matter. We have been able to manage it thus far. We will continue so to manage it. We do not intend to fire sale the assets. We will continue to monitor and review, to utilize whatever funding comes back out of it in the best way possible for the benefit of the people of Trinidad and Tobago. [*Desk thumping*]

Dr. Rowley: Given that we have substantial cash in hand residing in Central Bank on this matter, am I to understand that the Prime Minister is saying that until all the assets have been dealt with that there would be no action with respect to distribution or disbursements of these funds in any form or fashion?

Hon. K. Persad-Bissessar SC: Through you, hon. Leader of the Opposition, at no point did I say until all the assets are monetized or realized we will do X or Y or P or Q. Those were not my words. I said we will look to the assets. Cabinet took the decision that the proceeds of the sale when they eventually come to Government of the sale.

Now, that is an ongoing programme. There is an entire policy that will take me more than the two minutes I have for this answer. So once again, it is a very good piece of information for the public and again I would ask the hon. Minister of Finance and the Economy, perhaps, to make a statement on what is the Government's policy and programme with respect to this Clico/MHTL matter and with respect to Clico as a whole, what is the programme, what are the policies, and its strategies for dealing with that problem we inherited.

Dr. Rowley: Given the fact that the Parliament was involved in this bail out, now that these funds are coming back to the Government, could the Prime Minister undertake to give the Parliament advanced or timely knowledge of any disposal of these moneys coming from these sales?

2.00 p.m.

Hon. K. Persad-Bissessar SC: I am sorry, can you—

Dr. Rowley: Would the Parliament be advised when the Government decides to dispose of the cash that is coming in, as you disposed of the Clico assets, given that the Parliament was involved in the bailout at the beginning?

Hon. K. Persad-Bissessar SC: Hon. Speaker, we will use the normal reporting channels to inform the public, and the parliamentarians, as the case may be. We will use the established normal reporting mechanisms in this regard. When we come to do the budget statements, for example, we give a review of what has happened, if it is things have happened prior to that. We have midterm reviews. We have several things happening. So we will use the normal protocol arrangements, regulatory arrangements to report on this matter.

Constituency Development Fund (Implementation of)

Dr. Keith Rowley (*Diego Martin West*): Does the Prime Minister still intend to implement the Constituency Development Fund, and if so, where is the allocation coming from to fund this venture?

The Prime Minister (**Hon. Kamla Persad-Bissessar SC**): This fund, hon. Speaker, really offers an opportunity to address the main challenges and deficiencies within the Local Government system of Trinidad and Tobago, and of course, the empowering of MPs, where we had said in a policy decision that this fund would be used for each MP to be able to select high priority projects for implementation. This fund in my respectful view is an idea that is a good one that has come in time for implementation, however, it is predicated upon appropriate legislation and regulations. Therefore, even though the allocation has been made in fiscal 2014/15, in the last budget statement. In fact, if my memory serves me right, there was an allocation and a line item under the Ministry of Finance and the Economy. If I am not mistaken, it is the Ministry of Finance and the Economy. Again, I did not have enough time to check it. It is either under the Ministry of Finance and the Economy or the Ministry of Local Government, there is a line item for the Constituency Development Fund. I believe it was about \$410 million. So each constituency, 41 constituencies at \$10 million per constituency.

Now, for that to be implemented properly, appropriately, transparently and with accountability, we would need the legislation to be put in place. So, therefore, at this point in time there is no legislation. Should the legislation be approved by this Parliament and the regulations, we can then proceed to look to implementation of that CDF.

**Federation Park Villas
(Government's Intention to Sell)**

Dr. Keith Rowley (*Diego Martin West*): Can the Prime Minister advise whether the Government is taking any steps or intends to take steps to sell any of the units of Federation Villas of Federation Park?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): The answer is a simple, no.

**Prime Minister's Christmas Toy Drive
(Suppliers of Toys)**

Dr. Keith Rowley (*Diego Martin West*): Could the Prime Minister indicate who were the generous donors, who supplied the toys for the Prime Minister's Christmas toy drive? What is the approximate total cost of these toys and the associated cost of the distribution?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Hon. Leader, I have spoken of this in the public domain. This was not a Government initiative utilizing Government funding. Therefore, that question will be properly addressed to those members of the committee who dealt with that matter.

Dr. Rowley: Has any public staff from any Ministry or government agency been involved in the distribution of this stuff, under the heading of the Prime Minister's toy drive?

Hon. K. Persad-Bissessar SC: I would need to understand the hon. Leader of the Opposition's interpretation of what is a "public staff", and then I can better answer that. In any case, I do not have that information before me. It is something that I will have to source and find out.

Dr. Rowley: My definition of "public staff" means any person paid by the State, people on Government payroll. Were any such persons involved in this venture for which the Prime Minister is claiming she knows nothing about, in terms of who is doing it? It is a simple question. Was any publicly paid staff involved in the distribution or anything—

Hon. K. Persad-Bissessar SC: Hon. Speaker, of course, all the People's Partnership MPs were involved. [*Desk thumping*]

Dr. Rowley: Were any public officers as per—[*Interruption*] Mr. Speaker, this is not a laughing matter, and I will just like the Prime Minister to treat it seriously. Were any public servants or employees of any state enterprise who are

on taxpayers' payroll, involved in this matter which seems to have a ghost origin?

Hon. K. Persad-Bissessar SC: To the best of my knowledge, the persons who served and assisted in this matter did so voluntarily, they were not paid Government funding to assist in any way. [*Desk thumping*] I am sure the hon. Leader of the Opposition, when he held a senior citizens' luncheon or dinner at Balisier House, I am sure he had PNM MPs helping him, and other persons who would have been paid by Government funding.

I am sure when the hon. Member of Parliament for Laventille East/Morvant had her toy distribution and so on, she would have had persons who assisted. They may have been paid by Government not for that, but they—but the hon. Member for Laventille East/Morvant is paid by Government, as all the MPs here, [*Laughter*] but you did it voluntarily through other volunteers.

The hon. Member for Chaguanas West, I also saw very happily “Santa Clausing”, distributing toys. He also had persons who helped him.

Mr. Warner: I tried to match you.

Hon. K. Persad-Bissessar SC: And therefore—you try to match me, yes. Well, at one time you were very much on my side, helping to distribute toys. [*Desk thumping and laughter*] Perhaps one day we may see that time come again, side by side, distributing toys. [*Desk thumping*] So again, whatever work was done, whether they were paid by the public or not, they did it voluntarily, again, out of the goodness of their heart in the spirit of cheer and a giving that is Christmas.

Dr. Rowley: Mr. Speaker—[*Interruption*]

Mr. Speaker: Final.

Dr. Rowley: Final. Mr. Speaker, just to assist the Prime Minister for the final question. Persons who engage in PNM activities, the difference between that and the question I am asking the Prime Minister about public officers, is that the people who were engaged in the PNM activities, they all admit to knowing where the toys came from and who the suppliers were, [*Desk thumping*] which is quite different from the Prime Minister who is not prepared to tell us who are the suppliers of the toys.

Mr. Speaker: That is a statement you are making. All right. We now go to the Member for Chaguanas West.

State Agencies
(Timely Submission of Financial Statements)

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. In view of the difficult economic times facing the economy of Trinidad and Tobago, and the need to account for every penny spent, what steps is the Prime Minister taking to ensure compliance by the Agricultural Development Bank and the Chaguaramas Development Authority, as well as other state agencies to submit timely financial statements?

The Prime Minister (Hon. K. Persad-Bissessar SC): In 2010 it was discovered no audits had been done between the years, or throughout the years 2000 and 2009. The Auditor General was called in to deal with the situation, and on January 28, 2015 the Auditor General will begin audit 2012 and 2013. The State Enterprise Division of the Ministry of Finance and the Economy has assigned officers to follow up each state enterprise to ensure compliance.

Mr. Warner: Mr. Speaker, between 2010 and 2015, there was no audit at the ADB and the CDA? I am not quite sure I understand it.

Hon. K. Persad-Bissessar SC: Again, I would need to seek further information from the relevant agency, and we can provide it at a later point. Thank you, hon. Speaker.

Mr. Speaker: We go now to the hon. Member for Diego Martin Central.

Consolidation of Cabinet Positions

Dr. Amery Browne (*Diego Martin Central*): Thank you. Question to the Prime Minister. To what extent has the Prime Minister considered consolidation of any Cabinet position, given the downturn in our national revenues, and what is the time frame for implementation of any such decision?

The Prime Minister Hon. (Kamla Persad-Bissessar SC): Thank you. At this time, consolidation of Cabinet positions is not being considered. However, I want to make it very clear, my Government will be reviewing all PSIP and recurrent expenditure on a continuous basis. As I have said before, we are aiming to save approximately \$4.5 billion with cuts in expenditure and goods and services, as well as a reduction in transfers to state enterprises, statutory bodies and similar bodies. In total, we are aiming to save \$1.4 billion, with the cuts in goods and service, which comprise among other areas, promotions and publicity, janitorial services, training, official entertainment, as well as other contracted services.

With respect to reduction in transfers to state enterprises and statutory bodies, and similar bodies, we expect that our review could result in a saving of \$1.6 billion. We have also identified cuts in other areas, expenditure totalling about \$500 million. So there will be a total of about \$3.5 billion in cuts in expenditure, and added to that, will be the petroleum subsidy moneys which we no longer have to put out as a result of the decreased prices. I am told year on that should be about \$2 billion, an additional \$2 billion will come in.

So the shortfall thus far about \$4.5 billion given our projected prices of assumptions of gas on annualized average, \$2.25 per MMBtu, and for oil assumption of \$45, annualized average. Given those circumstances, \$4.5 billion in shortfall, we recover as I just explained plus the subsidy, we no longer have to expend which should be about \$2 billion. I am told at the moment they were working at \$1.4 billion which I had mentioned before.

Then I was told that the NP sales when they calculated, NP sales of petroleum and diesel and so on, that was looking at about \$1.7 billion in the subsidy, and then that excluded something called Unipet, they also have some. I have asked them to give me the Unipet, and they are estimating a savings on the petroleum subsidy of about \$2 billion. So we should be able to make up the shortfall in that manner.

Dr. Browne: Thank you for that wealth of information. Without prejudice to any of that, and with respect to the question asked, given the record size of this Cabinet, is it that the Prime Minister has already considered consolidation and has decided not to move forward with that? Or is that an analysis that is yet to occur?

Hon. K. Persad-Bissessar SC: I am sure you would very much like to see me cut all these Ministers, but that is not going to happen, that is not a matter before the consideration of my good self in the capacity of Prime Minister.

Mr. Speaker: Three more questions, and we have three more minutes. So we go to the Member for St. Joseph, please.

Recovery of Moneys Paid to Contractors

Mr. Terrence Deyalsingh (*St. Joseph*): Thank you, Mr. Speaker. Question to the hon. Prime Minister. Can the hon. Prime Minister state if any attempts are being made to recover the moneys paid to contractors identified in the report from the Central Audit Committee, of the Ministry of Finance and the Economy, for works not performed in the amount of \$34 million paid to EBeam Interact Limited, and \$5,619,250 to Allsnorth General Contractors?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Hon. Mr. Speaker, the question itself, I think, took two minutes of the three, but I would try to be as brief as I can. A legal opinion has been sought from senior counsel and thus, we believe it is imprudent for us at this time to comment on the matter which is receiving legal attention, lest the outcome be in some way prejudicial to such legal matters.

[Mr. Deyalsingh attempts to stand]

Mr. Speaker: No.

Mr. Deyalsingh: No?

Mr. Speaker: I think we have reached our time. We now go to Urgent Questions.

Dr. Moonilal: Mr. Speaker, given the very serious concern and urgency of the Member for Diego Martin West, I beg to move a Motion that we continue this, so the Prime Minister will answer all the questions posed by the Leader of the Opposition, and those in Opposition. *[Desk thumping]* Could we please continue? It is not the Standing Orders, but we should.

Mr. Speaker: I think you wanted a supplemental, eh?

Mr. Deyalsingh: Thank you. Hon. Prime Minister, with regard to the answer that legal action is being considered, has the Office of the Attorney General with a budget of \$600 million, filed or sent out any pre-action protocol letters, which it is wont to do, to any of these persons who have fraudulently received moneys under the LifeSport Programme?

Hon. K. Persad-Bissessar SC: Again, hon. Speaker, these are day-to-day operations. You, know, I really wonder, should I have to answer these questions, and I am going to answer it, by the way. It will mean that there is no need for Members to file questions to Ministers, because I am being asked to go down into the day-to-day, daily nitty-gritty, micromanaging of a Ministry. Certainly you will get that information for your good self. I will have to seek from the hon. Attorney General, and ask him to make it available to you, okay? Because I cannot answer, you know, if you sent a letter—we are sent thousands of letters on a day, and I do not even know the information coming, whether it is correct or not. Thank you, hon. Speaker.

2.15 p.m.

**Point Fortin Hospital
(Project Start-up Date)**

Mrs. Paula Gopee-Scoon (*Point Fortin*): Thank you, hon. Speaker. To the Prime Minister: in view of the Prime Minister's recent statement that no new projects will commence for which financial arrangements have not yet been concluded, will the new Point Fortin Hospital be built as proposed by this current administration? If so, what is the project start-up date?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): I am very pleased to answer this question, so we can give that information to citizens of Trinidad and Tobago, especially to the residents of Point Fortin and environs, about the construction of this very long-awaited Point Fortin Hospital. It is an integral part of the future of our national health care network. We will continue as planned.

The project start-up date is March 26, 2015. [*Desk thumping*] The hospital is being funded by a government-to-government arrangement with the Government of Austria—start-up date late March. Well, I would not say the exact 26th, but towards the end of March, 2015.

I think we should note that this is the second hospital for south Trinidad under the People's Partnership. [*Desk thumping*] The San Fernando Teaching Hospital. And I think we should also take note that since 1958 no hospital has ever been built in the southern part of this country. [*Desk thumping*] This hospital was promised—as the hon. Member for Point Fortin well knows—and hon. Member has been agitating for it. This was promised by the former administration and, previous to them, for almost 25 years.

In four years, we have secured the funding. The arrangements have been made and we are about to mobilize to start the project and we certainly invite the hon. Member for Point Fortin, should she still be in that capacity, to attend when we mobilize and turn the sod. Thank you. [*Desk thumping*]

Mrs. Gopee-Scoon: Could the hon. Prime Minister tell me when these financial arrangements were concluded and the quantum of the funds for the project? When was this concluded formally?

Mrs. K. Persad-Bissessar SC: I am being told by the Member for Oropouche East, who has responsibility under UDeCOTT for oversight of that project, that those arrangements were completed about two months ago.

**Point Lisas Industrial Estate
(Effect of Falling Commodity Prices)**

Mrs. Paula Gopee-Scoon (*Point Fortin*): Can the Prime Minister indicate whether the Government analysed the effect of falling commodity prices on natural gas-based industries at the Point Lisas Industrial Estate with a view to determining their ability to survive the present global energy crisis and also the current gas shortage in Trinidad and Tobago in so far as this would impact government revenues and significant jobs?

The Prime Minister (Hon. Kamla Persad-Bissessar SC): Simply, yes, hon. Speaker. Yes, to your question. The Ministry of Energy and Energy Affairs and the NGC monitor commodity prices for ammonia and methanol on a daily basis, as well as the natural gas supply to the Point Lisas Estate. These organizations also consult with the companies on the Point Lisas Estate regularly.

With regard to pricing, for the first quarter, fiscal 2015, FOB. ammonia prices, average US \$590 per tonne, while FOB. methanol prices average US \$360 per tonne. These prices are considered good prices for these commodities. However, it is expected that they may also begin to fall and, therefore, Government is closely monitoring the situation.

We should also note that in most cases the price the NGC sells natural gas to Point Lisas companies is based on a sliding-scale formula, which cushions the impact of falling commodity prices by linking the price of the commodity to the price of natural gas that the NGC sells.

With regard to curtailment of natural gas at Point Lisas, this is a problem created by under-investment in the upstream side of the energy sector from 2008—2010 and by the maintenance programme conducted by upstream companies since 2010.

The Ministry of Energy and Energy Affairs and the NGC have worked closely with companies at Point Lisas and the upstream suppliers of Natural Gas to mitigate the impact of these curtailments.

Finally, it should be noted that these downstream industries at Point Lisas are long-term investors. Most of them have been in existence for more than 25 years in Trinidad and have, time and again, weathered cyclical global commodity prices. Thank you, Mr. Speaker.

Mrs. Gopee-Scoon: Do you see government revenues affected?

Mrs. K. Persad-Bissessar SC: We will continue to monitor the situation and to review as time progresses.

URGENT QUESTIONS

**Deputy Director of Physical Education and Sport
(Information on)**

Dr. Keith Rowley (*Diego Martin West*): Thank you very much, Mr. Speaker. Question to the Minister of Sport: is it a fact that the Deputy Director of Physical Education and Sport at the Ministry of Sport, implicated in the LifeSport Programme, is now missing; and could the Minister say whether the Director is still on the government payroll?

The Minister of Sport (Hon. Dr. Rupert Griffith): [*Desk thumping*] Thank you, Mr. Speaker, the answer to part (b) of the question is, yes, the Deputy Director, Physical Education, Ministry of Sport is still on the Ministry's payroll and at this time the Human Resource Division of the Ministry is working out the engagement of that officer.

Dr. Rowley: Has any form of leave been granted to that officer? Is the Ministry engaged with the officer in any way?

Hon. Dr. R. Griffith: I am unable to answer that question right now because I do not have that information, but I can provide it specifically to the Leader of the Opposition.

**National Carnival Commission
(Sum Total of Grant Given)**

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. To the Minister of Arts and Multiculturalism: in view of the difficult economic times facing Trinidad and Tobago, can you kindly advise what is the sum total of the grant given to the National Carnival Commission by the Government; and what events, if any, have been excised from the NCC's carnival programme for this year and how much?

The Minister of Arts and Multiculturalism (Hon. Dr. Lincoln Douglas): Mr. Speaker, in view of the difficult economic times, as suggested by the Member, we have asked the NCC to be prudent in their management of the funds and resources and they have done that.

As a matter of fact, we have been doing that since last year and have brought down the budget significantly. We have been ensuring, through engagement with our suppliers, that we get value for money and we have continued to cut the budget in ways that we feel will be consistent with the moneys that have been allocated.

Contrary to the question, the Ministry does not give grants to the NCC. The NCC is a functioning department of the Ministry of Arts and Multiculturalism. This Government believes in the diversification of the economy and invests meaningfully, through the NCC, in the cultural industry of Trinidad and Tobago. And, in that regard, \$314,135,369 has been approved in the budget for the National Carnival Commission.

Because of our prudent management of funds and resources and ensuring engagements—something that was not done over the last X amount of years, we have—[*Interruption*]

Dr. Browne: The X is four.

Hon. Dr. L. Douglas: Prior to this administration's running of the NCC, we were able to put proper management structures in place and develop a national carnival production agenda, which I would like to give the Leader of the Opposition to read. [*Interruption*] Well, you are awake and you are sleeping; probably the most meaningless Minister in here.

Hon. Members: [*Protest*]

Hon. Dr. L. Douglas: Tell him stay away from me. Wrong man. [*Protest*]

Mr. Speaker: Members, please. Order. I think two minutes are up in terms of your reply. Any supplemental?

Hon. Dr. L. Douglas: Yes.

Mr. Speaker: No, your two minutes are up. Any supplemental, please? [*Laughter*] The hon. Member for Chaguanas West.

Mr. Warner: Can the Minister advise what events, if any, have been excised from the NCC's carnival programme this year and, if there are events, what is the cost of those events?

Hon. Dr. L. Douglas: No event has been excised from the carnival agenda this year.

Mr. Speaker: Any further?

Dr. Browne: Mr. Speaker, I listened to the answer carefully and I heard the Minister indicate that the NCC does not receive any grants because it is a department of the Ministry. Would the Minister wish to clarify or amend that statement?

Hon. Dr. L. Douglas: No.

Mr. Deyalsingh: Supplemental.

Mr. Speaker: No, only two supplementals here. We now go to hon. Member for Point Fortin.

Mrs. Gopee-Scoon: Mr. Speaker, to the hon. Minister of Finance and the Economy.

Mr. Speaker: Hon. Minister of Finance and the Economy. Are you going to answer it?

**Current Total Debt
(Percentage of GDP)**

Mrs. Paula Gopee-Scoon (*Point Fortin*): Thank you Mr. Speaker. To the hon. Minister of Finance and the Economy: what is Trinidad and Tobago's current total debt including public debt, foreign debt, contingent liabilities expressed as a percentage of GDP?

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Thank you, Mr. Speaker. On behalf of the Minister of Finance and the Economy, Trinidad and Tobago's total debt as a percentage of GDP as at September 30, 2014, was 40.8 per cent, in the context of all categories that were requested in the question.

Mrs. Gopee-Scoon: Supplemental, please. Could I have it broken down in terms of foreign debt, contingent liabilities and public debt?

Hon. R. Indarsingh: Mr. Speaker, I am not in possession of the statistical breakdown, but that information can certainly be forwarded to the Member.

ANSWERS TO QUESTIONS

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, just to take note that the Government will answer the following questions: question No. 47, question No. 48, question No. 49, question No. 52 and question No. 58. We will ask that question No. 16 be deferred for two weeks, as well as question No. 17—16 and 17 deferred.

We will answer question No. 18, question No. 36, question No. 37, question No. 50, question No. 51, question No. 53, and ask that question No. 62 be deferred as well.

Miss Mc Donald: Mr. Speaker, to my colleague, the Member for Oropouche East, last sitting I had asked about the circulation for the written questions. There were 10 such questions. Only one was circulated and this week there are 10 questions here, Mr. Speaker. I would like to ask my colleague whether they are going to be circulated today.

Hon. Dr. R. Moonilal: Mr. Speaker, I am happy to inform the Member for Port of Spain South that today we will be circulating answers to questions No. 24, No. 39, question No. 41, question No. 44, question No. 45, question No. 46 and we will ask for one week deferral on the others. Thank you very much.

WRITTEN ANSWERS TO QUESTIONS

**Programme for Upgrading Roads Efficiency
Laventille West Constituency
(Information on)**

44. Mr. NiLeung Hypolite (*Laventille West*) asked the hon. Minister of Works and Infrastructure:

Could the Minister:

- (a) list all the roads that were paved under the Programme for Upgrading Roads Efficiency (PURE) in the Laventille West Constituency during the period June 1, 2010 to September 30, 2014;
- (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and
- (c) provide the contract sum for each paving project relating to (a) above?

**Unemployment Relief Programme
Siparia Constituency
(Information on)**

45. Mr. NiLeung Hypolite (*Laventille West*) asked the hon. Minister of Works and Infrastructure:

With regard to the paving of roads by the Unemployment Relief Programme (URP), could the Minister:

- (a) list all the roads that were paved in the Siparia Constituency during the period June 1, 2010 to September 30, 2014;
- (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and

- (c) provide the contract sum for each paving project relating to (a) above?

**Unemployment Relief Programme
Information on Laventille West Constituency)**

- 46. Mr. NiLeung Hypolite** (*Laventille West*) asked the hon. Minister of Works and Infrastructure:

With regard to the paving of roads by the Unemployment Relief Programme (URP), could the Minister:

- (a) list all the roads that were paved in the Laventille West Constituency during the period June 1, 2010 to September 30, 2014;
- (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and
- (c) provide the contract sums for each paving project relating to (a) above?

Vide end of sitting for written answers.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper:

**Petrotrin
(Rehabilitation of high-risk oil lines)**

- 16.** Could the hon. Minister of Energy and Energy Affairs state:
When will Petrotrin complete the rehabilitation of the oil lines for which the integrity has been classified as high risk by Shell Solutions? [*Mr. F. Jeffrey*]

**New Port for La Brea
(Details of)**

- 17.** Could the hon. Minister of Trade, Industry, Investment and Communications state:
- A. Where will the new Port for La Brea be located?
- B. How many consultations were held with La Brea residents?
- C. Was an Environmental Impact Assessment conducted?
- D. If yes, when was the Environmental Impact Assessment conducted?
- E. Did the Environmental Management Authority give a certificate of Environmental Clearance on the project?
- F. Are there any plans to relocate residents of Point D'Or for the construction of the Port?

- G. If yes, when and where will Point D'Or residents be located? [*Mr. F. Jeffrey*]

**Invader's Bay Project
(Information on commitments)**

- 62.** Could the hon. Prime Minister indicate:
- A. Whether any contracts, leases, licences, agreements, memorandums of understanding or other binding commitments have been made with third parties relative to the Invader's Bay Project?
 - B. If the answer to part (A) is in the affirmative, could the Prime Minister:
 - i. disclose copies of the said binding commitments; and
 - ii. indicate whether it is the government's policy or practice to proceed to enter into binding agreements with third parties notwithstanding the serious concerns raised in different sectors surrounding the Request For Proposal process used by the government to allocate/distribute the lands at Invader's Bay? [*Dr. K. Rowley*]

Questions, by leave, deferred.

**St. Phillip's Government Primary School
(Details of)**

- 47. Mr. NiLeung Hypolite** (*Laventille West*) asked the hon. Minister of Education:
- A. When will repairs commence on the electrical, plumbing and general infrastructure (not limited to the roof, yard, flooring, etc.) at the St. Phillip's Government Primary School?
 - B. Which companies have been contracted to complete the works?
 - C. What is the estimated cost for completion of repairs?
 - D. What is the projected date for completion?

The Minister of Education (Hon. Dr. Tim Gopeesingh): Thank you very much, Mr. Speaker. St. Phillip's Government Primary School is one out of seven primary schools where a significant amount of work for repairs, electrical, plumbing and general infrastructure, including roof, yard and flooring to a number of the primary schools within the constituency of Laventille West.

In addition to some plumbing works done at St. Phillip's Government Primary School, the Educational Facilities Company Limited worked on about six other schools: the Chinapoo Government Primary School, where approximately \$136,000 was spent for four repair projects there; then Escallier AC Primary School, \$204,000 was spent for seven repair projects in that school; Excel Composite School, Laventille Boys' Government School, and \$474,000 was spent on repair projects for Laventille Boys' Government School; in Laventille Girls' Government School, \$732,000 was spent; in the Upper Laventille RC Primary School, \$3.1 million was spent for repairs; and in the St. Barb's Government Primary School, \$1.194 million was spent.

2.30 p.m.

Mr. Speaker, a total of \$6,281,389.08 was spent on repair programmes for schools—58 jobs in the constituency of Laventille West—including the St. Phillip's Government Primary School which had some plumbing work done, as far as I am advised. This is in the context of close to—so in Laventille West we spent \$6.281 million in repairs for primary schools.

Miss Mc Donald: Mr. Speaker, I rise on Standing Order 48(1), relevance. I would like the Minister to really address the question. He knows what he is doing. The Member for Caroni East is a very cunning gentleman. He knows exactly what he is doing. Confine your answer to the question under review. The Member asked about—[*Interruption*]

Mr. Speaker: Okay. I think you have made your point. Hon. Member, I think I, myself, I am aware of the old Standing Orders, but we now have new Standing Orders. May I advise hon. Ministers, in particular, to refer to 29(5) and I read:

“The Minister questioned shall rise in his place and give his reply, which shall be strictly relevant thereto and shall not exceed five (5) minutes.”

So, please, you have five minutes and the question is very specific. So just be guided, all Ministers, please.

Hon. Dr. T. Gopeesingh: Mr. Speaker, I am speaking about repairs at the St. Phillip's Government Primary School within the constituency of Laventille West, and I am giving an explanation of how much money we spent on different schools within the constituency in the primary schools.

In addition, Mr. Speaker, in the secondary schools we spent \$24,461,000 in the three secondary schools and in the ECCE centres, \$754 million. A total of \$31,496,000 was spent in the constituency of Laventille West while we continue to work on the other schools.

Mr. Hypolite: Mr. Speaker, St. Phillip's is not a school within the Laventille West constituency, but it is a school within Trinidad and Tobago [*Desk thumping*] which has a lot of concerns and issues. The Minister still has not answered the question, and I wish for the Minister to answer the question. Just in case he has not been able to read the question, part A, Mr. Speaker—[*Interruption*]

Mr. Speaker: No, no, please.

Hon. Dr. T. Gopeesingh: I ask for an apology from the Member for Laventille West.

Mr. Speaker: Please, please.

Mr. Hypolite: Please answer the question. There are three parts to the question. When will repairs commence—[*Interruption*] He has not answered that, Mr. Speaker.

Mr. Speaker: Yes, we know. Every Member here could read, we do not need you to tell us. Hon. Minister, could you just answer the question?

Hon. Dr. T. Gopeesingh: Mr. Speaker, I answered the question. The repair work in the school that he is asking for, plumbing work has been done, and I gave him the answer that that was done in the context of the entire constituency of Laventille West with all the schools that are under his watch in Laventille West. I gave him the fact that plumbing work has been done, and in the other schools a number of repair jobs have been done to the value of \$6 million [*Desk thumping*] and \$36 million repair jobs have been done in the constituency of Laventille West; \$36 million, Mr. Speaker. [*Crosstalk*]

Mr. Hypolite: Pertaining to St. Phillip's school, can the Minister indicate which companies have been contracted to complete the works?

Hon. Dr. T. Gopeesingh: Mr. Speaker, I think the Member is asking a different question. When that question is posed, I would be prepared to answer the question. That is not on the Order Paper.

Hon. Member: It is there.

Mr. Speaker: I think if I read properly:

“Which companies have been contracted to complete...”

That is B, B of the question.

Hon. Dr. T. Gopeesingh: Mr. Speaker—[*Crosstalk*]

Mr. Speaker: Please. No, no, no, please, please. Hon. Minister, please.

Hon. Dr. T. Gopeesingh: For St. Phillip's, plumbing work, EFCL has not been able to provide the name of the contractor for that job, but we have the names of the contractors for all the other jobs that have been done in the Laventille West constituency.

Mr. Hypolite: Again, Mr. Speaker, supplemental. Again, we are dealing with St. Phillip's. What is the estimated cost for the completion of repairs at that particular school?

Hon. Dr. T. Gopeesingh: No new repairs have been contemplated. If the Member brings to my attention what work needs to be done, I would be very prepared to ask EFCL to do the work within the confines of the budget.

Mr. Speaker: Final supplemental.

Mr. Hypolite: Mr. Speaker, I am looking at roof repairs, yard and flooring repairs to the school and to the car park area.

Mr. Speaker: What is your question?

Mr. Hypolite: Mr. Speaker, he asked to indicate. It is here, so I am indicating. It is in the question, so just in case he did not read the question, it is here. I am just asking for him to indicate to us the answer.

Hon. Dr. T. Gopeesingh: Mr. Speaker, if no work has started, how can I give an answer for a projected date of completion? We have not envisaged any work. If you require some work to be done, did you write? We would be prepared to entertain the Members. After having spent \$36 million in just his constituency alone for repairs and maintenance, we might not have the funding to do any more work, Mr. Speaker.

Mr. Speaker: Next question, the hon. Member for Laventille West.

**Escallier Government Primary School
(Details of)**

- 48. Mr. NiLeung Hypolite** (*Laventille West*) asked the hon. Minister of Education:
- A. When will repairs commence on the electrical, plumbing and general infrastructure (not limited to the roof, yard, flooring, etc.) at the Escallier Government Primary School?
 - B. Which companies have been contracted to complete the works?

- C. What is the estimated cost for completion of repairs?
- D. What is the projected date for completion?

The Minister of Education (Hon. Dr. Tim Gopeesingh): [*Crosstalk*] I am glad that you indicated that I did visit your schools. Mr. Speaker, in the Laventille West constituency as far as Escallier AC—[*Interruption and crosstalk*]

Mr. Speaker: The Member is speaking, and let us see where he is going.

Hon. Dr. T. Gopeesingh: They do not want to hear the facts. You all say that we do not do work in PNM constituencies. We are just telling you we spent \$36 million there.

Mr. Speaker: Member, please, please. Let us not engage in the crosstalk. I am allowing the hon. Minister to speak and we will then determine relevance. Continue hon. Member and Minister, please.

Hon. Dr. T. Gopeesingh: Mr. Speaker, the Escallier A.C. Primary School which the Member has been asking about, in September 2011 we unclogged a number of toilet areas—Fred's Hardware and General Contractors—for \$5,000.

In October 2011—now that is September and then October—replacement of a new sewer line for the Escallier A.C. Primary School by the Rio Claro Construction Company Limited at \$17,130.

In August 2012, the same Escallier A.C. Primary School, we repaired plumbing fixtures, AC units and razor wire, installed fans, assessed electrical wiring, cleaned and sanitized water tanks, power-washed school building, concrete and paved area, by Central General Engineering and Maintenance Limited for \$103,600.

So in September 2011, October 2011, August 2012, then in September 2012—same Escallier A.C. Primary School in the constituency of Laventille West—installation of masonry block work by Hexotrin Limited for \$22,000 and, again, in July 2014, installation of fans, plumbing works, further repairs to razor wire—that is the fencing—cleaning and sanitizing of water tanks, replacement of AC units and painting works by Capital Plumbing and Sanitization Works for \$57,400.

So for the Escallier A.C. Primary School, approximately \$204,000 was spent on five repair projects for the school from since September 2011 to July 2014. That is very succinct and very concise.

**Lower Morvant Government School
(Details of)**

- 52. Miss Donna Cox** (*Laventille East/Morvant*) asked the hon. Minister of Education:
- A. Could the hon. Minister state whether a contractor has been appointed to rebuild the Lower Morvant Government School?
 - B. If the answer to part (A) is in the affirmative, could the Minister state:
 - i. the name of the contractor;
 - ii. the cost of this contract;
 - iii. why no work is taking place at this site; and
 - iv. the expected start date of this project?

The Minister of Education (Hon. Dr. Tim Gopeesingh): Thank you, Mr. Speaker and Member for Laventille East/Morvant.

Mr. Speaker: I have to come back. I would come back to my friend.

Hon. Dr. T. Gopeesingh: Mr. Speaker, the contractor appointed to rebuild the Lower Morvant Government School is the Beijing Lu Jiang Construction Company. That contract was awarded in June 2013. The cost of the contract—I have been advised by EFCL—is \$21.5 million.

At the moment, the site is hoarded, and grubbing, which is preparation of the site, has been undertaken. The supervising consultant is Vicab Limited. There were many major issues of security at the site that prevented the construction from going on. Police had to be called in and hired to get the contractor started in difficult circumstances. We are still having difficulty in establishing security for the site and for the contracting company. As a result, the contracting company had been unable to do any further work because of that. But, at this moment now, we have upped the amount of security at the site, which is an extra cost on the cost of the contract, and the work now has been going on. The site has been hoarded and the preparation of the site has been continuing.

Miss Cox: Member, as far as I am aware, no work is taking place on that site and no work has been taking place for a number of months now. I would just like to know when this work started.

Hon. Dr. T. Gopeesingh: I checked with EFCL this morning, just a while ago before coming here, and I was advised that the site was hoarded. I have been advised by EFCL, the divisional manager, that grubbing work has started. I have

indicated one of the major reasons why work did not continue is because the contractor is experiencing major security difficulties in terms of working on the site. Mr. Speaker, and that has been happening for a little while now.

Miss Cox: I would like to know why the Member of Parliament for the area was not informed of these issues because I was not aware that there were security problems.

Hon. Dr. T. Gopeesingh: I have a good working relationship with the Member for Laventille East/Morvant—mutual respect in the House and outside. I will give you more details of it and, perhaps, you can help me in establishing—as the Member for the area—a greater security measure so that the work for the construction of your school—Mr. Speaker, that is in the context of 11 primary schools we have constructed in seats belonging to the Opposition. [*Crosstalk*]

Mr. Speaker: The hon. Member for Laventille West.

**Old St. Joseph Road (Bertie Marshall Boulevard)
(Details of)**

49. Mr. NiLeung Hypolite (*Laventille West*) asked the hon. Minister of Works and Infrastructure:

- A. When will work commence on the paving of the Old St. Joseph Road (Bertie Marshall Boulevard)?
- B. What is the name of the contractor and the contract price?
- C. When is the estimated date for completion of the work?

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): Mr. Speaker, the Old St. Joseph Road or what is called Bertie Marshall Boulevard, I am advised by the Highways Division, is currently in a fair state and does not require immediate repairs. Accordingly, this road is not scheduled for major repaving under the 2015 fiscal programme of the Ministry of Works and Infrastructure. However, it is scheduled for spot-patching in areas where it is necessary. As a result, Mr. Speaker, the questions at B and C above are not relevant.

**Solomon Hochoy Highway Extension
(Details of)**

58. Dr. Keith Rowley (*Diego Martin West*) asked the hon. Minister of Works and Infrastructure to provide:

- a) the total number of households which were uprooted to accommodate the Solomon Hochoy Highway Extension;
- b) the number of households compensated;

- c) the number of households yet to be compensated; and
- d) the number of the properties compulsorily acquired pursuant to the Land Acquisition Act and how many were acquired by NIDCO through private treaty?

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): Mr. Speaker, in terms of this question, I want to make it clear that no households were uprooted. The question says:

“the total number of households which were uprooted...”

No households were uprooted for the construction of the highway. Wherever properties were acquired it was done so by private-treaty negotiations except where it was necessary to use the facilities of the Commissioner of Valuations. Mr. Speaker, 263 structures have been acquired and approximately 134 are yet to be acquired for the construction of the highway.

2.45 p.m.

Mr. Speaker, compensation has been paid for all 263 structures that have been acquired. The number of households yet to be compensated, Mr. Speaker, the households which have been acquired have been paid for. The number of properties compulsorily acquired, pursuant to the Land Acquisition Act, and how many were acquired by NIDCO through private treaty, 19 structures have been compulsorily acquired through the Commissioner of Valuations pursuant to the Land Acquisition Act, and 244 have been acquired by NIDCO through private treaty.

In addition, Mr. Speaker, 12 land-only properties have been compulsorily acquired through the Commissioner of Valuations, pursuant to the Land Acquisition Act, and 145 land-only properties have been acquired by NIDCO through private treaty.

La Brea Road Maintenance Programme (Details of)

18. Mr. Fitzgerald Jeffrey (La Brea) asked the hon. Minister of Works and Infrastructure:

- A. When will a proper maintenance programme be instituted to make the roads in La Brea user friendly?
- B. What are the reasons for the negligent road maintenance in La Brea?

- C. When will the Siparia-Erin Road from Quarry to Erin be paved?
- D. When will the Southern Main Road from La Brea to Point Fortin be paved?

The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan): Thank you, Mr. Speaker. Mr. Speaker, in this question the hon. Member for La Brea asked, when will a proper maintenance programme be instituted to make the roads in La Brea user friendly? Mr. Speaker, let me say that we always have a proper maintenance programme in place in the Ministry of Works and Infrastructure, and if the Member wishes to examine that maintenance programme, I will make it available to him at my office and he can have a look at it. Mr. Speaker, the Highways Division in the Ministry of Works and Infrastructure is responsible for the maintenance of, one, the Southern Main Road from the 61.7 to the 91.7 kilometre mark; secondly, the La Brea Road from zero kilometre mark to 1.6 kilometre mark, and the La Brea Village Road from zero kilometre mark to 1.4 kilometre mark.

Mr. Speaker, the Member for La Brea will be well aware that these roads are in close proximity to the Pitch Lake and, therefore, the experience of movement of land is constant which causes shifting, heaving and sinking that often results in road failure, the clogging of drains and the rupture of WASA lines. Due to the nature of these roads, maintenance is undertaken on a periodic basis, and as necessary. As the Member will recall, just last year, when an event occurred, contractors were moved in very quickly to remedy the situation.

Additionally, contracts are given out at least twice a year to undertake full rehabilitation of the roadway, inclusive of drainage works. With respect to (B), in respect of the roadway identified in La Brea under the Ministry's purview, there has not been any negligence on the part of the Ministry in undertaking its maintenance function. Again, Mr. Speaker, as I said previously, the areas identified are in the vicinity of the Pitch Lake where there is constant growth of the pitch and subsequent movement and this has been factored into the maintenance programme for the area. And in this context, the Ministry continues to undertake extensive periodic and planned maintenance of the identified roadway.

With respect to part (C), works were undertaken on the Siparia-Erin Road from High Street, Siparia, to Quarry Road junction by the PURE programme of the Ministry. These works were completed in July 2014. Mr. Speaker, the section of the road from Quarry Road junction to Palo Seco Velodrome, which I virtually

walked on Sunday, is currently under review. In fact, even as we speak, certain works have begun in that particular area, and it is expected that those works will be completed by the end of March. The drainage works will, of course, take a little more time.

With respect to part (D), a part of the Southern Main Road between the Pitch Lake and Dunlop Roundabout in Point Fortin, which is the 75.5 to 85.5 kilometre mark, was paved. However, as the Member would be aware, WASA has been carrying out works from the 79.8 to the 80.2 kilometre mark, and WASA is expected to repair that segment after completion of the laying of the pipeline.

Mr. Speaker, at present the Ministry is also in the process of acquiring consultancy services to arrive at a probable solution in the area from the 74.0 kilometre mark to the 76.0 kilometre mark, after which repairs will be undertaken. We have spent considerable amounts of money trying to resolve that situation and we do believe that more technological and technical studies are required, so that a more permanent solution can be found to that situation. Mr. Speaker, in the meantime, the Ministry will continue to effect its regular maintenance work.

Mr. Jeffrey: Supplemental. Hon. Minister, are you aware that for a long time now PTSC bus drivers have been experiencing tremendous difficulty manoeuvring the very deplorable road condition in La Brea which has resulted in the faulty bus service in the area? Are you aware of that?

Mr. Speaker: No, that is not a question and this is not a supplement, so could you be relevant to what has been asked, please. You did not ask that.

Mr. Jeffrey: Hon. Minister, what was the rationale for paving from Quarry Junction to Siparia rather than from Quarry Junction to Erin where the roads are in a very deplorable condition?

Mr. Speaker: The hon. Minister of Works and Infrastructure.

Hon. Dr. S. Rambachan: Mr. Speaker, the roads from Penal right on to Quarry Junction were also in a deplorable condition. WASA was digging up the road in that area and the road was repaved. We have a programme in which we are doing the roads on a continuing basis. We reached up to Quarry Road, which was very bad from Siparia to Quarry, and that was done, and now the Member is fully aware that we are about to start from Quarry and go right down to Palo Seco by the Velodrome. On Sunday the Member of Parliament was there with me and I walked that entire stretch of road, and the people are very satisfied with my

promise that it is going to be done. This is not in a reaction to the protest that took place. We have a planned programme of works and we are effecting that planned programme of works, and the Member of Parliament is very aware of that. [*Desk thumping*]

Mr. Jeffrey: Another supplemental, Mr. Speaker. Hon. Member, are you aware that the paving boundary at Quarry Junction separates Siparia from the La Brea constituency?

Hon. Dr. S. Rambachan: Mr. Speaker, I will not be caught in the attempt by the Member for La Brea to introduce discrimination in his argument. This is a Government that does not discriminate, [*Desk thumping*] and this is a Government that does work in every part of the country.

Maracas Bay Early Childhood Centre (Details of)

36. Mrs. Joanne Thomas (*St. Ann's East*) asked the hon. Minister of Education:

- A. When will work commence on the Early Childhood Centre in Maracas Bay?
- B. When is the target date for completion?

Mr. Speaker: Please. Please. Please. Member for La Brea, do not shout across the floor, please. The hon. Minister of Education.

The Minister of Education (Hon. Dr. Tim Gopeesingh): Mr. Speaker, work has already started, Member for St. Ann's East—and I am very happy that you have realized that—on the Maracas Bay ECCE centre. I have been advised of the demolition of the slab at the centre, and preparation of the site has already begun. The site has been hoarded, the designs have been completed, the revised layout plan for the site has been completed as well, the contractor has been mobilized, and the estimated time of completion of this is by June 2015. That is the rapidity with which these people work.

Mr. Speaker, we had to wait a little bit because we had to house the students in the Maracas Community Centre for a while, and we had to repair the Maracas Community Centre. Minister Peters would be very happy that we did some work, and the cost was close to about \$850,000. So, in addition to having a new Maracas

Bay ECCE centre, Mr. Speaker, this is one of the 11 ECCE centres we have built, completed already in constituencies held by the Opposition out of the 53 that we have completed. This is one of the 31 that are now under construction under the phase two, and then another 26 are going to start pretty shortly under the IDB phase two. So, Maracas is being done at the moment, and we are very happy to say that we have completed 11—constructed 11 in PNM-held constituencies so far, 11 out of 53.

Gasparillo Community Centre
(Details of)

37. Mrs. Joanne Thomas (*St. Ann's East*) asked the hon. Minister of Community Development:

- A. When will work resume on the Gasparillo Community Centre?
- B. What is the target date for completion?

The Minister of Community Development (Hon. Winston Peters): Thank you very much, Mr. Speaker. Part (A) of your question is, work resumed at the Gasparillo Community Centre on December 05, 2014. Part (B), the Gasparillo Community Centre is 65 per cent completed with outstanding works of paving the outside car park, some drainage work, internal tiling, installation of toilet fittings, windows, air conditioning, painting and installation of lighting fixtures. I am completing your questions. I am completing it. The targeted completed date, mid-April 2015.

Miss Mc Donald: Mr. Speaker, question No. 50 to the Minister of National Security, standing in the name of the Member for Laventille West.

Dr. Moonilal: Mr. Speaker, I indicated No. 50 to be deferred, the Minister of National Security is out of the jurisdiction at this time.

Construction of Administration Complex
(Details of)

51. Miss Marlene Mc Donald (*Port of Spain South*) on behalf of Mr. NiLeung Hypolite (*Laventille West*) asked the hon. Minister of Local Government:

- A. When will the construction of the new Administration Complex for the Diego Martin Regional Corporation and the San Juan Laventille Regional Corporation commence?
- B. Who are the chosen contractors for these projects?
- C. What are the contract sums and dates for completion of these projects?

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, on behalf of the hon. Minister of Local Government, I wish to respond to the question. The commencement date for the construction of the new administrative complex for the Diego Martin Regional Corporation will be determined after the acquisition of the land from the Port of Spain City Corporation.

Mr. Speaker the San Juan/Laventille Regional Corporation has advised that the corporation is still seeking to identify a suitable site within the San Juan/Laventille region for the construction of the new administrative complex. It is important to note, Mr. Speaker, that the San Juan/Laventille Regional Corporation has also explored the alternative option of acquiring a building already constructed, but the corporation has not been able to obtain a building that meets their requirements. Therefore, Mr. Speaker, given the reply to (A), parts (B) and (C) are not necessary.

Refurbishment of Charles Street Recreation Ground

53. Mrs. Joanne Thomas (*St. Ann's East*) asked the hon. Minister of Local Government:

When will refurbishment work begin on the Charles Street Recreation Ground in Cantaro, Santa Cruz?

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, on behalf of the hon. Minister of Local Government, I wish to inform the House that the San Juan/Laventille Regional Corporation, under the PNM, I believe—in fact—[*Interruption*]

Dr. Rowley: As usual.

Hon. Dr. R. Moonilal: Well, maybe your Member should attend the parliamentary arm, she can ask Chairman Roberts. It was not such a blow, but she can ask Chairman Roberts for his answer. He is very cooperating, you know.

So, the San Juan/Laventille Regional Corporation, under Chairman Roberts, has advised that refurbishment work on the Charles Street Recreation Ground in Cantaro, Santa Cruz, will begin in early 2015, and will be completed by the third quarter of calendar year 2015. Mr. Speaker, as I indicated, this is the information we have from the San Juan/Laventille Regional Corporation.

Miss Mc Donald: What about 62?

Mr. Speaker: No, they asked for a deferment here early on in the proceedings. Let us go, please.

NATIONAL TRUST OF TRINIDAD AND TOBAGO**(AMDT.) BILL, 2015**

Bill to amend the National Trust of Trinidad and Tobago Act, Chap. 40:53 [*The Minister of National Diversity and Social Integration*]; read the first time.

3.00 p.m.

RELATED MOTIONS

The Minister of Gender, Youth and Child Development (Hon. Clifton De Couteau): Mr. Speaker, I beg to move Motion No. 2 standing in my name. In moving this Motion, I seek the leave of the House, in accordance with Standing Order 51, to debate along with this matter, Motions Nos. 3 and 4 on the Order Paper which relate to the same subject.

Mr. Speaker: Is this the wish of the House?

Hon. Members: Yes.

Mr. Speaker: Hon. Minister, you may continue.

FOSTER CARE REGULATIONS, 2014

The Minister of Gender Youth and Child Development (Hon. Clifton De Couteau): Mr. Speaker:

Whereas it is provided by section 53 of the Children's Community Residences, Foster Care and Nurseries Act, 2000 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of the imposition of requirements as to the accommodation and equipment to be provided in residences, foster homes and nurseries medical arrangements to be made for protecting the health of the children in community residences and foster homes, the provision of information to the Children's Authority of Trinidad and Tobago by the Managers as to the facilities provided for the parents or guardians of children in community residence and foster homes to visit and communicate with the children and where not so provided to authorise the Authority to give directions as to the provisions of such facilities, and all such other matters and things as may appear necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of the Act;

And whereas it is provided by section 53(2), that regulations made under the Act shall be subject to affirmative resolution of Parliament;

And whereas the Children's Authority has on the 14th day of November, 2014 made the Foster Care Regulations, 2014;

And whereas the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Foster Care Regulations, 2014;

And whereas it is expedient that the Foster Care Regulations, 2014 now be affirmed;

Be it resolved that the Foster Care Regulations, 2014 be approved.

Mr. Speaker, I am, indeed, very pleased to present the three Motions that are before us today for the approval of this honourable House. Those Motions address three sets of regulations, namely: the Children's Authority Regulations; the Children's Community Residences Regulations and the Foster Care Regulations. These regulations, together with the statutes under which they are made will facilitate the commencement of the operations of the Children's Authority. The Children's Authority is in a state of readiness to deal with the children of this nation who are in need of care and protection.

The approval of these regulations will enable proclamation of the Children's Community Residences, Foster Care and Nurseries Act, 2000, the Children Act 2012 and the full proclamation of the Children's Authority Act, thus allowing the Children's Authority to deal with children in this nation who are abused, abandoned, neglected or otherwise in need of care and protection, and thus will usher in a new era of children protection of Trinidad and Tobago facilitated by this Government.

Permit me to briefly situate the regulations in their historical context, so that we may be better able to understand their guiding principles and philosophy.

Mr. Speaker, as we are aware, the package of children legislation was enacted in 2000 by the then UNC Administration for the purpose of bringing the laws of Trinidad and Tobago into conformity with the Convention on the Rights of the Child. One of the key elements of that package was the introduction of the legislation for the establishment of a new child protection system with structures and care and support fit for the 21st Century.

The primary pieces of legislation of that package to facilitate the establishment of the new system, comprise the Children's Authority Act, Chap. 46:10 and the Children's Community Residences, Foster Care and Nurseries Act, 2000.

The then administration, cognizant of the many inadequacies of the existing child protection system that resulted in less than satisfactory outcomes for our

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most vulnerable children, sought to strengthen the protection afforded to those children by replacing the old system with a modern one, in keeping with the 21st Century principles.

As a country, we felt the pain and horror of losing some of our most vulnerable children, who were subjected to terrible atrocities. In this regard, we can all recall Akiel Chambers, Amy Annamunthodo and many others, and more recently, we mourned Keyana Cumberbatch.

The inadequacies of the current child protection system documented over several decades and which cried out for its overhaul, include: the lack of a central coordinating body; the lack of proper assessment; absence of appropriate care and treatment plans; lack of appropriate family placement alternatives; lack of a modern adoption system and the lack of regulation of the child protection sector.

Mr. Speaker, modern principles of child protection emphasize that children in need of care and protection have the best outcomes when re-integrated with their families or, where that is not possible, in an alternative family setting, such as foster care or adoption. Together with an ongoing support, this will enable such children to live normal lives, as far as possible, and become happy and productive citizens. If institutional care turns out to be the most appropriate option, this too must be provided in a manner that will allow these outcomes to be achieved. This was the guiding philosophy of the new child protection system envisaged in 2000, a system that will be implemented shortly by this Government. The many initiatives of the current administration to promote healthy families, such as the National Parenting Programme being conducted by the Ministry of Gender, Youth and Child Development, is testimony to the Government's commitment to this philosophy.

Mr. Speaker, we are also aware that the Children's Authority Act, 2000 and the Children's Community Residences, Foster Homes and Nurseries Act, 2000 were amended in 2008 and certain sections of the Children's Authority Act were proclaimed in December 2008. These sections are outlined in section 22:(2) of the Act and their proclamation was to allow for the establishment of the board, the hiring of staff and, most importantly, for the establishment of the infrastructure required by the Children's Authority Act. This, together with the further legislative measures which are being pursued here today, would have facilitated full proclamation of that Act, as well as proclamation of the other statutes establishing the new child protection system.

It is clear why no further provisions were made in December 2008. Further proclamation depended on very specific requirements, and those requirements were not in place at that time. These requirements included assessment and support centres to be maintained in accordance with section 14(1) of the Children's Authority Act; reception centres in accordance with section 14(3) of the Act; highly qualified staff to perform licensing assessment, investigating, treatment, care, placement and rehabilitative functions in accordance with sections 5A(1), (c), (d), (f) and (g); 14(4A), 16, 22, 23 and 25(j). It was also important to have a Legal Unit, a Registry, a Foster Care Unit and an Adoption Unit in accordance with section 11. Lastly, but most importantly, regulations to be made subject to affirmative resolution of Parliament, which is the reason we are here today.

Mr. Speaker, the Community Residences, Foster Care and Nurseries Act, 2000, also has very specific requirements. All 50 or more community residences would have to be in a position to be licensed before that Act could be proclaimed; indeed an immense task. It also requires the establishment of a foster care system to provide critical family placement options for children. Moreover, the Children Act, 2012, which articulates closely with the new child protection system, requires, inter alia, that the Children's Authority establish places of safety for children who need to be removed from their homes. This very complex machinery which I have outlined needed to be in place and to be working as a seamless and cohesive whole before further proclamation could take place.

When this Government took office, only the board was established and a skeletal staff was in place. This Government proceeded to put the structures in place to enable the Children's Authority to commence its operations. The Children Act, 2012, was enacted and a committee was appointed by the Cabinet in 2012 to accelerate the operations of the authority.

The hon. Prime Minister, Mrs. Kamla Persad-Bissessar SC, MP Siparia, being a noted champion and advocate for our children, took the proverbial bull by the horns and placed implementation of the new child protection system at the top of the children's agenda in our country. [*Desk thumping*] To this end, the hon. Prime Minister initiated the establishment of the Child Protection Task Force in December 2013. A key aspect of the mandate of the task force was to ensure the commencement of the authority's operations.

I am pleased to report today that the following has been accomplished under this administration:

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- an assessment centre with staff has been established at Mount Hope, Eric Williams Medical Sciences Complex, and another new one within completion at the San Fernando Teaching Hospital—[*Interruption*] within completion;
- a place of safety with staff being established;
- the staff of the Children’s Authority has increased from 40 to 102 qualified and trained personnel to carry out the multiple functions of the authority;
- a Foster Care Unit has been established;
- the Children’s Authority is prepared to assume the adoption function;
- the Licensing and Monitoring Unit has been established, and licensing tools have been developed;
- a Registry Unit has been established; and
- an emergency response team has been created, and training of that staff has been conducted.

Mr. Speaker, several protocols and procedures to facilitate collaboration with other agencies have been developed. Training and sensitization of the key stakeholders have taken place. A child protection unit in the Trinidad and Tobago Police Service has been established, and provision has been made for financial assistance to community residences to upgrade their infrastructure for licensing. The authority is thus in a position to commence its operations and to treat with the nation’s most vulnerable children. Mr. Speaker, I repeat that: the authority at this point in time is ready. [*Desk thumping*]

The importance of the new child protection system cannot be over-emphasized. No longer should children be tormented by those who are closest to them and whom they trust. No longer should child victims have to suffer in silence. No longer should detection rates be so abysmally low and no longer should victims have poor care and treatment outcomes. Mr. Speaker, the new system is intended to treat and care for child victims in a manner that allows them to be fully reintegrated into the society and to live productive lives.

We should always bear in mind that a nation is judged by how it treats its most vulnerable population, in this case, the children of our country who are in need of care and protection. This is the reason we are here today, to approve

regulations that would allow the authority to commence its operations, thereby heralding a new and modern era of child protection in our country—a new dawn.

The principles and philosophies underpinning the new child protection system, so clearly articulated in 2000 when the package of legislation was introduced, also underpin the regulations. The regulations are derived from the parent Acts and necessarily will be imbued with the same guiding philosophy, that is, children in need of care and protection, whether through abuse, abandonment, neglect or for any other reason, must be given the same opportunity as other children, to live meaningful, happy and productive lives in this society.

3.15 p.m.

It is the duty of this Government, as indeed of all governments, to always act in the best interest of such children to achieve this goal. The new child protection system to be implemented is intended for this purpose.

Mr. Speaker, let me deal with the Children’s Authority Regulations. The regulation-making powers granted under this section 50 of the Children’s Authority Act, extends to:

- “(a) the burial of children in the care of the Authority; and
- (b) matters...required to be prescribed under this Act and for the purpose of giving effect to the provisions of the Act.”

Mr. Speaker, the powers, functions and duties of the Children’s Authority are set out in sections 5A and 6 of the Children’s Authority Act, Chap. 46:10. These extend to the provisions of care and protection and rehabilitation of the children; the assumption of the adoption function; the establishment of a foster care system; the investigation of complaints or reports of mistreatment of children; the investigation of complaints that community residences, foster homes or nurseries have failed to comply with prescribed standards; the removal of children in imminent danger; and the regulation and monitoring of the community residences, foster homes and nurseries.

Mr. Speaker, many of the substantive provisions of the Act are comprehensive stand-alone provisions and do not need to be given effect via regulation. As such, the Children’s Authority Regulations give effect to the authority’s powers and functions to provide care, protection and rehabilitation of children and to its powers of investigation and assessment and are procedural in nature.

Section 22(1) of the Children's Authority Act sets out the steps which the authority must follow in exercising its powers to deal with children in need of care and protection. The authority must first be of the view that the child is in need of care and protection, and that its intervention is necessary in the best interest of the child. It must then investigate where appropriately and lawfully receive the child into its care. The authority also has the power to conduct the assessments in accordance with the section 14.

Mr. Speaker, this is very important. So, I will use the colloquial expression, "now is no kinda vaille-que-vaille" way as used to be done in the past, where they just take children and put them, you know, any and anywhere. No longer is that kind of approach which can often and which, in the past, resulted in more harm than good. There will be no longer this kind of situation. The following procedures will now be followed: investigation, assessment, receipt of the child into care and development of a treatment plan for the child, while seeking the appropriate orders of the court outlined in section 25.

Mr. Speaker, there are significant powers given to the authority, but the Act does not specify precisely how these powers will be triggered. The regulations therefore need to provide the procedural mechanisms for triggering the authority's powers to act under section 22(1) and section 14. The regulations provide that the receipt of the report by the authority will trigger these powers.

The report will trigger the cascade of events identified in the regulations—investigation, assessment, receipt into care where deemed necessary. Thus while the regulations may appear to be similar to section 22(1), they do not, in fact, give procedural effect to sections 14, 22, 23 and 25. The mandatory requirement to make a written record of the report as stipulated in the regulations will also act as an initial check and balance to the powers given to the authority. The court will also act as a further check and balance to the authority's powers in all cases where applications for court orders need to be made.

Mr. Speaker, how the report is to be made and the mandatory requirements for a written record of the report as specified in the regulations, assume a great deal of significance when one considers that any member of the public may now seek the assistance of the authority under section 22(2) of the Children's Authority Act.

This is a new ground. Family members, teachers, neighbours or others will now be able, in law, to seek the assistance of the authority where a child is in need of care and protection. No one is to be discouraged when it comes to making a

report. This has been one of the most challenging aspects of the detection of child abuse. And so, the regulations provide that a report may be made orally, in writing or by electronic or other means.

Mr. Speaker, someone may call on the phone and the authority will be mandated to keep a proper record of that report. Reliance will also have to be placed on the report should questions arise with respect to action taken by the authority or even its omission to act.

It is therefore incumbent upon the authority to develop a robust system of receiving reports that can withstand legal scrutiny. In this regard, the authority has established a child protection information management system for entering all reports and for tracking children within the new child protection system.

Mr. Speaker, a risk assessment matrix has also been developed to determine the level of risk to enable a decision to be made with respect to the authority's power to investigate.

Mr. Speaker, the system has built-in confidentiality guarantees and only identified staff will have access. A unique identifier will be used to enable the authority to determine the number of times a child enters the system. It is safe to say that the authority will be ready to receive reports upon commencement of its operation.

It is to be noted that a child in need of care and protection is defined at section 22(1A) of the Children's Authority Act. The definition is exclusive and extends to children who are ill-treated or neglected, abandoned, have neither parent nor guardian fit to exercise care and guardianship and certain other circumstances are set out. Once such circumstance relates to where a parent or guardian is prevented by mental or bodily disease, infirmity or other incapacity or any other circumstances from providing for the child's upbringing, and there is no one else fit or willing to do so. This is specified under section 22(1A)(c) of the Act. This is indeed a very sensitive issue, since no fault will lie with the parent or guardian in circumstances of bodily or mental disease or other incapacity.

Mr. Speaker, let me assure this honourable House and the citizenry at large, that the authority is staffed with qualified and trained social workers who are very cognizant of the authority's powers and the manner in which such powers must be exercised.

Mr. Speaker, in dealing with a child in such circumstances, as indeed with all children, the authority must be guided by section 6(1)(h) of the Children's

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Authority Act which mandates the authority to act in the best interest of child. In doing so, the authority is obliged to consider the several matters listed in section 6(2)(a) to (j). Moreover, Mr. Speaker, receiving such a child into care is not the only option since other options, such as a supervision order, are available.

Further, if the circumstances of the order of the parent or guardian warrants receiving the child into care, this can only be done with the court's approval. The court will therefore act as a check and balance to this power.

Mr. Speaker, let me turn briefly to deal with the authority's investigative functions which will be triggered once the report is received and the authority forms the view that its intervention is necessary. It must be made clear that the investigative function of the authority is for the purposes of care and protection only, and is to be distinguished from the criminal investigating functions of the police. It is nonetheless evident that the investigative functions of the police and those of the Children's Authority will be intercepting on a regular basis.

Mr. Speaker, for instance, whenever there is reason to believe that criminality is attached to a case being investigated by the Children's Authority, it must immediately contact the police. The police will also play an important role in the removal of children in imminent danger. A function of the authority under section 5(1)(e), it is also envisaged that the police under section 22(2) of the Children's Authority Act will be seeking the assistance of the authority when it encounters a child in need of care and protection. Collaboration between the police and the authority will therefore be very, very crucial.

In this regard, the establishment of a specialized child protection unit of the Trinidad and Tobago Police Service to work hand in hand with the Children's Authority was a recommendation of the Child Protection Task Force, and emanated from its second report of March 2014. I am pleased to report today that this Child Protection Unit has been established. At present the unit has 85 trained officers. Training has been completed in a range of specialized areas including, investigating sexual offences, interviewing children, and rape trauma syndrome.

Further, during the period November 17—21, 2014, officers were trained by the United States Federal Bureau of Investigation in forensic interviewing. Additional training and understanding trauma of children has also been conducted, and training is ongoing. Protocols have also been established for the Children's Authority to formalize the collaboration between the two entities.

Mr. Speaker, while there are currently 85 trained officers in the unit, the intention is to increase the number of officers according to future needs. At this

point, I would like to commend my Cabinet colleague, the hon. Minister of National Security and the Acting Commissioner of Police for this remarkable achievement.

I wish to stress the importance of the assessment function under section 14 of the Children's Authority Act. This will also be triggered by the receipt of a report, following an investigation, as specified in the regulations. The initial assessments of children in need of care and protection will be carried out by qualified social workers. An assessment of children received in the care will be conducted by qualified professionals who will comprise a team including qualified social workers, a child psychologist and medical and other qualified personnel including a child psychiatrist.

Mr. Speaker, I want to repeat this because, you know, repetition leads to some degree of retention. The assessment of children as required under section 14 of the Children's Authority Act, and which is dealt with procedurally in the regulations, will be carried out at assessment centres by qualified professionals—no “vaille-que-vaille kinda—throwing the children any and anywhere”. This is absolutely necessary. It is non-existent at the moment. When a child seems to have challenges, the child is not properly assessed, and that child may graduate from the primary level to YTC level to Carrera level or Golden Grove level. We want to avoid that situation from continuing. We want to avoid that situation.

Mr. Speaker, in modern systems of child protection, even child offenders may be deemed in need of care and protection. And properly assessed, the Children Act, 2012 does precisely that. Child offenders may be deemed by the courts to be in need of care and protection, and refer to the Children's Authority for assessment under the Children Act, 2012.

Mr. Speaker, children who have been abused may act out in ways that are harmful to them and to the society—the educators in our midst would know that only too well. The importance of the assessment function cannot be overstated. It will result in appropriate placement and treatment with the support provided by the authority, and will enable family and societal reintegration; we will make that possible.

I am pleased to report that to facilitate these assessments, a state of the art assessment centre has been established at the Eric Williams Medical Sciences Complex. It is fully outfitted and staffed by the Children's Authority, and is ready to commence assessment. Staff include social workers, child psychologists and medical doctors. Training of the staff, as well as the district medical officer,

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nurses and paediatricians was conducted by a trained expert from Jamaica in December 2014. As I said earlier, another assessment centre is being outfitted at the San Fernando Teaching Hospital, and will be completed very shortly.

In addition, the Government through the Ministry of Gender, Youth and Child Development, has commenced the construction of two assessment centres: one located in Chaguanas and the other in Manahambre Road, Ste. Madeleine. Progress, thus far, with the Manahambre site as of January 9, 2015 includes cleaning and grubbing—100 per cent, setting up of site facilities—90 per cent; earth works—100 per cent; foundation—50 per cent. Similarly, for the Chaguanas site cleaning and grubbing—100 per cent; setting up of the temporary facilities—90 per cent; surveying—100 per cent; earth works—100 per cent; foundation—90 per cent. This is truly a Government working for you.

Mr. Speaker, it will be noted that no regulations have been made for the burial of children in the care of the authority, since sections 37 and 38 of the Children's Authority Act adequately cover the issues in relation to the burial.

Mr. Speaker, I now turn to the Children Community Residences, Foster Homes and Nurseries Regulations. These regulations are made by the Children's Authority with the approval of the Minister under section 53 of the Children's Community Residences, Foster Homes and Nurseries Act, 2000. The term community residences refer to children's homes and rehabilitation centres. Children's homes are intended to house abused and abandoned children who require institutional care, and child offenders under 10, while rehabilitation centres will house child offenders over 10.

3.30 p.m.

Mr. Speaker, children's homes have played an extremely important role in the alternative placement option for children in need of care and protection, and are to be congratulated for providing these services over a very long period of time. Historically, these have been the primary placement options for such children in this country and currently there are some 50 children's homes housing over 800 children who have been abandoned, neglected or abused, or otherwise in need of care and protection.

Over the past few decades, the children's homes of varying sizes and capacities have mushroomed in order to fill the need of out-of-home placements. This has arisen largely as a result of the absence of modern child protection systems which would assess and identify the best options for children in need of care and protection.

Mr. Speaker, these homes are largely unregulated, resulting in uneven standards of care and in some instances with less than satisfactory long-term outcomes for children in their care. The Children's Community Residences, Foster Homes and Nurseries Act, 2000, therefore seeks to close this gap.

The Children's Community Residences, Foster Care and Nurseries Act, 2000 is designed to ensure, inter alia, that children's homes and rehabilitation centres would adequately provide for the children in their care. It requires community residences to obtain a licence from the authority in order to operate, and requires the authority to monitor these residences to ensure that the children are given quality care, and that allegations of abuse and neglect are investigated immediately. It will be incumbent on the authority through these regulatory mechanisms to ensure that the children who are in these homes are safe and secure, are adequately cared for, and as far as possible enjoy the comforts of normal family life.

Towards this end, section 53 of the Children's Community Residences, Foster Homes and Nurseries Act, 2000, requires regulations to be made in respect of a range of matters including management and discipline, upkeep and expenses, maintenance and support of children, accommodation and equipment, medical arrangements, facilities for accommodating visits of parents or guardians, and all such other matters and things necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of the Act.

Mr. Speaker, the nature of these regulations and their very success require an intense consultative process. This is in keeping with the hon. Prime Minister's mandate of listening and then leading, not making unilateral decisions. Moreover, it is also in keeping with good change management practices. Consultations in the form of sensitization seminars, workshops, focus groups, discussions, meetings and training sessions took place over 18 months, culminating in the development of draft standards which then informed the development of the regulations.

Key stakeholders consulted included all managers of community residences who were involved throughout the entire process: the Trinidad and Tobago Association of Social Workers, the Trinidad and Tobago Association of Psychologists, the Family Court of Trinidad and Tobago, the Student Support Services Division, Ministry of Education, the Chief Medical Officer and senior staff of the Ministry of Health, chairperson and management of the North-Central Regional Health Authority, medical professionals, paediatricians, psychiatrists, district medical officers, registered nurses, child line, rape crisis and coalition against domestic violence, Families in Action, medical social workers, UNICEF,

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new training centre, the Tobago House of Assembly, the Child Development Agency, Jamaica, and the probation department.

In addition, a detailed review of similar regulations in other countries was conducted to ascertain their relevance to Trinidad and Tobago since these were going to be introduced for the first time. Regulations governing children's homes in Jamaica were particularly instructive. Twenty-one standards were developed around the themes of management and organization, safety and security, premises and quality of care. Subsequent to the development of these standards, a detailed gap analysis was conducted by the authority to determine where community residences stood in relation to the standards, and thus, to identify training, infrastructural and staffing needs in order to meet the requirements for licensing.

Many of these standards are reflected in the regulations. The regulations address the licensing process, management, safety and security, the state of the premises, the quality of care, the necessity for proper records to be kept under a complaints-handling system. Stakeholders approved of these standards and agreed to their prescription to ensure the best short- and long-term outcomes for the children in institutional care. They all agreed.

Mr. Speaker, the management of these homes is particularly important and this is emphasized in the parent Act. The gap analysis conducted by the children's authority revealed that while many managers had academic qualifications, others had training and experience but were nevertheless adjudged to be quite competent. The regulations had to be tailored to meet the local situation. It will be observed, therefore, that some degree of flexibility is attached to the prescription of qualifications of managers and the authority is given a wide discretion to require continuous professional development as managers at regulation three or regulation four.

Mr. Speaker, in all of the consultations, the importance of minimizing risk associated with persons with a conviction record, particularly sexual offences was stressed. Thus, the regulations require police certificates of character for managers as well as all employees. The requirement for renewal of licences and the continuous monitoring function of the authority will minimize greater risk.

The Children's Authority will be responsible for monitoring the community residences. To facilitate this, a community residence should carry on the business for which it is licensed and regulation 5(k) set forth this. To do otherwise would defeat the purpose of monitoring systems that have been put in place to allow the residences to meet these requirements, and in this regard templates have been

developed by the Children's Authority covering the matters specified. These include the templates on the statement of purpose or nature of the service, the community residences guides and code of conduct. All community residences have been trained in the use of these templates.

Mr. Speaker, hon. Members would note that the regulations prohibit corporal punishment. While it is true that many community residences do not use corporal punishment as a method of discipline, regrettably, there are some that do. Many children in community residences are already severely traumatized, and corporal punishment is likely to exacerbate that trauma. Alternative methods of discipline are available and have been used with success in several community residences. In this regard, community residences have also received training from the Children's Authority on behaviour management techniques, behaviour management policies and the rights of the child.

Mr. Speaker, safety and security issues are critically addressed. Most importantly, the manager is given the power to prevent contact, where such contact is not reasonable, practical, or it is prejudicial to the welfare of the child. The importance of this power needs to be viewed in light of the incidents over the last year at rehabilitation centres where unsuitable person/persons allegedly belonging to gangs reportedly were attempting to visit or make contact with residents. The regulations also emphasized proper records. The gap analysis revealed that this was a particular area of weakness for many community residences. Events relevant to the child's health, education or other important aspects of the child's life need to be documented to facilitate effective monitoring of the child.

Monitoring of the children in community residences, as I mentioned earlier, is an important function of the authority under section 5(f) of the Children's Authority Act. Records are also vitally important for the implementation of the child's care plan and reintegration efforts. Abuse of any form of mistreatment can and does occur in children's homes. Fear of authority and feelings of powerlessness often prevent children so mistreated or abused from making complaints. The authority has been given the specific power to investigate complaints of mistreatment of children at community residences under section 5(1)(c) of the Children's Authority Act.

To this end, the regulations make provisions for complaints procedures. Children resident of these institutions must be aware of the procedures and know how to use them. To facilitate the implementation of this regulation, the children's authority has developed templates on complaint procedures and complaint

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records, and all community residences have received training on these issues. The gap analysis conducted by the authority enabled the identification of strengths and weaknesses of all community residences in each of the areas prescribed in the regulations, in order to enable the authority to provide the training and support necessary for meeting the requirements of the regulations.

Mr. Speaker, a licensing and monitoring unit established by the authority has been working assiduously with the community residences to ensure that the procedures for licensing are well understood. In addition and noted, community residences have received extensive training on the many issues contemplated by the regulations to facilitate the monitoring process.

Mr. Speaker: Hon. Minister, you have five minutes to conclude.

Hon. C. De Coteau: Mr. Speaker, I now turn to the foster care regulations, and the foster care regulations in itself is very much self-explanatory and speak for themselves.

Mr. Speaker, as I said, it speaks for itself. However, I wish to reiterate that the following approval of these three sets of regulations, that is, the passage of the adoption of the Children (Amdt.) Bill, 2014, which is also before this honourable House; the Children's Community Residences, Foster Homes and Nurseries Act, 2000; the Adoption of Children Act, 2000; the Children Act, 2012; and the remaining provisions of the Children's Authority Act will be proclaimed. The Children's Authority will then be in a position to commence its operations to deal with the nation's children. In this regard, the Government has been implementing a series of supporting interventions such as the conduct of the National Parenting Programme, the National Break the Silence Programme which deals directly with child sexual abuse and public awareness and sensitization of the legislation for the new child protection system.

Nine training and sensitization workshops for key stakeholders were conducted by the Ministry of Gender, Youth and Child Development throughout Trinidad and Tobago, and over 400 stakeholders were trained. Significantly, in order to support the effective implementation of the regulations before this honourable Chamber, the Government through the Ministry of Gender, Youth and Child Development is providing one-off grants up to a maximum of \$250,000 in the existing community residences to ensure that they can meet the standards prescribed. Thus far, 12 grants have been approved. The Government is also constructing two remand centres and two rehabilitation centres at Aripo. As previously mentioned, the Government has commenced the construction of two

assessment centres. I would also like to commend the Chief Justice for the initiative towards establishing a juvenile court.

I would humbly ask hon. Members to support these Motions for the affirmative resolution of the regulations before this honourable Chamber. This is indeed historic and important for the very protection of the children of our beloved nation, the flowers of our nation, the bedrock of our nation.

I beg to move. [*Desk thumping*]

Question proposed.

Mr. Speaker: Hon. Members, you are reminded that leave has been granted for Motions Nos. 2, 3 and 4 to be debated together.

Dr. Amery Browne (*Diego Martin Central*): [*Desk thumping*] Thank you, Mr. Speaker. We are here today to do very important work. I just want to remind the House that our work is predicated on work that would have occurred before, done by a number of very hard-working members of staff across the great nation of Trinidad and Tobago.

And I really want to start where I thought the Minister might have started himself, by congratulating the very hard-working staff of the Children's Authority, the members of the board of the Children's Authority, the members of staff of the Ministry of Gender, Youth and Child Development, the members of staff of the Ministry of Social Development that extend right back toward the administration of the People's National Movement that helped lay the foundation for where we are today. [*Desk thumping*]

We need to give credit where credit is due. And it is very easy to arrive on any scene and denigrate what came before. I think it is also very important—it is more important—to acknowledge the work that was there, acknowledge the foundation on which we are building, and also do the work today to ensure that we get this step of the process correct.

3.45 p.m.

Enough time has been wasted in the past and we have gone through that type of debate before. We need to ensure that today we get it right, we do it right and we have the right outcomes for every single child in Trinidad and Tobago, and every word that I will be speaking in this debate will be designed to do exactly that, Mr. Speaker. And I could call the names of many persons who have contributed to what we now have as very good laws, with respect to the protection

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and welfare of our children and now we have regulations. And I have some considerations to offer with respect to how those regulations can be improved.

I do not need to tell this House this is a serious matter. If you pick up any newspaper, you turn on any radio or any television station, you would recognize that the issue of the care, protection and welfare of our children is serious business; it is critical business for Trinidad and Tobago. And with every child that is murdered or was murdered or is lost or is abused or is neglected or bullied or traumatized, we lose a little bit of the future of this country. And every child that is murdered a bit of the parent also dies as well. And with every parent that is murdered, including the horrific murder that we saw this week and, you know, we have assassins in wheelchairs and all sorts of things, when a parent is murdered in that manner a little bit of the child also dies. So, just to set the stage that this is important work.

The Minister did not acknowledge some of his own predecessors within his Government, but there have been several Ministers associated with this issue of child protection and welfare. I think they started with Minister Ramadharsingh, who is now gone on before. There was Verna St. Rose Greaves as well, who has gone on before. There was Marlene Coudray, who has been moved to another Ministry and now there is Minister Clifton De Coteau, who I have acknowledged in the past; in my opinion has put more effort than his predecessors. Of course, not more than those who were there before 2010, but certainly more than—I would not dwell on that. [*Crosstalk*] No, no, we are serious today.

Mr. Speaker, it is a reality that the infant mortality rate has been on the rise in Trinidad and Tobago. Our efforts need to address that, and that is being acknowledged even here in the House. It is a reality that violence against children in our homes, on our streets and even in our health care institutions has been a cause of serious concern. We still have no outcomes from many of these cases, the baby Cottle and so on, investigation report referred to other agencies, no justice, no outcome. That must be of concern to us as we consider these regulations. Juvenile delinquency, juvenile violence in our schools, all of these things are connected to the efforts that we would be making here today. Then the Minister even mentioned things like the parenting programme and the Baby Care Grant and so on.

Mr. Speaker, our family planning services in this country still remain in limbo. Just yesterday in my constituency office I encountered a lady, I am not going to go into the details, but she has 13 children and she is very young. She is younger than I am, with 13 children. [*Crosstalk*] Yes, really. This is in the year

2015, and there is a child who is one year old, and it tells us that much more needs to be done. I advocated here for more support for the Family Planning Association, including financial support. It appears the Prime Minister ignored that advice in connection with helping reduce the need for things like a Baby Care Grant, Mr. Speaker. So those are issues.

I am not going to get too much into rebutting the Member for Moruga/Tableland because I have already acknowledged his efforts. But he made a statement which might attract media attention and I want to amend. He said, “Today, Mr. Speaker, the authority is ready. We are ready, today”, and he got acclaim from his colleagues in that regard. But, Mr. Speaker, that is not quite true. Let us be honest, let us be frank, the authority is more ready today than it was yesterday, but it is not yet ready to take full control and command and to coordinate the response to our concerns with respect to children.

Mr. Speaker, just to attest that, this morning at 6.00 a.m., literally, I took up my telephone and I called the advertised numbers for the Children’s Authority. I was simulating to myself a matter or an urgent matter with respect to children. These numbers are advertised on the website and I could read them out for you. There are several telephone numbers: 627-0748; 623-7555, et cetera. If we are ready, if any citizens call those numbers at any time they would at minimum get a responder; at minimum they would get a message referring them to some other service or source of support.

None of that was available, Mr. Speaker. And it tells me that we are not yet as ready as we would be representing. And I just want the Minister to be aware of that, because I checked for myself. I would encourage him to do the same before making those kinds of pronouncements. So not everyone would call Childline or any of those hotlines, and at minimum they should be referred to those numbers if they call the authority after hours or before hours.

In addition, the Minister seemed—presented a picture in which these applications for court orders, et cetera, everything would be hunky dory, smooth, quick and rapid and our children would be fine. But just Friday, January 16, 2015 there was a *Newsday* article by Laurel Williams: “6 children call Hospital ‘home’”. That is the title of the article.

“SIX children are now calling the San Fernando General Hospital...home due to varying circumstance which prevents them from being relocated to Homes as court cases...”

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Mr. Speaker, that is nothing new. But I want to focus on the last two paragraphs of that article. And being quoted here is Mr. Gosine, the Chief Executive Officer of the SWRHA. Mr. Gosine said, and I quote:

“Our medical social workers handle these court cases together with the police. We need to follow the process to ensure those who can go to orphanages or even foster homes, are sent. It has to go through a court order. This is a lengthy process though,’ he noted.”

It has to go through a court order but this is a lengthy process. I want the Minister when he is winding up to tell us even—yes, there are many orders spelt out in the parent legislation. These orders are referred to in the regulations, but if the ground level staff are telling us that triggering that is a very lengthy process, are we really in a position to respond appropriately? And as the person that would be charged to champion these issues, I am encouraging the Minister to reach across Ministerial lines and to help ensure that every stage in this process is as efficient as possible so that our children could be literally safe as opposed to safer just on paper.

Mr. Speaker, I would want to remind this House that back in 2009, the Member for Siparia and her colleagues complained when we only partially proclaimed the Children’s Authority Act. Mr. Speaker, as of today, many sections of that Act remained unproclaimed after four and a half years of this Government being in power. The very things they complained about, and said we should have proclaimed the entire, one time—that is what you all said—those sections still remain unproclaimed to date.

Now, I understand why that is so, but the fact of the matter is, they made a certain type of representation back then and that same reality applies to the Children Act of 2012, which was passed unanimously, not proclaimed up to today and it applies to several other pieces of legislation that had been prepared and unanimously passed in this House. So their position in that regard is not a tenable one, at all.

Mr. Speaker, and then the Minister glossed over what he met. And I have a little trouble with that because it was not just a case of a board, he met a board in place, he acknowledged that. But a lot more work was done. And yes, there were delays before, but I just want to acknowledge the reality that along with my colleague, the Member for Arouca/Maloney, back then at the Ministry of Social Development, we were given a responsibility by the then Prime Minister to very quickly review all the laws related to the protection of children and bring them to the Parliament, and we did exactly that.

It took many, many nights, after midnight, of long hard work. All of the legislation that we are talking about today was reviewed then, all of the amendments were brought to Parliament and they were unanimously passed during that period. But that was not all. It involved a wide team of experts, some of which the Minister referred to in passing. Many members of that board that were appointed are still in place and I want to acknowledge that as well.

Those amendment Acts were swiftly proclaimed. All of this I am talking about is during a two and a half year period, Mr. Speaker, not four and a half years, two and a half years. All of those amendment Acts were proclaimed, and the Children's Authority Act itself was partially proclaimed to allow for the appointment of the board and the initial setting up of the authority. We had advice in that regard from people like Stephanie Daly who is now the chair of the authority herself. The first board was appointed including members of the youth council and other members of the society. Initial staff was recruited as well, and up to this day, four and a half years later, about 50 per cent [*Crosstalk*] no, no, about four and three-quarter, sorry, only about 50 per cent of the authority staff is in place as of this time in accordance with the Cabinet decision of the number of staff members that the authority would have. So there is still a lot of work to be done in that regard.

We initiated the development of a number of policies and guidelines for the operationalization of the authority way back then, 2009, and here we are today now being asked to consider regulations which in my view are insufficient. Initial mobilization of funding was achieved. The headquarters for the Children's Authority was procured at that time. The initial assessment centre was also procured and that resulted in a whole to-and-fro, subsequent to the general election with Minister Marlene Coudray—and I think she was embarking on some sort of witch-hunt for Faris Al-Rawi, and all sorts of things associated with that. The end result is that the assessment centre was taken away, that procurement was reversed and the Minister is now boasting about setting up one in Mount Hope. Fair enough, but the foundation was laid even before that.

A Deputy Permanent Secretary was specifically assigned to the Children's Authority to ensure that the operationalization would have been swift and within two years we would have been where we now are four and a half years later. There were regular meetings between the Minister, the Minister of State and the Chairman and board of the Children's Authority. So I just want to set the record straight for the benefit of Members of the House and the national community. A lot of work had led us to this point. Yes, we are—a lot more work has to be done and today we want to focus on these regulations.

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Mr. Speaker, I have a concern—now there are different ways a Minister can approach his responsibilities. And very often you would get matters that would come to your desk for approval and you can either just simply trust the staff, pick up your pen and sign off. And I saw the Minister in the media boasting that within a few days the regulations were approved. I think it was in the Senate. Somewhere I saw it. I think it was three or four days and I am really wondering if these were the subject of sufficient scrutiny, and if a meeting was held with the Children's Authority by the Minister to go through these regulations, word by word, clause by clause, because I think that is what is required at this stage in dealing with such an important issue. My scrutiny would suggest that level of attention did not occur, and it behoves us to focus on some of those details here today. And the first concern I have with respect to these regulations is exactly that—they are very vague and they lack detail.

Mr. Speaker, I asked the Parliament to give me some guidance on really what is the role of regulation in the ambit of the laws of Trinidad and Tobago. And regulations are statutory instruments. An Act usually sets out the broad policy framework, while statutory instruments like regulations allow the executive to work out the application of an Act in greater detail.

Mr. Speaker, if you look at the Children's Authority Act and then you look at the regulations that have been brought to Parliament today, you do not see that detail at all. In fact, we have for the first time on our books or proposed, the regulations that are a lot more vague than the parent Act itself. That is not logical and I do not even think that is proper, Mr. Speaker, and I will give a number of examples in a short while, but there is a lot of business to be done.

I propose to get right into it, beginning—let me start with the good news. I see the Minister looking a little worried. The good news, the Foster Care Regulations, Mr. Speaker, and Minister, I take no issue with at this point. I think they are well prepared. So let me start with that, put you at ease and now I will deal with you on another level. The Children's Authority Regulations—

Miss Ramdial: Be nice.

Dr. A. Browne: Yeah, I am always nice. The Children's Authority Regulations, I do not think are quite at the level that we need to be at.

4.00 p.m.

I would probably go through them very quickly, one at a time, for the assistance of the Minister. For example, regulation 1. There are only six regulations here. Right? They are really five because 1 is just:

“These Regulations may be cited as the Children’s Authority Regulations...,”

That is the citation. It does not really count for this business.

“Procedures 2. Any person may, orally, in writing or by electronic or other means, make a report to the Authority that a child is in need of care and protection.”

Much more vague than the Act itself. And then the Minister referred to Jamaica and to the fact that his staff or team examined the Jamaican Regulations. Mr. Speaker, this one clause in which we have outlined the fact that a person may make a report orally, in writing or by electronic means pales in comparison to the detail provided to Jamaican stakeholders in their regulations, in terms of the form in which such a report should be made. Because anything can constitute a report. My colleague could just make a little note and even draw a diagram and consider that a report of a child in need of assistance.

What the Jamaicans have done, applying themselves and working hard, is to provide details of the reporting procedures and enshrine that within their regulations. So you have the parent Act which outlines the policy and the approach, and then you have the regulations which give you exquisite and intricate detail, none of which are offered in the regulations for Trinidad and Tobago.

I would not read out every one of them because it is extremely lengthy. As opposed to one page of Trinidad and Tobago’s regulations, we have many in the Jamaican scenario which came before us and which we could have learned from.

Every report made to the registry pursuant to section 6 of their Act shall be in Form 1 of the Schedule. So they have included the Form in the Schedule of the regulations itself. The report shall include the reporter’s name; the reporter’s occupation; other contact information; a description of the circumstances of the reporter’s relation to or acquaintance with the relevant child; as far as can be ascertained, the name, gender, age and address of the child, the school the child attends and many more details, which would guide an interested party who wishes to make a report; the name and address of the parents, if available, and/or guardian; the number of other children residing in the same household as the child; the name, the gender and the age of the other children; any other

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information that the reporter has which can be expected to assist in identifying or locating the child.

The police would tell you very often they get all manner of reports and some of those reports simply are not actionable. We have the opportunity here, Mr. Minister and Members of Parliament, to provide sufficient detail in our regulations that will assist in making this thing meaningful. It is no good having them parked up in a file at an Authority and talking about standards and protocols and so on. If we do not enshrine them here, I would suggest they are enshrined here and there is ample precedent for that in our regulations for Trinidad and Tobago and there is precedent within the region, even in the same regulations that the Minister claims he consulted before he approved, or his team consulted before they brought these regulations to him. So I am disappointed in the level of vagueness of the Children's Authority Regulations that came here and I would really suggest that more work be done to ensure that these regulations are of a higher standard.

I will give another example, another concern, in clause 2(3).

“Where the Authority receives a report under subregulation (1), it shall investigate the matter to determine whether - ”

and it goes on:

“(a) the child is in need of care and protection...”

Mr. Speaker, a very important word is missing in this regulation and that is “immediately”.

“Where the Authority receives a report under subregulation (1), it shall”—
immediately—“investigate the matter to determine whether the child is in
need of care and protection...”

Now, that word may seem trivial to the casual observer, but persons who are involved in the somewhat sordid history of child protection in this country and region will tell you that immediacy is one of the most vital elements, and I would strongly advise—the Government does not have a good record of listening to good advice on this matter—that the Regulations be amended to ensure that immediacy is conveyed right here in black and white.

Mr. Speaker, I go on to Regulation 2(5):

“Where the Authority is of the view that a child is in need of care and protection and that its intervention is necessary in the best interests of the child, it shall, where appropriate, receive the child into its care.”

Now, Mr. Minister, I would even ask what is the purpose of including that clause in these regulations because they add nothing to the Act itself. In fact, if you look at the parent Act, it has a lot more detail on this matter than the regulations themselves. So it is almost a reverse case. I would have expected, if this was the clause in the Children's Authority Act, then the regulations would have the detail that we currently have in there. It is almost a reverse scenario. And it is really difficult to find any precedent where the regulations are less specific on a matter than the Act itself. And it really should not be regulations for regulations sake and they really should convey something additional.

I would want the Minister to explain what is clause 2(5) really conveying or adding to this process and how is it making our children safer? Because all of this information is in the Act itself. I would give you an example, section 22, of what I mean by that, because all of this detail is already there. Let us look at the Act itself. Part III, section 22:

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

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

- (a) has neither parent nor guardian who is fit to exercise care and guardianship;
- (b) is lost or has been and remains abandoned by his parent or guardian;”

All of those details are already in the Act. So what are we really bringing to the table with this regulation, which repeats the same thing in a much more vague and generalized fashion? Mr. Speaker, I would really appreciate an explanation on that. And that sentiment really covers these Children's Authority Regulations. I do not think sufficient—some homework was done obviously because we have something before us—rigour was placed into the preparation of those Regulations. [*Desk thumping*]

Now I propose to spend the bulk of my remaining time examining the bigger one, which is the Children's Community Residences Regulations, very, very important. We have a plethora of institutions or entities out there that would be considered children's community residences or potential children's community residences and we need to be very rigorous and scrupulous in setting a standard, a

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bar sufficient that our children would be much safer tomorrow than they are today. Let us get started with Part II of the regulations. Part I really is definition, so I am not going to be delayed on that.

We begin right at the start. Clause 3:

“A person who wishes to operate a community residence shall apply in writing to the Authority for a residence licence, in such form as the Authority may approve.”

And then we just move on from there. Mr. Speaker, what form? Where is the form? Where are the details of such an application? I am saying if these regulations are to be considered complete, thorough or even sufficient, that form should be included or at least guidance in terms of—it should not just be in such form as the Authority may approve.

We are hearing this Authority is ready, this Authority exists. This Authority, I know, has been working but if that homework exists, why has the Minister not brought that and enshrined that in the regulations? There is precedence for this in many existing regulations that have already been brought before this honourable House.

Let me refer back to his gold standard, or one of his gold standards in Jamaica, where they did exactly that. So, it is beyond my understanding of why we even have to deal with some of those matters. Why have those things not been enshrined? If you look at the Jamaican regulations, again, in exquisite detail, under their Child Care and Protection Act Regulations, the application for a licence to operate a children’s home is not left up to surmise or speculation but is spelt out and every single detail of what is expected of the applicant is provided in the regulations. That is why we have regulations, to provide that higher level of detail: name of the home; the parish; the name of the applicant; the address; name and telephone number of the resident manager; the qualifications of same; the size of the land; the type and structure of the building; the total number of rooms; number and size of bedrooms/dormitories; number and size of living rooms; number and type of major pieces of equipment; number and type of pieces of furniture; number, size and type of beds for use by the children; number and type of toilets; number and type of bathrooms; degree of water supply; names, duties and qualifications of staff; sex and ages of children proposed to be placed in the home. In other words, Mr. Speaker, it goes on. Details.

Mrs. Gopee-Scoon: Details.

Dr. A. Browne: Not detail, details. That is what we are missing here and that is the purpose of regulations. That is what I thought when I was “gearing up” and preparing for this debate. That is what I was expecting to open in my package and it simply was not there, so. We could close our eyes and say all is well, at least we have regulations, but I do not think we have really done enough here at all and maybe, I am saying, that work should be done and must be done.

We go on to subclause (3):

“Where an applicant under subregulation (1)...”

in other words a person who wishes to operate a community residence.

“is a company”—where the applicant is a company—“the application shall be accompanied by –

(a) a certified copy of its incorporation...”

et cetera, et cetera and then there is this reference:

“(c) a copy of the last annual return and any notices of change filed after that return...”

Now the last annual return, as we have recognized even here in this Parliament, could be years ago. It sometimes could even be decades ago. We need to be more specific there. I would say of the year prior to application, as opposed to the last annual return, which can be interpreted as the last annual return available to the applicant which could be an undefined period of time or age, in terms of the history of those returns.

Mr. Speaker, I go on to No. 4. This regulation attempts to give the qualifications, training or experience of the manager of such a community residence or applicant.

“The Manager of a community residence shall possess a combination of qualifications or training and experience in -

- (a) management;
- (b) social work;
- (c) child care;
- (d) business administration; or
- (e) such other disciplines as the Authority may require.”

Mr. Speaker, but no—[*Interruption*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Diego Martin Central has expired. Would you like to have your remaining 15 minutes?

Dr. A. Browne: Yes, thank you.

Question put and agreed to.

Dr. A. Browne: Thank you, Mr. Speaker. Now, this is an important position in this new era that the Minister has introduced today. The manager of a community residence is a very significant position. This is not an OJT position, because that has gotten us into trouble in the past with a number of these entities. So, I am asking the Government to ensure that in these regulations, a standard is set out in terms of minimum experience and more detail with respect to the qualifications we are expecting of the manager of a community residence. I would suggest a minimum of three years' experience, as opposed to this very vague combination of training and experience. That does not say anything; a minimum of three years' experience, in terms of managing a non-governmental organisation or a community residence.

In terms of these areas of qualification, management, social work, child care, no indication is given as to whether a certificate level, a diploma level, are we seeking degrees? It is completely vague. In my opinion, that is not good enough for such a significant position and it should indicate from an institution accredited by the Accreditation Board of Trinidad and Tobago. If you leave that out, you really leave it open for anyone to indicate they have done something in management—we have enough examples in contemporary society—something in social work, something in child care, something in business administration. Let us ensure—this is not the Act itself. This is the regulations—we have that kind of detail there. Set a bar below which no manager should fall. This, in my opinion, is too vague; not enough detail.

Mr. Speaker, I am moving right along, because I do not know where the time has gone, to regulation 5(iii). With respect to manager, the applicant must provide:

“two written references including contact information;”

Again, if you look at the Jamaican example, or even if you look at the business industry standard in Trinidad and Tobago, you would find examples where you cannot just bring a recommendation or reference from anybody. There is a listing.

In Jamaica they specify:

“a referral from any three of the following—

- (A) a Justice of the Peace;
- (B) a minister of religion;
- (C) an attorney-at-law;
- (D) a Resident Magistrate;
- (E) a Judge of the Supreme Court;
- (F) the principal of an educational institution or the chairman of the Board of Management of an educational institution;”

Trinidad and Tobago, in our regulations which we are celebrating today:

“two written references including contact information;”

That could be anybody. Resmi Ramnarine could give you a reference and you could bring it in front of the Children’s Authority. Let us do the work. Let us ensure that the detail is there, so that we would have confidence in the application of these regulations, the law and the systems that we are seeking to put in place.

Then you have (v), with respect to the manager. They must provide:

“a statement signed by a medical practitioner that the applicant is in good physical and mental health;”

Mr. Speaker, you could probably get that from many doctors today with your eyes closed or over the telephone. You would bear in mind, with some, let me not say many. I do not want to get in trouble. But hold on, the trouble has already started and I see a colleague getting excited.

If you look at the media, in the South-West Regional Health Authority, the Director of the San Fernando General Hospital, Member for Caroni East, has indicated he is questioning the medical certificates being provided on behalf of nurses in the health sector. So if he can question those, far less for someone who is seeking to become a manager of a community residence. I think we should set a higher standard than just a statement.

Now, with a food badge application there is a form and I think, in my opinion, the regulation should include a very specific form, because you see especially that part of mental health, we need to pay a lot more attention to that when we are

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putting people in positions of trust and authority in this country; a lot more attention to that and I could say so much more on this particular matter.

Mental health, in my opinion, psychometric testing. Given the kind of trust these persons are in a position—psychometric testing is the minimum bar when it comes to mental health. Let us specify these things, and if the Minister wishes to form a small committee there are qualified Members on this side who are willing today, tonight, to sit and get this thing right. There is more detail that is required. I certainly pledge my involvement if he is so willing. Otherwise we close our eyes, we sign off, we vote and we go home and we pretend all is well. I think we are missing the boat in some respect.

So how is this physical—but I am running out of time so I really want to move on, Mr. Speaker. Further regulations—and there is this thing about a statement signed by a medical practitioner where the employee is in good physical and mental health. I do not think that is good enough. We need to have a specific form, which indicates the parameters that a medical practitioner must assess and examine before signing off. Just signing a statement, come on, we know better than that and the Member for Caroni East knows what I am talking about; he knows.

Moving right along to subregulation (5)(c).

“(v) The composition of the staff”—also needs to be identified in a written statement identifying-

- (A) the number of staff;
- (B) the job titles of staff;
- (C) the ratio of child care staff to children;”

Mr. Speaker, we are expecting the residence, the entity, to include this information on the number of staff that they have, the job titles and the ratio of staff to children. But the Regulations should have provided those standards, in terms of what is the expected ratio that the Authority would set or would have set already, according to the Minister. Why are these standards not included or enshrined in these regulations? I am of the opinion that is very important because the law also has a role in guiding plans and future activities of our stakeholders. There are too many “vagaries” in how this has been laid out.

Mrs. Alleyne-Toppin: What?

Dr. A. Browne: These ratios should be stated in the regulations. I do not know. I would call it “coining a phrase” if you are not familiar with it.

Mr. Speaker, moving right along, sub-regulation (5)(d)(iii). This aspect of the regulations gives the need for a certificate of approval from several different entities, the Fire Service, the senior officer of public health of the Ministry of Health and the relevant municipal corporation designated by the Chief Medical Officer. Missing, and I am saying essential, is certification by the Occupational Health and Safety Authority. These community residences are also workplaces and they should be OSHA- certified. For some reason the regulations have omitted that. I am saying that is essential if we are to have the confidence that we wish to have.

Then it goes on to the premises. Again, it is very vague. Mr. Speaker, how much more time do I have?

Mr. Speaker: You have until 4.28.

Dr. A. Browne: Okay, all right. I am missing three minutes. It is way too vague in accordance with what standards. So they talk about:

“The Manager or licensee shall ensure that the community residence -

- (a) is adequately lit;
- (b) is ventilated;
- (c) is suitably furnished;”

What does that mean? What does adequately lit mean? That is the kind of language you might find in parent legislation but certainly not in regulation. Some standards need to be outlined, some guidance. He needs to ensure that it is adequately lit, not adequately ventilated, is ventilated. Well, the fact that human life can exist in the room would suggest it is ventilated. Is it adequate, and to what standard? Suitably furnished, that is also way too vague.

Do you know what is missing here as well? The issue of child friendliness or measures to ensure safety of children. For example, electrical outlets need to be covered, and there are basic standards that are enshrined in every developed country and the good developing countries, to ensure that these locations are fit and safe for children. I think this aspect, maybe, was lifted from something else and does not appear to be directly targeting institutions for children. Again, more details need to be required.

Moving on to 8(3):

“The Manager or licensee shall ensure that regular inspection and maintenance of all equipment, furniture and amenities used in the community residences is carried out.”

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Now, what does that mean? Inspected by whom, Mr. Minister? Is it by the Children's Authority? I do not think so because they are not in a position to inspect equipment and furniture. But who does this inspection? That is also very vague. In the normal course of things we know what happens out there. You visit any school or any of these entities, very often there is derelict furniture. Who is doing these inspections? What degree of frequency or periodicity? We have no information.

“9.(1) The Manager or licensee shall ensure that each child is provided with -
(a) his own bed;”

agreed, very important.

“(b) proper and safe storage for personal possessions; and
(c) a place for quiet study.”

Now, we have been trying this in the regulation but that has to be age-appropriate and dependent on the age of the child. Because if you have a baby; a baby does not need a quiet place of study but we are instructing the operator of these community residences, and it is not facetious at all, that that is essential.

“The Manager or licensee shall ensure that each child is provided with -
(c) a place for quiet study.”

I am not sure a six-month-old requires a quiet place of study. So that really needs to be depending on age. That is a phrasing that was used elsewhere in the regulations. It needs to be applied here as well and there are other issues, which I will not address here.

Then, very important under “welfare of children” if there is one thing the Minister listens to, I would want him to listen to this, and that is when we are looking at the welfare of children under these regulations—and there is talk about the dietary needs. There is talk about: clothing appropriate to religion, age and so on. There is talk about educational and vocational training. There is talk about recreation and medical care. All of these need to be ensured by the manager.

Mr. Speaker, where is the ethics and values training at these community residences, orphanages, children's homes? These are the regulations and I would suggest that that is an essential component of any programming we are looking to provide to these vulnerable children, in fact all the children of Trinidad and Tobago. We are missing a precious opportunity to enshrine that here and to make

that essential, that type of programming essential, the Pledge, the National Anthem, ethics and values as well for the children because the negative outcomes can be too horrific to contemplate.

Regulation 15 states:

“A child placed in the care of a community residence shall not be subjected to -

(c) unreasonable immobilization; or

(d) unreasonable physical restraint.”

What are the standards in this regard? It suggests that there is something called reasonable physical restraint and reasonable immobilization. I am very curious about that. There are no standards that have been identified at all, Mr. Speaker.

Unfortunately, I do not have the time, with the reduced speaking time, to go through each one of the concerns but I would say overall, these regulations are too vague, they lack in particulars, they identify no standards, protocols or benchmarks to assist in the interpretation of the law and really do not provide sufficient additional rigour to allow us to keep our children safe. This, to some extent, is a missed opportunity by the Minister and his Ministry.

I would suggest, as I said I am in agreement with the Foster Care Regulations, but these other regulations would really benefit from some additional work with reference to the examples I have given and there are many, many others.

I am not an obstructionist. I saw what happened with the Children Bill. They delayed it and then they eventually passed it. We want good regulations passed in the shortest possible time—[*Desk thumping*]—and that is why we are here but I do not think we are yet at that standard.

I do not know if the Minister is persuaded or if he is persuadable, but I would suggest that reasonable minds would think twice in this regard and hopefully it would be time well spent, where we could tighten this up and improve these regulations.

Mr. Speaker, I know I probably just have a few more minutes and I just want to give—[*Interruption*]

Mr. Speaker: You have just about 30 seconds, not minutes.

Dr. A. Browne: Yes, starting from now, of course.

Mr. Speaker: No, you stop at 4.28.

Dr. A. Browne: Mr. Speaker, I want to give the Minister some advice to really be a champion for children. That would cut a number of issues. So on the issue of baby Cottle I want to hear him talking some more. On the issue of 11-year and 12-year-old girls being married lawfully in Trinidad and Tobago, he needs to speak up on that; that needs to change. We have to bring to an end the issue of underage marriage in this country, especially for a girl. [*Desk thumping*] They promised to do better and they have not, and so many other issues affecting our children. There is the role of the Minister to step up. Many of our special institutions like Goodwill have not been getting the financial support, have not been getting their stipends, et cetera.

The final issue I just want him to be aware of, as a champion of children, the challenge many of our poor mothers are having in getting their children into primary school. Mr. Speaker, I will talk about that on another occasion. With these regulations, we are taking a step forward but we have to step correctly. We are not quite there as yet. I thank you, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: Hon. Members, it is a good time for us to take an early tea. When we return, the hon. Member for Caroni East, the Minister of Education, will be our next speaker. This sitting is now suspended until 5.00 p.m.

4.28 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Speaker: The hon. Member for Caroni East, Minister of Education. [*Desk thumping*]

The Minister of Education (Hon. Dr. Tim Gopeesingh): Thank you, Mr. Speaker, colleagues. This is such an important piece of legislation that I feel very privileged and honoured to be given the opportunity to speak on these three pieces of legislation that involve regulations in three various areas, and all emanating from the regulations needed for the Children's Authority Act and the foster homes and nurseries and community residences, and it is important that we recognize the fact that we have agreed to put all three together and discuss them together this afternoon.

I want to, first of all, commend the hon. Minister of Gender, Youth and Child Development, Minister Clifton De Coteau, for the tremendous work that he has done [*Desk thumping*] with his technical team from the Ministry of Gender,

Youth and Child Development—many of whom are here this evening—to ensure the swiftness of bringing these regulations so that the whole Act can be working, and also to commend the members of the Children’s Authority—the executive board and management of the Children’s Authority—who have been working very long hours to bring about these regulations and have been having discussions with international countries as well, and those who participated in the legislation abroad, even from Jamaica, so that they could have provided this for the hon. Minister of Gender, Youth and Child Development.

If you notice, when the Children’s Authority sent their regulations for the Minister for his consideration, one thing that we must note is that the Minister and his technical team from the Ministry had been working long and arduous hours with the Children’s Authority team, in working out the regulations that he has provided for the consideration of the House today. And in those long hours you would see how swift, after the deliberations and consultations at an international level and a local level, with so many stakeholders involved in this wide-ranging Children’s Authority Act and the Children Bill—you would see that so many stakeholders had to be part of the process.

After that was done, the Minister took just only about four days—I believe from November 14 to November 18—and then he signed off on the regulations and decided to bring it for Cabinet’s approval for the Legislative Review Committee to look at and then bring it to Parliament.

So therefore from November 18, and today is January 21, just within a period of two months, the Attorney General and the Legislative Review Committee of the Government need to be congratulated for bringing this so swiftly to Parliament [*Desk thumping*] in just a short period of time; of course, the hon. Prime Minister driving this process on a regular basis. I have seen instances where the hon. Prime Minister has been seeking from the Ministry of Gender, Youth and Child Development, on a regular basis, “How far have we reached with this; how far are we moving towards fulfilling the regulations to bring before Parliament?” And here it is today for consideration by the House.

The first one, Motion No. 1, really speaks about the area of “accommodation and equipment to be provided in residences, foster homes and nurseries, medical arrangements to be made for protecting the health of the children in community residences and foster homes, the provision of information to the Children’s Authority of Trinidad and Tobago by the Managers as to the facilities provided for the parents or guardians of children in community residences and foster homes...” That is Motion No. 1, basically.

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Motion No. 2 is to make regulations in respect of the management of any community residence, and it has to deal with the accommodations and equipment and protecting the health of the children, and for the provision of information to the Children's Authority as to the facilities. The third Motion, basically, is in respect of matters which are required to be prescribed under the Act for the purpose of giving effect to the provisions of the Act. So, my colleague, the Minister of Gender, Youth and Child Development, Member of Parliament for Moruga/Tableland, dealt effectively, based on the work that had been done by his team, in his presentation here to Parliament.

But let me now respond to—well, first of all, if I may say that this touches me a bit, as in my own profession prior to—in the other aspect of my life, being a gynaecologist, where you had a number of patients with unwanted pregnancies and so on, it is the duty of any worthwhile doctor to give education to these mothers as best as you can in terms of them not deciding to do the wrong thing. And the illegal aspect of termination of a pregnancy and so on, you give them the information that they can have their baby and give it up for adoption and so on, and that prevents a whole heap of them from doing irregular things, immoral things and illegal things, and probably a lot of them ending up with backstreet people and ending up with their lives lost.

So that aspect of it, I had to deal with on a number of occasions, and successfully a lot of them did do that. But it was a very painful experience for them then, having had the baby and promising to give the babies up for adoption, then having signed a number of agreements and so on with the prospective people—well, that is dealt with in the Adoption Act to come, to be discussed—you found that there are difficulties. So the Children's Authority has to deal with some of these matters. And, of course, that is from birth. The little infants, beautiful little children, born into the world to live.

It is important for the population to know that we see life, as doctors, as gynaecologists, from six and a half weeks of conception—and when you see the little heart beating, and at about seven and a half weeks of conception you see the little foetus moving—the embryo is moving—my colleague, the Member for Diego Martin Central, my colleague, the hon. Minister of Health and my other colleague, the Member for Tobago West—would all have experienced in our lives.

So, therefore, life to us is very sacred and is very sacrosanct and we cherish the life of every child, and in my profession where I have delivered thousands of them in the past, from every strata of society, in the public hospitals and in the

private sector, and having to deal with the problems of broken-up marriages and split relationships and so on, you had to give your counselling. So I am very concerned and very fortunate in terms of being a part of a government that is bringing this piece of legislation with the regulations so that the regulations could be proclaimed and the Children's Authority can move expeditiously to deal with some of these other issues.

Then there are other issues where parents, for one reason or the other, they separate and their child is left in the middle and they sometimes have to allow the child to go for adoption and so on. That is another issue. Then who takes custody of the child and so on. Then there are those who are having difficulties, after having so many children, cannot take care of the children and they abandon the children and that is very, very sad. So there are different scenarios that therefore call for the Children's Authority to play a major important role.

I worked alongside the Member for Diego Martin Central and the Member for Diego Martin North/East and one or two of my colleagues while we were in Opposition, to work on the Children's Bill and the Children's Authority Bill. We did long, hard work—arduous hours, working long hours and there was always a conflict—I used to ask them to sort it out for themselves—between the Member for Diego Martin North/East and the Member for Diego Martin Central, where they were in conflict in the joint select committee, or the special select committee of Parliament, while we were in Opposition and they were in Government at that time.

So there was some work done there, but then, culminating after we came into office, our various Ministers, who started with Minister Glenn Ramadharsingh and then Minister Verna St. Rose, and now Minister De Coteau, have done a tremendous amount of work to bring us where we are today. So these regulations are critically important for our adoption and we look forward to the support of the Opposition as far as ensuring that these regulations are passed and, therefore, the President can assent to this and the Children's Authority continues to do its work with the backing of the regulations that are incorporated with the Act.

Now, the Member for Diego Martin Central, of course, stated categorically that he approves of the Foster Care Regulations, and he had no difficulty with the Foster Care Regulations. So, Mr. Speaker, I do not think that there is any contention from the other side on the Foster Care Regulations because he has indicated, if I am to be corrected, that we have your approval in your discussions, in bold, on the Foster Care Regulations.

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So, Mr. Speaker, let me respond to a few of the things that the Member for Diego Martin Central spoke about. Well, of course, all of us are interested in the protection and the welfare of every child in Trinidad and Tobago, and it is incumbent upon all of us that we ensure that no child is taken advantage of, no child—any physical or emotional damage is done to any child in this country. We have a small population and in my work as Minister of Education, with a quarter million children in our schools, up to about age 18—from three years to age 18—it is my responsibility, which has been entrusted to me by my Government and my hon. Prime Minister, to make sure that every child is protected, and this is what we seek to do on a daily basis, minute by minute and hour by hour. So that even on the way from home to the school, and in the school, and from school back to home, it is important for us to continue to look after all of them.

So the protection and welfare of our children—and it is very painful for any one of us to see any advantage taken by anybody, on a child particularly. Well, murdering a child is one of the most painful things that you could ever read, or see, or hear about, and you wonder what type of psychopaths are outside there doing damage to a child.

Parents, by nature, are very protective, are very loving and very caring, but sometimes the pressures of living day to day carries them to different levels and the emotional pressures are sometimes bearing upon the child, that there is violence in the home against the child. So this is something that we have to try to protect and educate our parents on a day-to-day basis. This is why Minister De Coteau has spoken—the Member of Parliament for Moruga/Tableland—about his Ministry's decision to go on an empowerment of parents and parenting responsibilities, and he has had a number of workshops nationally.

His Ministry has conducted a number of workshops to ensure that this goes on. There are a number of television advertisements; there are a number of radio advertisements. The Prime Minister had entrusted and had instructed an interministerial team to ensure that we move very quickly and put things out there in the national community so that we can make the national community aware of some of the negatives with respect to children, and give them some messages that will be consolidated in their minds so that it would be right there before them to ensure that these children are protected.

5.15 p.m.

No children should be kidnapped. So you take care of your child as you walk along the streets. No child should be abused in the home—you know that there

are penalties for that. No child should be left to get damaged playing in a playing field or anything like that. And so, these are some of the things the hon. Prime Minister instructed the interministerial team to move forward with and place on the newspapers, place on the television, ads and inform the general community and the national community of parents.

From my perspective as Minister of Education, we ensured that one of our essential priorities in the Ministry amongst the 16 prioritized areas is the question of parenting in education, and Minister for Port of Spain North/St. Ann's West, as being a former principal herself, would have had to do a number of things as a parent in her school. The parent leaves the child in her school, she then becomes the parent of all the children in her school. I know that you have done a great job in St. Francois Girls College and we applaud you for that. We know that you have done a good job.

So like all our principals of our schools and supervisors and teachers—the 1,600 teachers—they assume the role of parents in schools and we are now ensuring that—we conducted over 100 workshops in Trinidad, the Student Support Services Division, with parenting in education. Thousands of parents had attended these workshops and now we have established a parenting academy for parenting in education. So this is in combination with the work that the Minister of Gender, Youth and Child Development has been doing in parenting.

We are now moving closer and closer to ensuring that all parents get a type of education that will reduce the degree of abuse of children and the degree of abnormal problems going on within.

Dr. Browne: That is good news, Minister. Thank you for giving way. I just want you, if maybe, to respond to the issue. Can you train or workshop a bad parent to be a good parent? I want your thoughts on that. Plus, in my view Minister, it really has to start before they become parents in the first place which falls directly beyond the main on the issue of health and family life education, preparing them to be a parent from the youngest possible age.

Hon. Dr. T. Gopeesingh: Thank you. I hear you and obviously you are very correct. You cannot start to try to educate a parent when they have already developed bad habits and so on. It must be preventive in its aspect, and from that, Member for Diego Martin Central, the Ministry of Education—the Prime Minister was extremely disturbed with me at one time because—*[Interruption]*

Hon. Member: “Yuh get buff?”

Hon. Dr. T. Gopeesingh: “I geh ah buff”—the hon. Prime Minister thought that health and family life education was being taught in our primary and secondary schools to a major extent, and she indicated to me, “Minister, when I demitted office as Minister of Education, when we left in 2001, we had that thing set up for it to be continued.” Then I realized that any time I spoke about health and family life education being taught in our school, I was not being given the proper information and I felt very misled. I felt disappointed that some of my technocrats could have been telling me that that was on the curriculum.

Dr. Browne: The Prime Minister misled you too?

Hon. Dr. T. Gopeesingh: Well, she “buffed” me. I mean, that is important. That is what a distinguished leader will do. When certain things have to be done they must be done, and it is the responsibility of the Minister to have them done.

So I immediately set about a task force in the Ministry of Education and we began to look at—they were always telling me it is in the curriculum. It is in the curriculum, yes, but it was not being taught. So immediately I moved ahead to say, “Well look, let us get this going.” In fact, the hon. Prime Minister made it even easier for me because she engaged the national community and different organizations and groupings in her conversation with the general population over a period of time. In one of her conversations with the Family Planning Association, who wanted to speak with her on it, the Family Planning Association indicated their willingness to give some help on this whole issue of health and family life education and appropriate sex education in schools. Then UNICEF came into the country as well and said that they would like to partner with the FPA and partner with us to give us advice on how we train our teachers on health and family life education and appropriate sex education in schools. Now I am advised that this is ongoing in our primary schools and it is part of the programme in the secondary schools up to Form 3 level as well.

Now, I have to continue to monitor that, and this is where the work of Minister comes in because you have to ask your supervisors, is this being taught? Then you call the principals and ask them, is this being taught and so on?—and a whole curriculum department. But also who is helping us look at it is the whole question of our Student Support Services Division. Cabinet gave consideration to a request from the Minister of Education to increase the personnel in Student Support Services to over 700 and I am very happy to say today, that the Student Support Services Division is now almost close to 100 per cent staffed, Member for Port of Spain North/St. Ann’s West, where we have at least two guidance

counsellors or guidance officers in every secondary school. We have school social workers, we have clinical psychologists, behavioural psychologists and educational psychologists in our system.

So these guidance counsellors and guidance officers are now working with the students. As soon as a principal or a teacher identifies at-risk students, they are referred to them and they begin to work in school with these students. We are now seeing a dramatic decline in the suspension of students in schools. Previous years we had approximately 2,000 to 2,500, now we have less than 2,000. It is going down quite well.

And so, the amount of suspensions is getting less because we are proactive in dealing with students' difficulties. Thousands of teachers have been trained in ADR, which is Alternative Dispute Resolution, and mediation. So that the whole question of bullying and the question of ill-discipline amongst students is being reduced considerably in our schools. We are now working with the security services. We also have two health and safety officers in each one of our secondary schools, the government secondary schools, so they in fact are complementing the whole movement towards reduction in ill-discipline amongst our students in schools. There are many other programmes and policies that have been implemented.

So therefore, Member for Diego Martin Central, the Family Planning Association did give some help to this entire issue, together with UNFPA, and UNICEF has also given some support. So the Children's Authority would have benefited from their intervention and, of course, in our school population we benefited as well.

Now, in our schools as well, which we have nearly quarter million students, some children do not want to even talk to their parents when there is a problem at home, even by a father or a stepfather. They are afraid or they do not have the confidence to speak to any one of them at home. Some of them come and talk to the teachers and the teachers may refer them to the school's social worker. Now, that puts the student in a little difficulty because somewhere it gets out that the child has been asking for help in the school and then the mother or the other parent becomes unhappy about that—why should the child be telling the teacher and so on. So, what we did, with my colleague then Minister Glenn Ramadharsingh at that time, Member for Caroni Central, we came up with the idea of setting up an anonymous hotline for our children. At the end of that hotline are some very competent clinical people in clinical psychology and they even refer to some psychiatrists at times, and behavioural psychologists as well.

I have tested the system myself. They are very confidential, they are very professional, and when Minister De Coteau was with me in the Ministry of Education we ensured that this hotline became a very important piece of information for all the students in the schools. We have the hotline number 131 or 800-4321. We put these numbers up across the schools, different areas, so the students knowing if they have a problem, they can call this number. The issue remains anonymous and the matter is dealt with in a professional manner without the interference of their parents or anyone knowing, and that by itself has saved a number of children's lives by just that intervention. So, we are very happy that system is working and we continue to do a lot more work with them to see how we can continue to strengthen that. Children are calling in, not only the students in the secondary schools, but the young ones, the little ones. Primary schools are calling in on that issue.

So, the issue that the Member for Diego Martin Central raised about juvenile delinquency in schools, I think I have addressed that, and the family planning services he spoke about I have also addressed that issue. You also spoke about the infant mortality rate, but that is an issue that the hon. Minister of Health can deal with. But from my knowledge—I have stopped practising from 2010 by virtue of being a Minister of Government. I miss it. I miss my lecturing to the students, but—[*Interruption*]

Dr. Browne: You stopped practising?

Hon. Dr. T. Gopeesingh: Yes, I have stopped practising. I mean 40 years in medicine it goes by very fast.

Mr. Deyalsingh: What about the Minister of Health?

Hon. Dr. T. Gopeesingh: The Minister of Health has stopped practising.

Mr. Deyalsingh: Has stopped?

Hon. Dr. T. Gopeesingh: Yes.

Mr. Deyalsingh: When?

Hon. Dr. T. Gopeesingh: No, the Minister of Health never practised as a—
[*Interruption*] Anyway, the amount of children that we have delivered—

Mr. Speaker, the question of infant mortality. You have a mortality less than five years and an infant mortality less than one year of age; perinatal mortality is the amount of children dying within 28 days of birth—perinatal: around birth, 28 days—and neonatal mortality is within the first seven days of birth within seven

days. Neo: closer to, natal. So seven days is neonatal mortality, perinatal mortality within 28 days of birth and infant mortality within one year of birth. How do you calculate it? It is calculated based on the amount of deliveries, whether live birth or births where the children were born and then died subsequently as a result.

Around the world, you cannot help all of the children. We have increased incidents of premature delivery, meaning that the mothers deliver even before 28, 26 weeks, 25 weeks now, 24 weeks, and the etiologic factors in that issue—a world research we still have not honed in to. We know that there are a number of etiologic factors and we try to prevent that, but there are some times you cannot prevent it. So therefore, we have children being born very early.

When these children are born very early now, we are finding around the world—because of the sophistication in the health care system, we are keeping these “25-weekers” and “26-weekers”—a normal term pregnancy is 40 weeks alive—and when we are keeping them alive with the neonatal intensive care which we have a fantastic neonatal intensive at the Women’s Hospital, at Mount Hope Hospital, in the south hospital and at Port of Spain hospital—and I give commendation to Dr. Petronella Manning, who was one of the leading people in the neonatal care. They kept a lot of children alive and they are keeping more children alive now, but sometimes the consequences of keeping them alive—

Mr. Speaker: Hon. Members, the speaking time of the hon. Minister of Education has expired. Hon. Minister, would you be interested in an extra 15 minutes?

Hon. Dr. T. Gopeesingh: Yes, I will.

Question put and agreed to.

5.30 p.m.

Hon. Dr. T. Gopeesingh: Thank you, Mr. Speaker. So the question of infant mortality, I am responding—[*Interruption*]

Miss Mc Donald: Mr. Speaker, you know, I really do not want to disturb and interrupt the Member for Caroni East, such a distinguished gentleman, because I have just learnt the difference between neonatal, perinatal and infant mortality. Excellent, but, Mr. Speaker, could he, please, tie it back to the Bill, please? I would like you to tie it back to the Motion. Let us talk about the Motion, please.

Hon. Dr. T. Gopeesingh: Sure, sure. No, I hear you. I just thought it was important to say that the Minister of Health is moving expeditiously and working very hard with his entire Ministry of Health team to reduce the infant mortality in

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the country and reduce the moralities of our children. The Member for Diego Martin Central raised that.

Let me respond to some of the other areas that the Member for Diego Martin Central raised. He spoke about staff recruitment. He believed that there are only 40 per cent of the staff—[*Interruption*]

Dr. Browne: Fifty.

Hon. Dr. T. Gopeesingh:—with the Children’s Authority. I have been advised by Minister De Coteau, his technical team, that the establishment is 242 in the Children’s Authority, but they are experiencing difficulties in getting skilled personnel to be on board with the Children’s Authority. And I will tell you that there are about three different areas looking for the same type of people: the social workers. We need medical social workers, we need social workers for the Children’s Authority and we need school social workers and their psychologists. Now, we have a scarcity of those trained personnel in Trinidad and Tobago.

So, one of the reasons that the hon. Minister and the Children’s Authority is finding difficulty is because of the scarcity of the personnel. We are all competing for the same people who are in scarcity at the moment. But the Government is now moving to provide more and more scholarships for people willing to pursue those things at the University of the West Indies and even internationally for their Masters and PhD levels.

My understanding is that the Minister and his technical team had about 10 meetings with the Children’s Authority and the technical staff of his Ministry worked with the Authority on the Regulations and—[*Interruption*]

Dr. Browne: Ten meetings on the Regulations?

Hon. Dr. T. Gopeesingh: Yes, there were 10 meetings and the details of that, they continue to work with them over a period of time and the technical staff ought to be congratulated. So when you said that the Regulations lack detail, it is not lacking detail, it is the work of the technical staff of the Ministry of Gender, Youth and Child Development and their discussion with a number of internationally recognized people who have legislated on this matter, like in Jamaica where they got advice from some of the people who dealt with the regulations in Jamaica.

You asked then: what is the role of the Regulations? But most of the things that you are considering are already in the Children’s Authority Act, so it is no

need to go and duplicate that in the Regulations. And so most of the sections in the Children's Authority Act take care of a number of the details which you are speaking about and which you feel that are needed in the Regulations.

And so, the Act itself can stand on its own and there are stand-alone issues in the Act. What the Regulations have, in fact, done, Members, is bring on a process for the implementation of what is required by the Children's Authority. So a lot of the things that are needed that the Member spoke about are in the parent Act, the Children's Authority Act. But what the Regulations have, in fact, done is to allow the processes to take place in a very swift manner, and so that basically, I would want to say, negates the issue which the Member said that it lacks the details. But there is a reason why they have put the Regulations, because they, in fact, have a lot of these within the Act itself.

Dr. Browne: Minister, would you give way?

Hon. Dr. T. Gopeesingh: Yeah, but "ah doh have much time, eh."
[*Laughter*]

Dr. Browne: I would not take too long. Thank you for—I should speak slowly then. [*Laughter*] Thank you for giving way, Minister. Just very quickly, one example that I gave was on the issue of what constitutes a report and guidance for the details of what comprises a proper report or a thorough report. That is not in the Act, that is in the Jamaican Regulations and so—[*Interruption*]

Hon. Dr. T. Gopeesingh: I will respond to that.

Dr. Browne: Okay, good, good.

Hon. Dr. T. Gopeesingh: So, there are stand-alone areas within the Act that can take care of itself but the Regulations needed procedural aspects and therefore, this is where the Regulations came in.

My understanding is that the Ministry of Gender, Youth and Child Development had some discussions with the Jamaican people, and there were long deliberations about the details. They felt that—they went into a lot of the details—a lot of the details that you are asking for are now done administratively, Member for Diego Martin Central. A lot of the details that you are asking for can be done administratively by the Children's Authority because it is set up as a statutory authority doing it administratively, and they have confidence in the authority to execute the functions. So they do not need to put that into details.

So, things are in place now for the Children's Authority to act with confidence because it is a statutory authority, and you know that statutory authorities are responsible to Parliament. They are responsible for judicial review. They can be responsible to the courts. So, a strong statutory authority like the Children's Authority will not envisage or have any things that will weaken their confidence and they will not allow themselves to have to be going to court over a period of time because it is not there.

Now, you said that clause 3 in that Children's Authority requires immediacy. There are some parts of it that require immediacy. The Act says it shall investigate the matter and the Authority, on receiving a range of reports, they have a priority listing in the processes. So, they have within their administrative capacity, a prioritization of how they deal with the reports and that is based on a risk assessment portfolio which they have in the Authority. So based on the knowledge of the risk assessment, they assess the prioritization of that—
[*Interruption*]

Dr. Browne: This is before the investigation, you know.

Hon. Dr. T. Gopeesingh: What?

Dr. Browne: The immediacy—shall immediately investigate then they prioritize but they have to investigate—[*Interruption*]

Hon. Dr. T. Gopeesingh: No, but the Act has—the whole functioning of the Authority has within it the capacity for risk assessment once something is reported to them and based on what is reported and the risk assessment portfolio that they have within the Authority, they will be able to assess what is prioritization. Because if you put it with immediacy, you are lumping all of those issues together and therefore, what may not need the prioritization and the immediacy, and if you have that in the Regulations, you will be doing something unjust. Because you cannot put everything together and say everything has to be immediately dealt with and so discretion in which they have and the confidence that they have in the system.

Now, you said that clause 5 adds nothing to the Act, all the details are in the Act; the Regulation repeats itself. I have been advised that it looks similar but it gives procedural effect to that provision. You cannot do anything until you get the report which will trigger the cascade of events which are contained in the Act. So, although it looks similar, the Authority has a procedural provision which will give effect to that and you cannot do anything until you get the report which will trigger the cascade of events which are contained in the Act.

Clause 3, you mentioned, in the Children's Community Residences, I understand that a great detail of discussion had taken place, what should be in the Regulations when the Jamaican people came down and gave them some assistance. The consultant from Jamaica said that they learnt a lot from the Jamaican experience. Every time that you have to make a change in the Regulations, you have to come back to Parliament for simple changes that are—to get affirmative resolution of Parliament. So therefore, the Jamaican experience advised them to develop an appropriate form that will not force them to have to come back to Parliament on a regular basis for little minor changes that they may want to make on the form, so that it is not going to be so cumbersome and so unwieldy in terms of what is required from them. And in any case, they have a risk assessment matrix which is triggered by the form.

Now, you spoke about the minimum experience and qualifications. You raised some issue here. Now, take the practical situation. Mr. Speaker, how much time do I have left?

Mr. Speaker: You have exactly four more minutes.

Hon. Dr. T. Gopeesingh: Four minutes. When the Regulations are put into place and you say that you want to specify what qualifications they have, we understand that there are about 50 foster homes and nurseries being run at the moment with about 800 students. Now, they are being managed by managers. If we make the bar very high at the moment, you disqualify all those 50 people and therefore the whole establishment falls and collapses and what will happen to those 800 children who are going into the foster homes. So therefore, you have to move in the middle.

Dr. Browne: This is not the foster homes—[*Inaudible*]

Hon. Dr. T. Gopeesingh: Well, the residences and so on. Yes, you have to come up with a formula to have the Children's Authority to have a flexibility to both retain the existing managers and those to come. There is another part of the Regulations which says that the Children's Authority will encourage professional development so that those in the system at the moment will continue to improve themselves, and be better and better so that there would be no need to question their competence and their ability to manage.

You mentioned a lot of things about what is adequately lit and child friendliness to ensure safety of children. Well, there is no question that the managers will undoubtedly have to—you cannot spell everything out in detail, because even in your home, you want to make sure that the child does not go and

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pull out a plug from a light bulb because they can get shocked and so on, and therefore, you take care of that.

So, Mr. Speaker, the last point I want to speak on and touch on is the question of programming of ethics and values for children, and which the Member raised. I can say from the Ministry of Education, we have now imbibed in our primary school education, the issue of morals and values and ethics and citizenry development and character development being taught to our students in our primary schools. While Singapore was talking about it, we had already implemented it more than about two and a half years to three years ago. Now, that is being dealt with by the curriculum team and being managed by the teachers in the school.

So, the questions of the Member speaking prior to myself about the Regulations to be too vague and lacking in particulars and do not provide sufficient rigour, I think I have dealt with them adequately to show why we do not need to go into more detail on the Regulations and, in summary, most of it is contained in the Act already, and there are reasons why certain things are not put in the Regulations to allow flexibility in the work of the Children's Authority.

Let us end by congratulating the Children's Authority, the team, the members of the board, the directors and all those personnel working in the Children's Authority, and those who help to take care of our children at a national level—whether they are stakeholders, whether they are NGOs, CBOs, and all the personnel, they ought to be sincerely congratulated. We look forward to a society where we know we can boast in the future of minimal or no damage to our children and no delinquency amongst our children, and no parents having to create unhealthy situations for their children and being given—advocating—well, punishment for their children, because counselling and guidance are two important areas that we should look at from all levels—from the home and within our schools and within our population.

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

5.45 p.m.

Mrs. Patricia Mc Intosh (*Port of Spain North/St. Ann's West*): [*Desk thumping*] Thank you, Mr. Speaker. We are treating with Motions 2, 3 and 4 concurrently, because there is a great degree of independence between these three Motions.

Dr. Browne: Interdependence.

Mrs. P. Mc Intosh: Interdependence, sorry—between these three Motions. These Motions closely concern the package of children legislation, a suite of legislation which was initiated in 2000, and which forms the basis for the creation of the Children’s Authority, the remit of which is to safeguard the rights of the child and the protection of children, especially the most vulnerable ones in our society.

Mr. Speaker, the Motions deal broadly with regulations concerning accommodation for homeless children, equipment to be used in community residences, foster homes and nurseries, medical arrangements for the protection of the health of the children, provisions of the information to the Children’s Authority, to facilitate communication between parents, guardians and children, management of any community residences, foster homes and nurseries, discipline of the children therein, and punishment for offenses committed.

What the Government is attempting to do by bringing these three Motions to this honourable House today is to seek through affirmative resolution the approval of Parliament, for the Foster Care Regulations, 2014; the Children’s Community Residences Regulations, 2014 and the Children’s Authority Regulations, 2014.

Mr. Speaker, I shall not attempt to analyze these regulations, because I feel my colleague, the Member for Diego Martin Central did an excellent job of that, but I shall develop my contribution along different, but parallel lines. Before I go further, I must mention that these Motions were already tabled in the other place in November 2014, and debated in December of that very year in that place. These regulations cannot come into force unless they are debated in this Parliament within a particular and prescribed time frame, and unless they obtain the approval of this Parliament. All this is necessary to operationalize the Children Act, to enable the Children’s Authority of Trinidad and Tobago to function effectively in the best interest of our nation’s children.

Mr. Speaker, over the years, successive Governments have drafted and passed legislation, to secure for our nation’s children, the right to a good and decent life, and the protection from evil and harm. Indeed, Trinidad and Tobago is a party to the Convention on the Rights of the Child, that was entered into force under an NAR administration in September 1990, and ratified by a PNM administration in December 1991.

I should like in my contribution to recognize the invaluable contribution of the past administrations to safeguard the rights of our nation’s children, by proffering a brief chronology in respect of the various pieces of legislation, enacted under

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the respective administrations. The Children Act was enacted in 1925 before these parties were formed, as Act No. 4, and was first amended by the People's National Movement in 1962 as Act No. 16. The Adoption of Children Act, No. 31 of 1946 was also first amended by the PNM as Act No. 28 of 1973. In addition, the Status of Children Act, No. 17 of 1981 and the International Child Abduction Act of 2008, coming out of the Hague Convention of 2003 on the civil aspects of International Child Abduction, were both also enacted under a PNM administration. The Sexual Offences Act was enacted as Act No. 27 of 1986 under an NAR administration, and we have a suite of Acts, a package of legislation, the Domestic Violence Act, No. 27 of 1999; the Children's Authority Act, No. 64 of 2000; the Children's Community Residences, Foster Homes and Nurseries Act, No. 65 of 2000; and the Equal Opportunity Act, No. 69 of 2000. This package of legislation was enacted under a UNC administration. Mr. Speaker, I must state, I must mention the outstanding contribution made by the former Attorney General, Ramesh Lawrence Maharaj under whose stewardship these latter Bills were drafted and enacted. That package of legislation came in under the administration of the UNC.

I should like to crave the indulgence of the hon. Members opposite, or within the House, to expand further on the chronology of events that have brought us today to debate these three Motions in this honourable House.

Mr. Speaker, a family court comprising NGOs and stakeholders from the Judiciary, began to focus on children legislation. Under a PNM administration the Family Court Bill was passed in Parliament, together with the Mediation Bill in 2004. The Family Court was also opened in 2004 providing accommodation of judicial and social services, such as mediation services and counselling for children in need. The establishment of the Family Court in 2004 is one of the hallmarks of the PNM legacy in safeguarding the right of individuals, particularly children. It is still one of the prized possessions of the Judiciary.

In addition, Mr. Speaker, a family court committee or task force comprising NGOs and stakeholders in the Judiciary, was established in the Office of the Attorney General and began to focus on children legislation. In 2005, this committee submitted a report to Cabinet contending that the package of children legislation was unworkable and that the Children Act of 1925 which was amended in 2000, was an archaic and voluminous piece of legislation in our statute books and needed further amendments. The Family Court Committee identified the following areas for reform: Children's Authority Act; Children's Community Residences, Foster Homes and Nurseries Act, Adoption of Children Act—all of

which we are dealing with in this honourable House today—Miscellaneous Provisions (Children) Act and the Children Bill.

So in 2006 a Cabinet Note was submitted recommending the amendment of this package of legislation, and the creation of a new piece of legislation. In addition, Cabinet agreed to a further recommendation by the Family Court Committee, that the Child Abduction Act be removed in its entirety from the Children's Authority Act 2000, and be developed as a separate, stand-alone piece of legislation to be established in the Office of the Attorney General and to treat with international child abduction matters.

Mr. Speaker, in 2007, the committee began to work assiduously to modernize the entire package that constituted the Children Act. In September 2007, a draft Children Bill comprising six Bills was laid in Parliament: the Children's Authority (Amdt.) Bill; the Children's Community Residences, Foster Homes and Nurseries Bill; the International Child Abduction Bill; the Adoption of Children (Amdt.) Bill; the Family Court Bill and the amendment to the Children Bill. All of this was done under a PNM administration. [*Desk thumping*]

As the Member for Diego Martin Central pointed out, during the tenure of the PNM administration many of these Bills concerning the welfare of children, legislation to protect children, they were passed and enacted under the PNM administration. But Parliament dissolved in September 2007, whereupon these Bills lapsed. However, when the PNM returned to power in 2007, these Bills were again laid in Parliament and passed. In addition, the International Child Abduction Act was passed in both Houses in June 2008, and proclaimed in October 2008, and the Children's Community Residences, Foster Homes and Nurseries Bill was also passed in September 2008.

Mr. Speaker, the drafting of all these pieces of children legislation over the years, the entire package, demonstrates the efforts on the part of the successive Governments to enact legislation to advance and promote the rights of children. It is not—I do not want to politicize this issue—about one political party or one administration doing this, it is a work in progress, but started since 1962. All of this was in accordance with the mandate of the Committee on the Rights of the Child, which is an international UN organization that monitors how Member States are progressing in respect of the implementation of children's rights.

Mr. Speaker, a new Children Bill of 2008, piloted by then Minister of Social Development and current Member of Parliament for Diego Martin Central, was laid in the Lower House in December 2008. In 2009 in order to operationalize the

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Children's Authority, Cabinet appointed a Children's Authority board, he referred to it—a building was secured and customized, equipped with furniture and everything, and advertisements for staff published. Almost all the infrastructure was in place; that was in 2008. One has to wonder what happened to all of this that the People's National Movement took so much pain and trouble to start establishing. What happened to all of this? I think it was the Children's Authority board and so, was actually established in 2009. This Government came in, in 2010 and they would have had a good foundation on which to scaffold and build, Mr. Speaker. I am really concerned about how much progress they have made since that time, scaffolding on a foundation that was already there. There was a lot of legislation and the entire structure was set up for go.

The Member for Moruga/Tableland and the Minister of Gender, Youth and Child Development said that his Government is ready. We are ready. I would have hoped that with all this background that I have given, with all the foundation that you had at your disposal, that indeed you would have been really ready, but I do not think so, and I shall go on to speak of this.

Mr. Speaker, in respect of the Children's Authority board, et cetera, that was being set up under the People's National Movement, there was disagreement by some Members of the then Opposition, who are currently in Government now, with some of the clauses in the Bill. In January 2009 the Bill was referred to a special select committee for further discussion. Some of the sitting Members of this honourable House were part of that committee. The Chairman was the Member for Diego Martin North/East. The Member for Caroni East referred to him, and you had the Member for Diego Martin Central, the Member for Port of Spain South, the Member for Caroni East and the then Minister of Legal Affairs, Peter Taylor.

The committee produced five interim reports, Mr. Speaker. I have them here. [*Displays a folder*] I do not have the time to go into them, five interim reports. It shows that a tremendous amount of work was accomplished in respect of the Children Bill in 2008. The reports also show that there was general consensus in the end among the Members of the select committee.

6.00 p.m.

No matter the Member for Caroni East said they argued back and forth. There was general consensus. It shows in the reports among the members of the select committee in respect of the redrafting of certain clauses. However, unfortunately, Parliament was prorogued in April 2010 and this Bill lapsed.

Dr. Gopeesingh: Fortunate for us.

Mrs. P. Mc Intosh: He said it is fortunate for them. Clearly, the drafters of these three Motions that are under review in this honourable House today would have had the distinct benefit of drawing from the work already accomplished by the Member for Diego Martin North/East in his committee to amend the Children Act, Chap. 46:01, via the Children Bill, 2008, which was piloted by the Member for Diego Martin Central.

So it shows the amount of work the Members on this side did towards the Children Bill and towards reaching where we have arrived at today in this honourable House. Yet, I have to emphasize again that the three major political parties—the People’s National Movement, the NAR and the UNC—during their respective terms of office, all contributed to the evolution of legislation on the rights and protection of our nation’s children, so that today Motions 2, 3 and 4 and, indeed, the Adoption Bill that will come later, could be presented for debate in this honourable House in an effort to fully operationalize the Children Act and the Children’s Authority.

If we peruse the Children’s Authority website, we are informed of its vision—and I did some research on the website and I would just like to read the vision:

The Children’s Authority of Trinidad and Tobago will champion the well-being of all children; protect the vulnerable and restore childhood.

And the mission statement:

“The Children’s Authority of Trinidad and Tobago is a child-centred, family-focused organisation, advocating for the rights of children and working collaboratively to provide early intervention for children in need of care and protection, ensuring that they are nurtured, protected, supported and empowered.”

These are very good ideals expressed in these statements.

The question we have to ask ourselves is, given all that we have heard today in this honourable House and given the knowledge that we have, to what extent can we realistically expect that the Children’s Authority will be able to achieve the goals and objectives implicit in these vision and mission statements I have just read?

Here we are in 2015, Mr. Speaker, almost five years—five years short four months—I am counting down—into this UNC Government’s term of office and let us analyze the position. What is the position? What is the current status regarding our children legislation? The Children’s Authority Act is only partially

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proclaimed. The Children's Community Residences, Foster Homes and Nurseries Act has not been proclaimed. The Adoption of Children Act has not been proclaimed and the Children Act, 2012, that is intended to revise criminal offences committed against children and procedures for child offences, has not been proclaimed.

So here we are today, 2015, almost five years since this Government assumed office, and only now, at this point, have they brought to this honourable House these three Motions for approval in order to bring into force the regulations contained therein so that the Children's Authority could be operationalized. And the question I ask myself, Mr. Speaker, is, why was this not done before? What was the delay, given the urgency of providing appropriate care and protection for the vulnerable children of our nation? The foundation was there. Why now? Why so late on the eve of their departure? Why so late? [*Desk thumping*]

The Children's Authority website also reveals that two additional pieces of legislation, the Status of Children (Amdt.) Bill, 2009, that will replace blood tests with DNA analysis to ascertain parentage, and the Family Court Bill, 2009, that will vest all family and juvenile matters in the Family Court, are yet to be reintroduced to Parliament—these important pieces of legislation. We cannot say we are ready when we have so many vital, critical and important pieces of legislation outstanding.

Between 1992 and 1993, under a PNM administration, a National Plan of Action for Children was prepared and approved by Cabinet. The plan resulted from discussions with NGOs, technocrats, several state agencies, as well as analyses of reports and studies relevant to children. However, in 2006, when Trinidad and Tobago had submitted its report to the UN Committee on the Rights of the Child, this action plan had not as yet been implemented. Again, as I say, I am not blaming anybody. This was under the PNM. The action plan was not implemented at that time.

The CRC, which is the Committee on the Rights of the Child, had then recommended that Trinidad and Tobago urgently adopt the plan, which was already there but it was not implemented, and suggested that technical assistance from UNICEF and the involvement of civil society be sought in preparation and implementation of this National Plan of Action for Children.

In 2013, under this present Government, another task force was set up to work on a revised action plan. They had all the groundwork there. Some of the people who were involved in the 1992 exercise were part of this committee. So it was work in progress, ongoing work.

The Committee on the Rights of the Child had also observed that despite the fact that Trinidad and Tobago had registered positive economic development in 2013, there was insufficient budgetary allocation for children. The CRC recommended that Trinidad and Tobago prioritize budgetary allocations to ensure the implementation of the rights of the child, and I quote, “to the maximum extent of available resources”. [*Interruption*]

This is from the UN Committee on the Rights of the Child, a recommendation they made to Trinidad and Tobago in 2013. I do not have the date. I can always supply that, Sir. I will supply that. I quote, “to the maximum extent of available resources”.

In 2013, Cabinet announced the approval of the sum of \$191 million for the construction of 10 new facilities for the assessment of children and, in November of the same year, the hon. Minister announced a further hike of \$12.2 million to refurbish a number of children’s homes.

To date, in 2015, only one such centre has been constructed at the Eric Williams Medical Sciences Centre Complex in Mount Hope. One would have imagined, Mr. Speaker, that with the \$191 million allocated for the construction of the 10 new assessment facilities, since 2013, that at least three of them would have been constructed, given the urgency of the plight of the vulnerable children in our society.

I have here an article from the *Newsday*, speaking of these assessment centres. It is dated July 12, 2014 and it says the first assessment centre will be located at the Eric Williams Medical Sciences Centre Complex and then it goes on to say at the bottom:

“The Ministry of Gender, Youth and Child Development, which has taken on the responsibility of establishing additional centres, is expected to complete construction of two other centres before the end of the year.”

So I am not being unreasonable. One hundred and ninety-one million dollars was allocated and I said I felt that by now three should have been built and look the article is saying the Ministry of Gender, Youth and Child Development, which had taken on the responsibility of establishing additional centres, said it was expected to complete construction of two other centres by the end of the year.

Now, I am talking about July 2014. So that means at the end of July, December, two other centres should have been built. Let us just say one for argument sake.

Dr. Browne: How many children have been assessed?

Mrs. P. Mc Intosh: Well, I do not have that data, but it is interesting. So, I do not understand.

Now, Mr. Speaker, the Minister never said why there was a delay. He never addressed that in construction of these facilities to assess the most vulnerable children in our society. I looked at, also, the Children's Authority Information Brief, 2014, and they mention no delays. They speak of all sorts of things, vaguely too, but they mention no reasons for delay in the construction of these facilities and I wonder why.

I would like to say that we cannot be ready if we do not have the facilities ready. We have one, but one is not enough. The need for these assessment facilities is critical to assess children in community residences, foster homes and nurseries, as well as many vulnerable students.

The hon. Member for Caroni East spoke about it, in our nation's school, children who are victims of unfortunate socio-economic circumstances that have resulted in negative and adverse psychological repercussions for them. All of these instances of psychological repercussions have prevented such students from optimizing the educational opportunities available to them. Such vulnerable young children could easily become dropouts, as they have become dropouts. They can become ready candidates for criminal activities.

In my previous incarnation as principal, I often resorted to the Families in Action. They know me there—at least the past administrators. They might have retired now, but I was in and out of there. As the Member for Caroni East said, we are parents when the parents are not there. They call it in school, we are in loco parentis. We take the place of parents when the children are in school.

So when we see them exhibiting negative behaviour, negative attitudes and we see there is a need for some assessment and analysis and attention and care and guidance, we seek assessment centres and the only one I could have sought at that time in Port of Spain was the Families in Action, which was very good to us, never charged us a cent, very good to us to help my most vulnerable students. But even then, five years ago, they were overburdened. Their services were stretched to the limit. So there is a great need for such centres. It is critical.

The Government also needs to construct more homes to accommodate the overflow of homeless children. There are still many homeless children squatting on the streets and sleeping in public compounds. In my constituency, I have a

family I used to help. I did not know they were on the streets. Well, when I was helping them, I knew they were very needy, but I did not realize they were evicted from the little place they were in and they moved on to the streets.

I remember some time ago, buying books for the little girl to go to school. The mother came to me. They did not have books and I bought the books. The mother came to me some time ago and I asked, where is my little girl? And she said, well, they sent her in the country. I said, “She going to school?” She said, no. I said, why not and why is she in the country? She told me that while on the streets—and then I learnt they were on the streets for quite a while—she was taken advantage of and she contracted AIDS. And she is 11 years old, a sweet little 11-year-old girl. She is HIV positive. So we need, Mr. Speaker, these homes to take care of these children if their parents cannot afford to give them homes.

6.15 p.m.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired. Would you like an extension?

Mrs. P. Mc Intosh: Yes, Mr. Speaker.

Mr. Speaker: Hon. Members, the question is that the speaking time of the hon. Member be extended by 15 minutes.

Question put and agreed to.

Mrs. P. Mc Intosh: Mr. Speaker, when I looked in the *Express*—I saw an article in the *Express*—sorry—since 2013 and they said the Government—money hike for children’s homes and it says Cabinet has approved significant increases for financial subventions for a number of children’s homes and to modernize them and so and all of that—\$12.2 million. And then, recently, I open the *Sunday Express* of January 18, 2015 and I see “Abandoned children stuck at Sando Hospital” and I know. I know because the complaints come to me, not for San Fernando hospital, but for Port of Spain hospital. There are abandoned children who are living on the streets and in the compounds of public places like hospitals.

Mr. Speaker, the Committee on the Rights for the Child was further concerned about the absence of comprehensive and up-to-date statistical data in Trinidad’s 2006 report—that was under the PNM—and a lack of adequate national data collection system for children. But, to date, we are still lacking that national data collection for children. What this means to say is that there is no official information in respect of the whereabouts of the children of our nation—which of them are vulnerable; how many of them need help; what is the nature of their

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circumstance—because such data is critical to the planning, supervising, monitoring and evaluating progress of the children, and determining the extent to which the operation should be tweaked or modified to achieve better results for the children.

The CRC had recommended the development of a system of data collection and indicators in respect of gender, age, dependencies, geographical area, covering all children up to the age of 18 with emphasis on those who are particularly vulnerable, for example, children living in poverty, children with disabilities, children from single parent homes, children who are victims of sexual abuse, sexual exploitation, economic exploitation, trafficking and street children. To date, such a registry does not exist. I heard the Member for Moruga/Tableland and the Minister speaking about a registry. I heard that it has not progressed, and I would go back to that just now.

In 2013, Mr. Speaker, following the tragic death of little Keyana Cumberbatch, the Prime Minister had announced on national television a public awareness programme with the theme: “Do you know where your children are?” which is wonderful, wonderful sound bite, wonderful PR. Do you know where your children are? But what has happened to that campaign, that initiative? It went silent. It was like a flash in the pan. Do we really care? What has become of the Prime Minister’s highly publicized Daniel Decree? We heard they are now looking to recapture, with the help of Interpol, a policeman who was accused of the gruesome murder.

Former Minister of Gender, Youth and Child Development, Miss Verna St. Rose Greaves had begun to initiate a child registry to record and track the lives of children. She had begun it—I am not there, I do not know—but it is my understanding that this initiative was abandoned after she demitted office, and we have heard nothing more about it, and this is very unfortunate because if we do not know where our children are, and we cannot identify what their needs are, how can we ever hope to assist them?

Mr. Speaker, Miss Verna St. Rose also began to broach the tabooed issue of the 1923 Marriage Act under which Hindu, Muslim and Orisha Marriage Acts legalized child marriage. My belief is that Miss St. Rose Greaves was dismissed, summarily dismissed partly because she dared wander into forbidden territories. But this UNC Government by dint of its inaction in respect of the 1923 Marriage Act has given silent consent to this atrocity visited upon young girls as young as 12 and boys as young as 14. I have to ask—and I have to ask you, Mr. Speaker—

how does this UNC Government reconcile its highly proclaimed love for the most vulnerable of our society with this act of omission perpetrated on their behalf that covers up child rape? How do they reconcile that? Because that is what it is doing, it is covering up child rape.

Mr. Speaker, if you google the Global Network for Rights and Development, you will come across an article dated November 24, 2014 and entitled: “United Nations members resolve to end child marriage” by Mirjam Donath. She writes for Reuters and I quote:

“The United Nations agreed...that all members should pass and enforce laws banning child marriages, resolving to end a practice that affects about 15 million girls every year.”—worldwide.

“The committee of the 193-nation General Assembly that deals with human rights adopted by consensus a resolution urging all states to take steps to end ‘child, early and forced marriage.’

According to the resolution, early marriage is also a serious threat to the physical and psychological health of girls who are not physically mature enough as it ‘increases the risk of unintended pregnancy, maternal and newborn mortality and sexually transmitted infections.’”

But despite the call on the part of the United Nations to ban child marriages, Trinidad and Tobago remains one of 50 countries in the world where child marriages still take place—one of 50 of all the countries in the world. We should be ashamed. But these are issues which this UNC Government has to confront and with which it has to grapple if it wishes to make good to its claim of caring for the more vulnerable children of our society.

So, here we are today, Mr. Speaker, in this honourable House, almost five years since this UNC Government assumed office, almost five years into the life of the Children’s Authority and four changes of Ministers in the Ministry of Gender, Youth and Child Development, four of them—Glenn Ramadharsingh, Verna St. Rose Greaves, Marlene Coudray and then the hon. Member for Moruga/Tableland—a very unsettled Ministry, and probably that is the reason why more was not accomplished to assist and support vulnerable children for the greater part of those five years that this Government has been in office.

The one thing that has remained unchanged, the one thing that has remained constant is that the authority is still not fully operational and the poor children continue to suffer and, of course, we know of the long list—I do not have time to

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read it out. I have it here—of children who are suffering including one of my constituents, Brandon Hargreaves who died at the St. Michael's home.

Mr. Speaker, the question begs: why were these Motions not brought to this Parliament for approval much earlier? This Government was fully aware of the sufferings of little vulnerable children and should have placed the operationalization of the Children's Authority very high on its agenda. Had it done so, probably, just probably, Mr. Speaker, the lives of many of those little vulnerable children could have been saved. Had we had a functioning Children's Authority to look after them, to monitor and track vulnerable children like my constituent, Brandon Hargreaves who died in the St. Michael's home and to oversee community residences, foster homes and nurseries, the lives of some of these children might have been saved while others might have enjoyed a far better, happier and more fruitful existence.

But, like my colleagues on this side of this honourable House, I support these Motions 2, 3 and 4 since it is our collective and sincere desire to do all that is in our power as has always been the desire of the People's National Movement to ensure that our nation's children, particularly the more vulnerable ones, are given proper care and protection in accordance with the recommendations of the United Nations Committee on the Rights of the Child.

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

The Minister in the Ministry of the People and Social Development (Hon. Vernella Alleyne-Toppin): Thank you very much, Mr. Speaker. It is indeed an honour and a privilege for me to be able to contribute to this debate in this honourable House. It is also a privilege for me to be a Member of Parliament at this time when these Bills have come to the House. Mr. Speaker, I never in my wildest imaginings expected that I would be a Member of Parliament and, more so, to come to the House at a time when I could effect and influence [*Desk thumping*] the protection of children because I have been a protector of children.

I have been a teacher from 1972 to the present time, and I have been a lecturer for part of that time, but I have seen the ravages of children in our schools, in our communities, in our villages, in our churches, in community homes, in foster homes. I have seen and I have agonized over these things, and for me it is what we call now, passing strange, that the government that is past—present-past government—can be blaming this Government of four and a half years for dragging its feet on children's issues, and the issues of how you deal with minors and children in this country when we are saying, even as we speak about how the

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People's Partnership Government has done such little, we are speaking of 1925 and human rights of the child.

We are talking of a time when this country was run by a PNM government for 30 consecutive years. There were children still dying then and being ravaged and being dehumanized, and now all of a sudden the People's Partnership Government is responsible for all of this burden. I think as adults and as parliamentarians we should take responsibility, all of us, for what has happened in Trinidad and Tobago over all of these years.

I continue to be guided by the holy scriptures of the *Bible*, and I am a Christian, Methodist. Psalm 82 says in verses 3 and 4:

Defend the poor and fatherless: do justice to the afflicted and needy.

Deliver the poor and needy: rid them out of the hand of the wicked.

Mr. Speaker, we are also responsible.

Martin Luther King said:

“Our lives begin to end”—when we get—“silent about things that”—really—“matter.”

I am speaking after a principal, past principal, in another incarnation and I am speaking after a lot of other teachers, principals, supervisors. I have witnessed for myself where consistently and subsequent Ministries of Education have not addressed the problems of children in schools being ravaged.

I have talked in other countries besides this one and, in particular, in New York City and in the United States of America. I have talked about the ways that they have addressed child abuse, and I have advocated as a founding member of TTUTA, our union, a founding member, a member of COMFUT which came before TTUTA, and I have talked ad infinitum about this problem. Our Minister of Education, the Member for Caroni East, is addressing this problem. So I am very happy to be here today to speak about what we can do to effect changes, and I am in full support of these Bills.

Dr. Browne: They are not Bills.

Hon. V. Alleyne-Toppin: These Motions. I am sorry.

6.30 p.m.

Mr. Speaker, my contribution will therefore speak to the issue of protection of our children and the reporting of the ravaging of these young lives, whether in

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their own homes, in foster homes, in community housing, in schools, in churches, community groups, wherever they are. Mr. Speaker, I might have to ask for protection just now from the Member for Diego Martin Central. Mr. Speaker, Act 61 of 2000, defines the child as a person under the age of 18. That person is regarded as a minor and lacks full legal capacity, and a young person as one 14 years but not yet 16.

Mr. Speaker, these Bills speak to children being exposed to moral danger and how we can house them, how we can protect them, how we can have them reporting their problems, and how we can report their problems. Mr. Speaker, the adults that are involved, closely involved, are among us, police, soldiers, prison officers, leaders everywhere, parents, people in influential positions in this country, and we are making a mockery of law and order in the society. We do not need a Children Act or a Children's Authority, or a foster care or a home, or any of those to know that we have been on the wrong track and we cannot sit here and blame each other, we have to come together now and work towards a solution.

I have heard our Opposition Leader, and Member of Parliament for Diego Martin West, say that the Opposition will not support the Government in anything, and it is being played on an advertisement with his voice, but I know that today we will have the full support of the Opposition. I am very sure about that. We cannot continue the destruction of young lives with impunity.

I want to go to a little of what has happened lately, 2003—1998, Akiel Chambers, 11, discovered floating in a swimming pool a day after he mysteriously went missing, and we all know of the subsequent cover-ups. We all know. Standard 3 student of Blackman's Private School disappeared at a birthday party. One post-mortem said he drowned, another post-mortem said inconclusive, and when you read the story you realize that many adults responsible for these children were involved, apparently, in a massive cover-up. A search was done, but Akiel's body was only later discovered floating in the gym swimming pool the next day. The pool had been searched before that. The story is a terrible story of subterfuge and lies, and criminal activity on a child, to this day not resolved.

We go further. We are coming up with the mayhem that we have witnessed. Sean Luke Lum Fai, a second-year student, six years old, a second-year student of Waterloo Hindu Primary School was found dead in a cane field some 300 feet away from his Henry Street West, Orange Valley Home in Carapichaima on Tuesday, March 28, 2006. He went missing on Sunday, March 26, 2006, just after 2.00 p.m. One pathologist said he died of internal chest and abdominal injuries, as well as haemorrhaging due to a foreign object forcibly introduced into his rectum,

and two boys were charged. A senior detective said—a homicide detective said—two boys confessed to the gruesome murder.

Mr. Speaker, some of it I do not want to read because it drags the parents and the families into grief. Hope Arismendez, eight years, the girl's battered and bruised body was found in a cane field in the village of Petersfield on the outskirts of Felicity on Tuesday, May 27, 2008. She went missing on Saturday, May 24, 2008, just after 10.30 p.m.

In my own village a young child, a young girl went missing, and actually, Mr. Speaker, I went to that home and I sat there with those people with their bibles and we prayed, and I actually begged the police to bring some police dogs to Tobago, begged, to see if they could track when people go missing, rather than saying other things about what it could be. The girl was last seen on our street walking with her father, and the father said he gave her money to go and get something in the shop, a snack. That girl was found days later buried behind the shop that she went to, and in that shallow grave behind the shop there were three other bodies of women. Mr. Speaker, let me leave Hope Arismendez. Let me just say a little more about it. A 28-year-old man who lived with Hope's mother, Hope and her brother, confessed to the murder and told the officers where he had left her body. All right.

Keyana Cumberbatch, 2013. Six-year-old Keyana Cumberbatch's decomposing body was found stuffed in a barrel covered with clothes located inside her family's apartment at Building 4, Maloney Gardens on Thursday, November 28, 2013. She went missing on Monday, November 25. I do not know anything about forensics, Mr. Speaker, but I believe that some dog might have been able to pick up that scent, because every day that we come in here the dogs come in here before we come in. I have met them here when I come early. I am not sending any messages, I am just talking about what I see happening.

On Thursday afternoon at three o'clock, Keyana's mother, Simone, detected a foul scent coming from inside her apartment. You could imagine the agony of looking for your child all over this world and the child is in the bedroom there with you, and somebody is helping you to look who knows where the child is, and we are here talking about whose fault it is, whether is this one's fault or that one's fault. No! All of us are responsible for the care and protection of children and we have fallen down on the job, because most of these children have been abused by adults known to them.

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So, the Psalm says, what about the fatherless, what about protecting the fatherless. On searching the mother discovered specs of dried blood on the floor next to a cargo transport barrel. On opening the lid of the barrel and further checking it was here that she felt and saw the body of her daughter inside of a black garbage bag. A male relative who was the last person to see Keyana alive told officers he walked Keyana to the building where her grandmother's apartment was located and saw her enter the building. The grandmother said Keyana never showed up at her door.

We are talking about timeliness, what about the timeliness of an investigation that could have found Keyana then? What about timeliness? What about the timeliness of our systems, our investigative systems to find these people? Every time a young child goes missing, a young girl, there are comments by our seniors of some kind of collusion on the part of the young girl. Now, I described what is a child, a person who cannot give consent in a legal sense, so some people say they agreed. Nonsense. Arrant nonsense. That is it?

“Tobago primary school principal on 75 sex charges

A principal of a Tobago school is expected to appear before a”—Magistrates’ Court—

Trinidad Express, February 09, 2014.

“The man was arrested at his home by Scarborough police on Friday night, and was charged under the Sexual Offences Act with allegedly committing offences of a sexual nature against a 12-year-old girl and other minors. Sources told the Sunday Express that several girls came forward with their story to the police.”

The same story to the police. Member for Laventille, I feel you know where I am going. “I coming dey.” The 52-year-old principal got bail on 14 charges of serious indecency and indecent assault and was granted bail.

When I was a teacher at Scarborough Junior Secondary School a child came in at 12 years old, already with her baby at the hands of an adult. I am telling you, we have spent—me and other teachers—days, many days looking for children who had been abducted, familiarly, by some adult male, and on the converse we had male students who were being molested by adult females, even adult teachers. So, I am saying now, I have come to the kingdom for such a time as this and I am very happy that our Member of Parliament for Moruga/Tableland is here, and his predecessors have done work on this, and the Member for Diego Martin Central,

all of these people who have done work on this, because we know that the need is great.

We know that we have taken a hand somehow in contributing to the delinquency of minors. And for my own self, with other teachers, we went everywhere in this country reporting what was happening when we were teaching and everybody turned us back. What they did with us, they made us the victims, we the teachers, we became the victims because we dared to say what children were coming to us and telling us. We dared to say that a young boy in our school was being raped by his aunty every Saturday morning when his mother went to market. Because we dared to say these things, Mr. Speaker, we were the persons who were ostracized and sidelined. Mr. Speaker, evil prevails where good men fail to act. Brother Valentino says, “this honourable this and this honourable that, and this lady, so and so, you would be shock to know where dem ambitious people head does go”. You know that?

Mr. Speaker, yesterday’s *Express*—no, not yesterday, the day before yesterday, story:

“Acting Cpl Damien Frank appeared before a Scarborough Magistrates’ Court yesterday on 12 charges of unlawful sexual intercourse with a minor.”

Dr. Browne: A policeman?

Hon. V. Alleyne-Toppin: We are talking about police.

“Frank of Nursery...Street”—whatever, whatever, whatever

I do not want to say all of that because there is pain with the perpetrator, as well as with the person who is the victim eh. He is on \$100,000 bail. He was arrested by six officers. They took a search warrant to his home. The serious thing about this one is that—they are all serious—this child is a child in his own home. So, a lot of the children are having problems in their own home. I go back to teaching in New York City, we as teachers, we were mandated to find abuse. We were mandated to see that children had marks, to see that children had lost interest in school work, to see that children—I had one particular student who came into school every day and people scorned her, and they said she smelt of urine, and I taught her and I realized that it was not that at all. Everybody was referring to other things and saying urine. You understand?

6.45 p.m.

Mr. Speaker, I want everybody to understand how far back I have gone struggling with this, and I have tried my utmost all of my life never to contribute

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to the delinquency of a minor. When we do baptisms in the Methodist church we say, “Anyone who has put a stumbling block in the way of any of these children, may God have mercy on their soul”. So from a very little child in the Methodist church, we had that in the back of our heads: do not put a stumbling block of any kind in the way of any child.

The country did not arrive here overnight. We are here making a mockery of law and order in this society, and we are turning a blind eye and now we are coming with a Bill. What we are coming with will give us the tools with which to address this problem. Let us live on to see whether we will really address the problem. Mr. Speaker, I am talking slowly tonight.

In one school camp in Charlotteville—I talk about Charlotteville a lot because that is where I know home—a teacher came to the camp that was run by schoolteachers, a teacher from the same school—[*Interruption*]

Hon. Member: That happened last year?

Hon. V. Alleyne-Toppin: No, years ago—and took away a girl child from the camp, and brought her back later the next day. He brought her back later the next day. The teachers who were in charge of the camp when asked, “Why did you not report it?” “Well, we do not want anybody to lose their job; dey go say we make them lose their job.” The teacher went on to every high office in teaching and every high office in other things. Now you see these people spreading like a green bay tree, and you are wondering: How long Lord?

We are here today to ensure that these things—and I know we have some teachers here—one, the Member for St. Ann’s West, one, the Member for La Brea, we have over here, the Member for Lopinot/Bon Air West. We have many teachers in the House, and we understand and we also, all of us, most of us—people like the Member for Oropouche West coming along—have children and grandchildren, so we understand what this could mean. May God have mercy on our souls, all of us. [*Laughter*]

As I said, evil prevails where good men fail to act. As I said, I could say it over and over, and people must remember it: evil prevails where good men fail to act. It is worth repeating.

Mr. Speaker, the organization that had control of this nation for 30 consecutive years brought us out of colonization, and with the Father of the Nation brought us to this place and did shape a lot of what is happening in Trinidad and Tobago today.

We had another teacher—and I have to focus on teachers because I know teachers so well—driving home from school, found a student of his on the street, offered the student a ride, took the student into his car and drove way past the student's place of drop off. When the student said, "Well where are you taking me, you passed my stop?" The teacher tried to assault the student and the student opened the car door and jumped out while the car was moving. The matter was not reported to the police. You go to the police station and often—afterwards we could talk about it.

Mr. Speaker, teachers are responsible for the moral, spiritual and cultural fabric of the society. The police, the priests, the adults are responsible for the moral and cultural fabric of the society. I know of a young boy who went home to his parents, and he said to his parents that the leader in the church was doing things to him that he could not contend with, and his mother said, "You cannot talk about the preacher like that, because it is disrespectful, and dey go vex with we". The child became a young man, not even out of childhood properly; that person is now dead, having contracted from the preacher what you call it, HIV, and his mother cried—and his mother cried. "On a cold and grey Chicago morn"—you know the song—a child was born, "and his mother cried".

Then and now teachers are undermining the very fabric of our society. They are also masquerading now in high positions, protecting the heritage of Tobago. I contend that our heritage must be our children. You cannot be protecting the heritage of Tobago. You are protecting land and you are protecting all kinds of things, but you are not protecting the children, and this is what we are talking about here today.

How we train the children, how we treat them will determine what kind of country we would have in the next 10, 15, 20, 25 years. And if we could manage to live long enough, if we do not train them now, we will handle that problem in our homes, because they will eat us alive.

One man who people try not to listen to in this country, who is a former Member of Parliament for Tobago East, the Minister of Tobago Affairs, Dr. Morgan Job, talked for years. Many people do not want to listen when he talks. He talked for years about what would happen if we continue to ravage our children in our schools and "mis-educate", and "under-educate" and "de-educate". What is the word you used "vagarities"? And now we are reaping the whirlwind because we sowed the wind, and we turned away and thought that it would not affect us.

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Mr. Speaker, a dream deferred—what happens to a dream deferred? What happened to the dream of our nation to be such a fantastic place? Langston Hughes says:

“A Dream Deferred

Does it dry up like a raisin in the sun?

Or fester like a sore—and then run?

Does it stink like rotten meat?

Or crust and sugar over—like a syrupy sweet?

Maybe it just sags like a heavy load.

Or does it explode?”

I have lived in societies where I have seen the dream of nationhood implode rather than explode; implode because there is no external enemy and the society implodes. As an anthropologist I can tell you how it works. The society implodes, and you see after colonization and conquest and settlement, where the original peoples or the people who are most disadvantaged, the people who are at the lowest levels of the economic scale, often implode and destroy each other. They implode and they destroy each other.

So in some places in the world, we have what is called things like “black on black violence”, because of the implosion of the society, not the explosion. We have the perpetrators of those systems that are the people with the money, who feed those systems. We have some governments that feed those systems. We have governments that insist that CEPEP and URP are the best places for our people—insist to the detriment of the society.

I applaud the hon. Prime Minister for that initiative where she met last week with the community business people, and many of them agreed to pull people out of that CEPEP and URP. I am not knocking CEPEP and URP in themselves. Although in Tobago we say when you say URP you mean “you are a PNM”, and when you say CEPEP, you say other things. I am not knocking them in themselves, but I am knocking them in the sense that when you get to our schools and you say to the children, “What do you want to be?” They tell you they want to be a CEPEP, a URP. Why? What is that? Is that a profession? Is that a calling? What is it?

So we are sitting here “mis-educating”, “de-educating”, “under-educating”, violating. You are there to teach, to bring a mind—and a mind is a terrible thing

to waste—from nothing to something. And what do you do with that mind? You take it into a bush; you take it into some back room, that impressionable young mind, and you end up with us now talking about foster homes. Where is the extended family that we knew and loved so well? Where are the days when your mother, and your grandmother and your uncle, people that you could trust—
[*Interruption*]

Mr. Speaker: Hon. Members, the speaking time of hon. Minister of State in the Ministry of the People and Social Development, has expired. Hon. Member, would you like your additional 15 minutes?

Hon. V. Alleyne-Toppin: Thank you, yes.

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Hon. V. Alleyne-Toppin: Thank you, Mr. Speaker.

If we persist as adults in contributing to the delinquency of minors; if we subvert justice with cover-ups; if the school is no longer a safe place for children; if the church is not a haven for those needing spiritual guidance, can we then count ourselves as a civilized society? Our democracy allows freedoms and rights, but with the rights there are responsibilities.

A paedophile cannot enter Canada. A paedophile native to Canada must report to the police station each week. Sexual Offences Act, No. 27 of 1986, amended by No. 21 of 2000:

“Where a male person has sexual intercourse with a female person...with her consent”—with her consent—“and who has attained the age of fourteen years but has not yet attained the age of sixteen years he is guilty of an offence, and is liable on conviction to imprisonment for twelve years for a first offence and imprisonment for fifteen years for a subsequent offence.”

We also have where there are sentences for life imprisonment. Is that happening? It is not as if we have to have these Bills that we are debating today to have these things effected. These things are already in our laws.

There is a limit to forbearance. There is a time when forbearance ceases to be virtue, and I have reached that limit.

Oliver Goldsmith said we must learn the luxury of doing good. These things are great to the little man.

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I have heard the Leader of the Opposition and Member of Parliament for Diego Martin West state that, “We will not support the Government on anything”. Mr. Speaker, we are confident of the full support of the Opposition. When I say something, and I say it again, I am saying it again very deliberately.

Miss Mc Donald: That is not true!

Hon. V. Alleyne-Toppin: I am hearing it on the radio over and over in an advertisement, and it is his voice, and you know that I know his voice, because we were together in ABC and second year.

Mr. Speaker, no Member on that side could ever be guilty of contributing to the delinquency of a minor; I am very sure. Dr. Browne, you could never—sorry, Member for Diego Martin Central, you could never be in that.

No one on that side would plan the kidnapping and a Foreman “sambat” of a minor—you know what is a “sambat”?—then kidnap and rape that minor, then impregnate that minor, then abandon the minor and her offspring. No one in this august House is guilty of such criminal activity. No one would enter these hallowed halls—we say in Tobago “‘allowed ’alls”—and participate, and posture as a Member of Parliament.

We are all here innocent, and even Jerry Springer could not bring a baggage like that and open it, and the person stay on set. They would have to leave.

7.00 p.m.

So, if there is anybody so inclined here who has had such an encounter, I promise you that they will run out for themselves. They will pack up and leave.

Mr. Speaker, we understand in here, because we are parliamentarians and honourable persons, the heavy burden of impeachment should we attain high office. I know that should I attain the highest office here, I could be impeached, as soon as it is proven that I am a paedophile. So, anybody who is guilty had better step aside because one day, one day, somebody will come to us—one day somebody will come to the fore because nothing that is done in darkness stays in darkness. Truth will always surface because it is truth and truth is pure.
[*Crosstalk*]

Mr. Indarsingh: Old people say, what in the darkness—

Mr. Deyalsingh: What about abortion in Siparia? You want to talk about that? I want to talk about abortion in Siparia.

Hon. V. Alleyne-Toppin: Mr. Speaker, I left out abortion, but let me talk—
[*Crosstalk*]

Mr. Speaker: Member, please.

Hon. V. Alleyne-Toppin: Sorry.

Mr. Speaker: Member, I do not know if you were sleeping and you just suddenly arose. Member for St. Joseph—[*Interruption*]

Mr. Deyalsingh: Sorry, Sir.

Mr. Speaker:—control your behaviour, please.

Hon. V. Alleyne-Toppin: Mr. Speaker, “Meh dash meh wak stone nah ah hag pen, an no him not bal out. Meh dash meh wak stone nah ah hag pen, an no him not bal out.” You get that? “Meh dash meh wak stone nah ah hag pen, an no him not bal out.” Mr. Speaker, one day we should conduct the Parliament in Tobagonian. Who the cap fits, let them wear it. “Meh dash meh wak stone nah ah hag pen, an no him not bal out”—shout.

Mr. Speaker, whenever I talk from the bottom of my heart, I encounter venom of people who are protecting people—who are protecting people. All right. The upholder is worse than the thief.

Miss Cox: Mr. Speaker, 48(6). It would appear as though the Member is imputing improper motives to someone on this side of the House, based on what she is saying. Because she is referring to this side of the House. Okay?

Mr. Speaker: No. You see, to impute improper motive, the Member must outline clearly a Member—identify a Member. She has not done that. So, I cannot—[*Crosstalk*] say that the—[*Interruption*]

Miss Cox: On this side of the House.

Mr. Speaker: Do not refer to this side of the House. The Member is taking offence to that. So please, do not refer to this side of the House. Okay?

Hon. V. Alleyne-Toppin: Thank you, Mr. Speaker. I said none of us in this honourable House. So, I did not refer to anybody on that side of the House, and the *Hansard* would have that.

I hear a call for a child registry. You know, I did not talk about that pain of abortion. I did not talk about it. We have teachers who paid for abortions for children—for their own children. We have teachers who went on to be—to every height in teaching, after even one child died from one of those abortions.

Mr. Speaker, you probably do not understand what I am taking about. I am not talking about Bills and paper, you know. I am talking about real life issues. I hear

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a call for child registry, and I endorse that need, but I want to read the lyrics of a popular calypso that calls for another kind of registry. Alana Sinnette sang this, 2015, “Name them and shame them”.

“Time has come for a sex offenders sex registry
And I really feel that we need it now, right now
Too many animals ravaging we pickney
We must find a way to stop them somehow
Little Akiel Chambers, they find in a pool
But a child molester just walk away cool
To stop who kill Keyanna or Amy
For them sex offenders I have the remedy
So, leh meh tell yuh
Name them, shame them
From the time you’re a child molester
Yuh name must appear in the register”

It does not matter who the molester is. The name must appear in a register.

“Name them, shame them.
Little boys you like to sodomize
Yuh nasty ways we go advertise”

That is this year’s calypso.

Mr. Deyalsingh: What is your position on abortion?

Mr. Indarsingh: My position?

Hon. V. Alleyne-Toppin: “Too many secret freaks in each neighbourhood. Some even wearing gown, dey meek and good.” [*Crosstalk*] Whatever they are, “once yuh playing beast, name them and shame them”.

Mr. Speaker, in the last few minutes, let me say how I stand here in support of the spirit and the letter of the Bills brought by the hon. Member for Moruga/Tableland and the Minister of Gender, Youth and Child Development. The hon. Prime Minister and Member for Siparia, and indeed—sorry—I

commend the enlightened and encompassing vision on a very excellent People's Partnership, the best Government in the history of Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, our entire thrust here is in support of the children of the nation. We have a duty as adults, as parents, as guardians, as the Government, collectively, Opposition, proposition, Independents to create an enabling environment for the well-being and happiness of each child in this country.

I thank you very much for the opportunity. I do congratulate the whole "ah we" for having the courage to bring this Bill to table. I must register, before I sit down, that the statute of limitations does not run out on paedophilia. So whatever comes, wherever it comes from, whether it comes from 40 years ago, whether it comes from 50 years ago, whenever it comes from—[*Crosstalk*] wherever it comes from, it is something that we must use these Bills to mitigate in our society. We have a responsibility, and we must—[*Interruption*]

Mr. Speaker: Please. Please. Order.

Hon. V. Alleyne-Toppin:—face our responsibility and bring Trinidad and Tobago to the position of civilized society with great morals, something that everybody can emulate. Thank you very much, Mr. Speaker.

Miss Alicia Hospedales (*Arouca/Maloney*): Thank you, Mr. Speaker. I am delighted to be able to contribute to these regulations on the Foster Care Community Residences, as well as the Children's Authority.

Mr. Speaker, I would like to join with my colleague the Member for Diego Martin Central in commending the staff of the Ministry of Social Development—previously named—now called the Ministry of the People and Social Development, as well as the staff of the Children's Authority, the board and staff actually, and the Ministry of Gender, Youth and Child Development, along with the Ministry of National Security. The reason why we are highlighting their contribution is because we know that, previously under the PNM administration and even currently, there had been significant work that went into the establishment of the Children's Authority and, as well as bringing forward these regulations.

So, Mr. Speaker, I am asking why almost five years later—why almost five years later—why did it take so long to bring the regulations for the Children's Authority Foster Care as well as the Community Residences.

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Mr. Speaker, I listened to the Member for—the Minister for Gender, Youth and Child Development. And he indicated that these regulations will complete the list of regulations done by the Children’s Authority. I am not sure if the Member is aware that there is still an outstanding regulation, and that is in relation to nurseries. So, when the Member said that these three regulations—Children’s Authority, Foster Care and Community Residences—complete the list, I was, you know, really wondering how involved is the Minister in the activities of his Ministry. Because he would be pretty much familiar with the fact that the regulation for nurseries would have been missing from this particular list.

Mr. Speaker, the Member for Tobago East indicated that the Minister of Education is effecting change by addressing the issues with reference to children in the school system. I would like to really ask the Member for Tobago East if she is particularly sure of that. I can recount two months ago having to intervene in a situation where a constituent of mine reported to me that a child in a particular school in my constituency reported to her teacher that she was sexually molested. The teacher then reported to the principal that the child was sexually molested, and nothing was done. Nothing was done until the constituent brought it to my attention. Immediately I reported it to the Minister of Gender, Youth and Child Development. I would like to say, yes, a social worker went to the school. The next day the child was eventually removed because it was confirmed that she was sexually molested. But I would like—you know, I really do not think that the Minister of Education is doing enough, you know, to sensitize the principals and staff in the schools of the need to report abuses of that nature.

So, when the Minister says—the Minister of State in the Ministry of the People and Social Development—our Minister of Education is effecting change by addressing the issues in relation to children and the abuses that occur, I would like to differ.

Mr. Speaker, prior to the PNM administration coming out of office there were significant pieces of children legislation that would have been laid before this House, debated, passed, proclaimed in some instances, partly proclaimed. You know, I would like to say that the PNM administration laid a solid, solid foundation. As you have heard, the Children Bill that was passed, the Children’s Authority Bill that was passed; the Children’s Community Residences, Foster Homes and Nurseries Bill that was passed as well became an Act; the International Child Abduction Bill; the Status of Children Bill. And all of these Bills would have been piloted by the Member for Diego Martin Central in his capacity as Minister of Social Development.

Mr. Speaker, added to that, the Children's Authority board was, you know, selected and they received their instruments of appointment. The premises, in terms of the facility where they would have been operationalizing their service, would have been secured. So many policies and systems with reference to how they needed to operationalize the Children's Authority were in place. So, I really do not know what, you know, they have done really in terms of four and a half years, almost five years—almost five years.

Mr. Speaker, I even listened to the Member for Caroni East, Minister of Education when he said that the Act in itself can stand alone. Is that really true? If the Act in itself can stand alone, we have no need to be here today. [*Crosstalk*] We have no need to be sitting in Parliament debating the Motions on these regulations.

If the Act in itself could stand alone, there would be no issue, none whatsoever. You know, life would have gone on, and the Children's Authority would have been doing what they had to do in terms of monitoring the children's residences, expanding the foster care system, as well as, you know, operationalizing their own authority, and ensuring that they are meeting the objectives of being guardians to the children in the country, et cetera.

Mr. Speaker, when you hear of, you know, the reports—and these reports were not reports of mine. They are not reports of Members on this side. They are reports coming from NGOs, representatives from the Ministries, the Children's Authority, Tobago working committee, and persons who worked in community residences, et cetera.

Mr. Speaker, when you hear of concerns of or reports of lack of safe places for children in need of care and protection, that is our reality. When children are forced to remain in abusive situations, even after they have made a report. In the case of the young child that I would have indicated made that—disclosed her sexual abuse—she was forced to remain in that particular abusive situation because when she disclosed, nobody did anything about it, until I intervened, and of course, the Minister responded.

7.15 p.m.

Mr. Speaker, when we hear of situations where children are removed from hazardous circumstances or abusive situations and placed in an inappropriate accommodation, either temporarily by the police or over a long-term period; and we have heard of scenarios where children are actually residing at hospitals

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because there is no other accommodation for them, no other safe place to go to; when we hear of reports of abused children being victims, further traumatized or victimized in the social service system because there is lack of empathy, they are not believed, they are not assisted in any way to get past the trauma that they have experienced because of the abandonment, neglect, sexual, physical or even verbal abuse, that is cause for concern. And when there is widespread child abuse in all its forms that remains under-reported or unreported, that is another cause for concern.

So, Mr. Speaker, the reality is, if we were to do a survey today, would the members of the population be able to confidently say that the Government is doing enough to protect the children of this country? If we were to do a survey would they say that they feel satisfied that that service that is being offered is being offered in a way that demonstrates protection to the children who are in dire need of being protected? And the answer to these two questions would be, no.

Mr. Speaker, if you were to ask anyone whether or not the children's authority—you know, I really do not want to have to be too critical, but we have to highlight some of the issues. If they are really championing the well-being of all the children in our country and protecting the vulnerable in order to restore childhood, et cetera, can we confidently say, yes, Mr. Speaker? The reality is that this is not yet happening.

If we were to go to the regulation of the children's authority, the regulation as indicated by the Member for Diego Martin Central is very vague and it is indeed in need of more detail. And when I read through the regulation the first concern that I had was with regulation 2, which speaks to the fact that any person may orally or in writing, or by electronic or other means, make a report to the authority that a child is in need of care and protection, and this is so generalized—"any person", the person—electronically.

We all know what happens via email, some people create fake email addresses and they send emails. Someone who is being mischievous can decide that they are going to create a fake email address and file a complaint about a family who is ill-treating their child, and this report then is being taken in wholesale by the Children's Authority. And even so, in sense of writing, some of us, I am sure, would have received concerns expressed by members of the general public about a particular issue that is taking place in the public service or in some other sphere in terms of the country, and they would not have put their signature for fear of being victimized or somebody coming to attack them, attack their character, et cetera.

Mr. Speaker, the reality is that even in writing, the complaints about the child being molested or the child being abandoned or neglected, the name of the person does not necessarily have to be included under this current regulation, and that is a cause for concern. It does not hold the person who is reporting to account, and that is why it is important for the members of the Children's Authority to go back and to look at this particular regulation and to make sure that in outlining the requirements for reporting, that they include—they make it necessary that the person includes his/her name, the occupation, address and other contact information. *[Interruption]* Yes, that is the same as what is occurring in the Jamaican child care and protection system.

Mr. Speaker, they also need to go back again and really decide on what other—in terms of the actual report, how much detail should this report have in it, in terms of the name of the child, the age, the address, the name of the parent, the parent who is abusing. It does not necessarily have to be a parent who is abusing, it could be the name of the abuser. It does not matter who that person is or the relation to the child as long as it is known.

So, there is need for them to revisit that particular regulation, and even in the child care and protection regulation in Jamaica, they have outlined in the schedule of the regulation a list of things that are needed in terms of the signature, the name of the reporter, the occupation, et cetera. They have outlined in detail, so, even if someone was to walk off the street, go to an assessment centre to make a report or go to the Children's Authority to make a report, the person who is taking the report would be guided by the list that would be in the schedule.

So, it provides some measure of clarity and guidance. Currently, as it is, it is very ambiguous, very general, and it really does not lend itself to gathering the right set of information, even in terms of accountability and transparency with reference to the person who is reporting. So, it limits, as I said, the current regulation, based on the fact in terms of how it is worded. If more detail is added, it will limit the mischief that can be engaged if someone was to just send a fake email or to write a letter without even stating their name, address, telephone number, et cetera.

Mr. Speaker, so that was regulation 2(1), and regulation 2(2) states that:

“The Authority shall establish and maintain a record of all the information contained in a report under subregulation (1).”

And that is all that it says. But, what they need to do is to put details in how these records would be stored. And, if in any way someone were to tamper with the

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information or disclose the identity of the person filing the report, what measures would be taken to deal with that particular individual? So, there is need for them to go back to regulations 2(1) and 2(2).

Mr. Speaker, the issue of confidentiality. We know that in Trinidad and Tobago there are major issues with confidentiality. Sometimes somebody goes to counselling and then a whole lot of other persons find out about that individual who would have gone in confidence, and expected that in disclosing to the counsellor or disclosing to the psychologist, or whoever, that that information would have remained there, the information just does not.

So, there also should be a regulation dealing with the issue of confidentiality of the information that is received as well as confidentiality with reference to the person who would have disclosed the information. Because, the other thing you are thinking about is the need to establish confidence in the public that, listen, if you file a report to the Children's Authority you can be assured that your name would not be called, would not be used in any court matter, would not be seen on any newspaper. You can be assured of that, and unless you give people that assurance of confidentiality you really would not have people coming forward. Because, a lot of times people are afraid that if they disclose to someone that they are aware that a child is being molested physically, sexually, that someone would tell, would indicate, would expose their identity, and the person, the abuser would come and retaliate.

Mr. Speaker, the reality is that this did occur. I remember that as a social work student we were one day faced with the news of a teacher in Tobago being killed as a result of a child disclosing to her that she was sexually abused, and that is the reality. So, some people would be afraid to come and disclose any information unless they are guaranteed that that information would be in confidence.

Mr. Speaker, regulation 3 speaks to the fact that the authority would receive the report and then investigate the matter to determine whether the child is in need of care and protection, and if their intervention is in the best interest of the child. Again, the question to be asked is, how soon would the investigation be done? How soon is it going to be done? Immediately? I heard the Member for Caroni East indicating that it is going to be done on a priority basis.

Dr. Browne: How is he determining that?

Miss A. Hospedales: Yes, I would like to find out how do you determine how it is done on a priority basis? Would some children be required to wait six months in the system as a result of it being done on a priority basis?

Mr. Speaker, the reason why I am asking about how long, is because in the strategic plan that was outlined by the Children's Authority they said that one of their weaknesses is the inadequate number of staff. You know, the Member for Caroni East did indicate that there are approximately, I think, 290-something persons now being employed.

Dr. Browne: Positions.

Miss A. Hospedales: Positions—292 positions, or something like that, that was approved by Cabinet—[*Interruption*]—right, and what he did indicate is that they have problems finding social workers.

Mr. Speaker, that is a major issue because when you hear of reports with reference to crimes against children being committed and ranging over 500 per year, and other issues of crime—say, sexual crimes committed against children—ranging over 300 per year, that is about 500 plus 300 is 800 already. And then you have the children with the physical and psychological abuse as well that would have been reported. You are talking about, on a yearly basis, the Children's Authority having to deal with a minimum—if we want to give it a minimum range, 500 children per year with reference to sexual abuse and other types of crime that are being committed against children. The issue of psychological disturbances, et cetera, arising out of verbal and other types of abuse and abandonment.

Mr. Speaker, I saw a report that was outlined by the Child Protection Task Force that said that the Children's Authority had recruited only 41 professional staff, and this report was dated March 26, 2014. So, they may have gotten to 50 professional staff out of the 200-and-something or so that they need. And from what the Child Protection Task Force indicated, they needed to have to get to a total of 97. But, I would like to ask, considering the number of reports that will be flooding the Children's Authority, are 97 professional staff adequate? How many of those are social workers or positions for social workers? How many of those are positions for psychologists? Because it would be unrealistic to have one psychologist attached to the Children's Authority, considering the number of reports that will be coming in.

Earlier, the Member for Port of Spain North/St. Ann's West, she talked about the establishment of the assessment centres, and the question should have been really rightly asked to the Minister regarding, how many children have been assessed at that assessment centre to date? How many are still currently on a waiting list, waiting to be assessed?

So, Mr. Speaker, I am not sure that the Children's Authority, as the Minister would have indicated, is as ready as he makes it seem because, when you look at all of these challenges—the issues of reporting, the issues of assessment, the issues of confidentiality—and even the Member for Diego Martin Central did indicate the challenge that he experienced this morning, calling the authority, but there was no answer.

7.30 p.m.

So I am assuming that would have been a parent in distress, calling the authority to receive assistance because of some incident that occurred with their child or news of the child being sexually molested or physically abused in one way or the other, there would have been no one to respond to that particular concern. So the Children's Authority really is not as ready as the Minister would like us to believe.

Mr. Speaker, I just want to go on to the regulations for community residences, and based on the strategic plan for the Children's Authority we are told that there are a certain number of children that are in children residences, approximately 947. That information would have been derived in the year, probably 2012, but to date there are approximately 850, 53 per cent being male, 43 per cent being female. Many of them are there as a result of instances of beyond control and neglect. Approximately 95 per cent of those children actually have parents that are alive. So, long ago they used to call these children residences, orphanages, because the children that reside there had no parents, but, to date, 95 per cent of them actually have parents that are alive.

Mr. Speaker, these facilities are described, and they are not based on my own description, but by persons who operate NGOs, Ministry representatives, representatives from the Children's Authority, the Tobago Working Group Committee and persons coming from the community residences themselves and from statutory community residences. They have indicated that at the community, many of the community residences, there are poor conditions, poor record keeping, low living standards, overcrowding, potential abuse, children are exposed to far more serious conditions and behaviours than those which they were previously admitted, and they talk about the substandard care that is given to them by the staff.

Mr. Speaker, added to that, they raised issues regarding security concerns at the existing residential facilities, and children are, we are told that children are increasingly at risk due to the close proximity of some of these community

residences to undesirable elements such as drugs, gangs, et cetera. The facilities in some instances are normally so large that the staff at the facilities are unable to monitor the children and to prevent child and child abuse, and that is abuse both sexually, verbally, as well as physically.

When we hear of instances of, you know, a newspaper report on a particular children's home, that is, the St. Michael's Home, and in general it talks about sexual predatory and mental and physical abuse alleged to take place on our nation's children's homes. These were allegations that were made and you know that in many instances the allegations have some measure of truth in them. Some of the perpetrators of these acts are persons that are entrusted or believe to be entrusted with the responsibility to care and rehabilitate the youngsters.

Then we have the issues relating to the theft of the personal belongings of the children. The other issues entail the issues of hiring of staff, et cetera. Mr. Speaker, one thing I want to go to in terms of the actual regulations, is an application for registration as a community residence, and that is Regulations 2, 3 and 4. Mr. Speaker, they listed in 2, 3 and 4, a list of requirements with reference to the application for a registration as a community residence. And one of the things I would like to state is that they said that someone can apply as an individual, they can apply as a company incorporated and as an unincorporated entity. But in all of these you have the individual, one person applying, then you have—*[Interruption]*

Mr. Speaker: Hon. Members, the speaking time of the Member of Parliament for Arouca/Maloney has expired. Would you like to guide me?

Miss A. Hospedales: Yes, Mr. Speaker, I will like to get an extension.

Question put and agreed to.

Miss A. Hospedales: *[Desk thumping]* Mr. Speaker, in the application process, what I would like to suggest, right, apart from the fact that they would have listed all these requirements, a part of the process should include a background check on all the persons. You have the board of directors, the individual who is applying, and for the incorporation, and then a list of partners, board members and managerial staff with reference to the unincorporated entity. Mr. Speaker, I would suggest that background checks be done on all of these individuals because the issue of persons preying on these young children at these institutions, it is a real one. So no licence or no application should be approved unless these background checks are actually done to ensure that those children are not exposed to those kinds of individuals.

Mr. Speaker, the other thing I would like to indicate is that there is also need for a location assessment. And I saw in the children's home regulations for England that they indicated a location assessment is necessary, particularly—because it helps to assess whether the location of the home influences the potential for an already vulnerable child to become a victim of crime, such as being targeted for sexual exploitation, et cetera, whether they would be recruited in a gang. Mr. Speaker, whether the location of the neighbourhood is suitable and will facilitate the acceptance of these already vulnerable victims of abuse and neglect and whether there are environmental factors that would represent a hazard to children such as locations near level crossings or busy roads, et cetera.

So what they are saying is that there is, apart from doing an assessment of the documents that are submitted by the applicants, a location assessment is also needed. There is more detail, they can find the information in the Children's Homes Regulations Amendments 2012 for England, Department of Education.

Apart from that, the issue of staffing is a major issue and we have in Regulation 5, actually, where it speaks to the staffing of the residential facility. There is an issue with reference and even it was noted by the Children's Authority that based on the consultations that they had, the feedback that they received that substandard care is delivered to children as staff are generally untrained or unequipped to deal with the special needs of children in care and protection. And what should be stated in the regulations is a minimum qualification, a certificate in counselling, child care, first aid; those are some of the things that are actually needed. Mr. Speaker, this is what is not provided.

Additionally, the need for persons who would be hired to prepare food for them to have basic qualification or certification in food preparation, food and nutrition, because not everyone that has a food badge knows how to cook. So that is the reality and I think that they really, the criterion for the person who has to prepare the meal should not just be a food badge.

Dr. Browne: That is to sell food, not to prepare food.

Miss A. Hospedales: It should not just be a food badge. They need to have some kind of certification in preparing meals, food and nutrition, and that kind of thing.

Mr. Speaker, added to that, in the strategic plan for the Children's Authority they said that a lot of the physical structures for these community residences are extremely—in some instances not well kept, some of them are unsuitable for children to be in. Some are not clean, lack ventilation, boys and girls in some

instances are kept in one facility, they are not separated. The small bedrooms are overcrowded with double decker beds, double, private personal space is insufficient. Mr. Speaker, some of these community residences are riddled with problems. I remember reading an article with one particular residence where the roof, the entire roof was bad and leaking. The mattresses were probably 20 years old and the beds were breaking down. Mr. Speaker, these people were crying out for assistance.

So there is need to inspect the existing community residences and not only inspect the existing ones but inspect the new ones that are to come up. So I am suggesting that there is need for funding assistance for the existing community residences so they can repair their homes, bring it up to standard, so in the event that they have to apply to get a licence or so, they would have been able to meet the requirements.

Mr. Speaker, not only that, there is need for community residence inspectors, people who would go in, and people from the Children's Authority could be assigned to that because they would go in looking at it from a social work child care perspective. So there is need for the appointment of some inspectors who will conduct spot checks, just show up within reasonable time frames, and as the Jamaican Child and Protection Regulations said, that these persons would show up at reasonable times, enter, visit or inspect any children's home. And upon the visit they will make a record of the observations and they would also make recommendations. It also stipulates in the regulations as well, no persons, no manager, no supervisor, no caregiver at the home or not even the security could obstruct that person from entering the premises to inspect.

So, Mr. Speaker, these are the kinds of things that are actually needed in the regulations. Added to that, you know, the Minister talked about alternative disciplinary measures. And I think sometimes—I listen to people when they talk about corporal punishment. Corporal punishment, there is a difference between corporal punishment and abuse, eh. I do not think people understand the difference. A lot of people talk about corporal punishment as though it is abuse. It is not. They need to go back and do their research.

So, Mr. Speaker, I heard the Minister talk about alternative methods of disciplining the children, et cetera, and I would like the Minister to state in his winding up, what are some of these measures that he indicated that are successful measures being used by the children's residences because, again, as I would note, corporal punishment is not abuse. So he said that no corporal punishment would

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be administered at these children's residences, but, Mr. Speaker, he needs to let us know what the alternatives are.

7.45 p.m.

Mr. Speaker, I would just like to say under Regulation 20 it speaks to communication, the fact that a manager or licensee shall notify the Authority in writing if a child dies, if there are any serious injuries to children, any incidents of a child contracting an infectious disease. I also want to add to that list that the manager or licensee shall notify the Children's Authority if a child ran away or in some way is missing. Mr. Speaker, that is not listed. It should be there in bold. Added to that, I would suggest that in the schedule for the regulations, would consist a list of things that are required by the applicants to fulfil in ensuring that their community residences are up to standard before it is actually inspected and approved for the occupation of children.

I just want to go briefly to the issue of foster care, and we are told, again—not me, these are not my own words—that through consultations by the National Family Services and private community residences, that the foster care system is an unregulated system of care. There, children live in unsuitable living conditions and are cared for by foster care providers who are most times unaware of the standards of care which need to be delivered to the foster care children.

Mr. Speaker, one of the things I would suggest, in looking at the application process is that, I would say under Regulation 4, that apart from conducting the home assessment, that a location assessment also be conducted and, as I indicated before, the location assessment determines whether or not the child will be vulnerable to further abuse, based on the area where the foster care provider is living; whether the child would be easily drafted into a gang; would be exposed to further violence, et cetera.

So it is important for a location assessment to be conducted. Even in terms of Regulation 4(5) when it says that, "The board shall examine the application submitted, the personal and home assessment", they should also look at the location assessment as well. They should do a location assessment to ensure that the child would not be exposed. And again, the location assessment indicates whether or not there is additional potential for the child to be targeted for sexual exploitation, to be drafted into a gang, whether or not the environment is suitable, et cetera. So they can find more information of this, again, in England's Child Protection Regulations.

Added to that, the foster care system, I believe, has tremendous promise, and I remember in 2008/2009 we talked about the issue of kinship foster care. I think that is something that we need to look at because I know the Member for Tobago East talked about, “Where are the families?” In some instances, some families are so poor, they are unable to look after the child. They do not have the financial means to do it, but if they are provided with some finances, they may be able to support the child until the child becomes an adult.

So it is something that they can look at. There is need for a greater level of public education on the importance of the foster care system, how families can help and the way in which families would be supported when they provide help to children in a foster care system.

Added to that, I would just like to indicate to the Government that there is an urgent need to ensure that female juveniles are actually provided with a facility where they can be safe. A number of the children—females—are currently being housed in the women’s prison. Mr. Speaker, I think there is need for the Government to again—you know, I would not even say “again” because they have not done anything.

Mr. Speaker: You have one more minute.

Hon. Member: Wind up, wind up.

Miss A. Hospedales: I am winding up. They have not done anything over the last four and a half years and I think that they really need to begin to look at a facility for young juvenile females.

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

Mr. Speaker: The hon. Minister of Gender, Youth and Child Development.

The Minister of Gender, Youth and Child Development (Hon. Clifton De Coteau): Thank you, Mr. Speaker. Mr. Speaker, I listened to my good friend from Arouca/Maloney and it reminds me of what they say: good communication is listening. So that many of the recommendations she would have made are repetitious of some made already when I presented the Bill and also some made by her colleagues. But this is understood. Because what happens to most of us, including my good self, is, we are caught up sometimes preparing for our own presentation that we do not listen to the contribution made by others, and then we repeat, not knowing—[*Interruption*] Yeah, repetition leads to retention, if you are doing it yourself. [*Laughter*]

Mr. Speaker, today we have collectively tried to fill the omission and the inadequacies of our current child protection system which we have documented over decades, and I want to endorse the sentiments expressed by my colleague from Diego Martin Central, and we have to give credit to all those who would have gone before, who would have contributed in their own way to this Bill to position us to where we are at the moment. I am eternally grateful to them—those from the former administration and those even from my administration who would have gone before—and I say thanks to them.

Mr. Speaker, today is not really the day for me to point out who did not do what or who did what. The point is, we are collectively trying to improve the child protection system in Trinidad and Tobago.

Mr. Speaker: Hon. Minister, just a moment. We have a procedural Motion that the Leader of the House has to move.

PROCEDURAL MOTION

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, in accordance with Standing Order 15(5), I beg to move that the House continue to sit until the completion of the debate on all the Motions before us—the three Motions—in addition to the amendment to the adoption Act, and the Motion standing in my name in terms of the membership to the Police Service Commission.

I beg to move.

Question put and agreed to.

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Mr. Speaker: Continue, hon. Member.

Hon. C. De Coteau: Thank you, Mr. Speaker. Mr. Speaker, we did not dispute in any way that there is a lack of a central coordinating body; there is a lack of proper assessments; there is an absence of appropriate care and treatment plans; there is a lack of appropriate family placement alternatives; there is a lack of regulations for the child protection sector. These are the facts that could not be disputed.

I know that the Member for Caroni East dealt with some of the cracks in the contribution of the Member for Diego Martin Central but they did not go unnoticed, and I want to commend the Member for Diego Martin Central for his contribution and his observation. However, the Member for Diego Martin Central

said that the Children's Authority is only 40 per cent—or was it 50 per cent?

Dr. Browne: Fifty per cent.

Hon. C. De Coteau:—50 per cent capacity with regard to staff. Mr. Speaker, I want to place on record, to some extent it is not true. In fact, the Authority carried out a strategic exercise to determine the number of staff required for their effective start-up, and the number that the Authority collectively agreed on was 97. They agreed on that. For them to start up through their strategic exercise, they needed 97. Today, they are 102. *[Interruption]*

Mr. Speaker: Please, please.

Hon. C. De Coteau: So it means to say that they are ready. They established the fact that they are ready. So I maintain that they are ready. *[Interruption]*

Dr. Browne: Two hundred and sixty—

Hon. C. De Coteau: It does not matter what. Even though there are 200-and-something positions, let us not fight with semantics. The fact is that the Authority, the bona fide Authority to be, did their strategic analysis and they came up with 97. They say, "Listen, for us to really get this thing going, we have to have at least 97 persons". Today, they are 102. So are you saying that they are not ready? They are ready. So do not dispute that, my brother. Do not dispute—*[Laughter]*

The Member for Diego Martin Central belaboured the point with respect to the form and content of our regulations as compared to the Jamaican regulations. You know, in fact, as was said by the Member for Caroni Central, the technical experts from the Children's Authority and the Ministry who were developing the regulations collaboratively from day one, as the Act requires, considered the regulations from a number of countries, including Jamaica. At the end of the day our experts from both agencies had to determine what would work best in the local context.

Mr. Speaker, you know, sometimes we come inside here with, I feel, hypothesis, hypothesizing and branding ourselves as so knowledgeable, you fail to realize that we did our homework. We did not come just like that! We prepared ourselves—*[Interruption]*

Dr. Browne: Well, demonstrate that.

Mr. Speaker: Member, please. Member for Diego Martin Central, you cannot be in crosstalk. You are disturbing the proceedings.

Hon. Member: So why he started arguing?

Mr. Speaker: No, please! The Member is on his legs. Allow the Member to

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speaking in silence. Any Member who is tired of listening, retire, but do not disturb the hon. Minister whilst he is speaking, in crosstalk. That time has gone. Continue, hon. Minister.

Hon. C. De Coteau: Mr. Speaker, as someone who has been in education for the longest while and in classroom situations where you may have some deviants sometimes, we have learnt to ignore the directions of certain sounds. So, you know, I would ignore that and continue to focus. It is a skill that you develop over a period of time and I would not be side-tracked. [*Desk thumping*]

The hon. Member for Diego Martin Central also stressed that psychometric testing should be mandatory for all community resident managers and employees. In fact, the use of psychometric testing was considered at length by the teams from the Authority and the Ministry of Gender, Youth and Child Development. However, it is clear that psychometric testing is not an accurate predictor of whether a person is inclined to be a paedophile or sex offender.

The team at the Authority came up with a robust method to determine the suitability of persons to act as managers at the community residences. This includes the conduct of a stringent background screening process which will be conducted by a private security firm specialized in conducting investigations and assessments of this nature. This will be done administratively and with high standards of accountability to ensure that undesirable persons are weeded out.

Dr. Browne: Minister, would you give way?

Hon. C. De Coteau: Just let me finish. [*Laughter*] Mr. Speaker, the regulations of the Children's Community Residences, Foster Care and Nurseries Act were crafted on the basis—[*Interruption*]

Dr. Browne: You are a coward.

Hon. Member: Retire, retire.

Mr. Speaker: Member, withdraw that, "nuh".

Dr. Browne: I withdraw. I withdraw.

Mr. Speaker: Continue, hon. Minister.

Hon. C. De Coteau: Mr. Speaker—[*Interruption*]

Hon. Member: Do not comment. Just focus.

Mr. Speaker: Just focus on me.

Hon. C. De Coteau: I am focusing on you, Mr. Speaker, but I cannot help to say that sometimes this thing is viewed by students and sometimes we demonstrate behaviour that is not really desirable in a classroom. I know this is not a classroom. I saw on the papers today in some Parliament, “man taking up chair tuh lick dong, Sir”. But I am saying that our level of deportment sometimes should be a little different. [*Crosstalk*]

Mr. Speaker: Just continue with your debate.

Hon. C. De Coteau: Thank you, Mr. Speaker. Mr. Speaker, in fact, the ethos of child friendliness is steeped in the establishment of the assessment centre. Places of safety are waiting areas of the Authority’s head office. In this regard, the Member for Diego Martin Central suggested that the registration relating to the premises was not child-friendly. The tests for the requirements dealing with premises are indeed objective tests and adequacy is therefore always implied. In addition, the Children’s Authority has developed a scientific and objective inspection tool for licensing. This tool uses clear benchmarks with specifications that seek to ensure that the highest levels of care are implemented by the residences.

8.00 p.m.

Mr. Speaker, the Member for Port of Spain North/St. Ann’s West—I always say, the principal in whom I was well pleased because she was very, very supportive, but sometimes our politics sometimes a little differ. Over the years, successive past administrators advocated for child protection; however, the Member for Port of Spain North/St. Ann’s West mentioned three issues which I would like to address. One, the Daniel Decree; two, the children’s registry; the child marriage Acts. The Daniel Decree by way of a reminder, I would like to stress, as reported in the *Trinidad Guardian* in March 2011:

“...the Daniel Decree”—is—“a social agenda’ involving all NGOs, the police, the army”—the—“Government and the private sector in a partnership to tackle ‘issues of crime and child neglect and abuse in the myriad forms.’”

We have to understand that when the Child Protection Task Force was appointed, it more or less incorporated all aspects and objectives of intention of the Daniel Decree, but yet for all, people selectively—I do not know if it is a mischief or for what sake. What about the Daniel Decree? Well, I will tell you, it was addressed, you know. As part of the mandate the Ministry has been effecting that social agenda by continuing its work in the area of public education. Yes, we

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have. People mentioned it here. Members of this esteemed House mentioned it. Public education, the Break the Silence campaign, by working with NGOs and faith-based leaders on different initiatives through the national family rally.

On the issue of child neglect, the Child Protection Task Force was established and the recommendations resulting from the task force report, such as the establishment of the child protection unit of the Trinidad and Tobago Police Service and the drafting of these regulations have been implemented, thereby giving effect to the spirit of the Daniel Decree. So the spirit was there, but sometimes you do not see it when you do not want to see it. But it was there. [*Crosstalk*] “Okay, this is the Carnival season, all yuh tinkin about ah different kind of spirit, you know.”

Mr. Speaker, the children’s registry. On citizenry, I would like you to know that UNICEF has worked with the Ministry of Gender, Youth and Child Development developing what is known as the National Strategic Plan for Child Development 2011, and this was approved by Cabinet. As a result of the elements emanating from this plan, the Ministry has hired a consultant and is in the process of developing IT software that would be finalized shortly, I have been advised. There is also a Standing Committee in place which will be responsible for guiding the implementation of the much-needed children’s registry, and I would like to stress that this issue has not been dropped by the Ministry. So I want to give the assurance to my esteemed colleague, the Member for Port of Spain North/St. Ann’s West.

Mr. Speaker, I do not want to say repetition leads to retention. I am not going to repeat what I said in my presentation earlier. The Marriage Act: Members of the other side in their contribution raised the issue of child marriage in TT. As we are all aware, there are four pieces of legislation that govern marriage in Trinidad and Tobago and four different positions apply thereof. These are the four different positions: the Marriage Act, 1925; the Hindu Marriage Act, 1945; the Muslim Marriage and Divorce Act, 1961; the Orisa Marriage Act, 1999.

It is well known that the Marriage Act which has been in force since 1925 permits girls to marry at age 12 and boys at age 14. This Act applies to all children marriages as well as the civil marriages. The Muslim Marriage and Divorce Act permits girls to marry at 12 and boys at 16. The Hindu Marriage Act permits girls to marry at 14 and boys at 18. The Orisa Marriage Act permits girls to marry at 16 and boys at 18. Mr. Speaker, successive governments have indeed been cognizant of the difficulties in arriving at a single unified age for marriage

and they are fully aware of that—the difficulties. They are aware of that. So to come now tonight and pontificate and to be veiled in a Pontius Pilate approach, where you wash your hands lily-white, the mirror of chastity and the pinnacle of virtue—[*Interruption*] “No, no, doh try that. Doh try that, Mr. Speaker.”

Mr. Speaker, you know, this is well documented in the Government’s official report to the Committee on the Rights of the Child, which was considered in 1997 and in 2006. It is therefore odd that these positions have existed since 1925 and onwards, yet blame is being placed on the head like an albatross sword over our heads, this Government’s head, to say they are doing nothing. Nothing!

The other side reference the concluding observations made by the Convention on the Rights of the Child in 1997 and 2006, and both reports expressed concerns about the low ages of permissible marriage in Trinidad and Tobago. To demonstrate that, the current Government continues to be concerned about the issue of underage marriage. Let me place on record that in 2012 the Ministry of Gender, Youth and Child Development brought together faith-based leaders in a national consultation to try to resolve this issue. The report of that consultation was submitted to the Ministry of Legal Affairs; therefore, far from the other side is saying that this demonstrates that this Government had done all in its power to bring resolution to the issue. We have done, we are working on it. I would like to add that the official report—[*Interruption*]

Mr. Speaker: Member for Port of Spain North/St. Ann’s West.

Hon. C. De Coteau: Mr. Speaker, I would like to add that the official report of the Convention on the Rights of the Child submitted in 2000 also reflects the Government then in power, which was the UNC Government, also appointed a committee to arrive at a higher unified-level permissible age that would at least be aligned to the age of sexual consent at that time.

The Government is aware that the regulations for nurseries are not before this honourable House today. The reason for this is that the nursery sector is an unknown quantity. There are perhaps about 1,000 to 2,000 or even 3,000 nurseries in the country, based on the definition in the Community Residences, Foster Homes and Nurseries Act. Furthermore, the Act requires the Children’s Authority to license all nurseries and to visit each nursery before it can be licensed.

In order to develop regulations, the Ministry of Gender, Youth and Child Development has established a nursery committee comprising representatives from the Ministry of Health, the Tobago House of Assembly, local government,

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Ministry of Education, Ministry of Community Development, the Children's Authority, the Nursery Association of Trinidad and Tobago and, of course, the Ministry of Gender, Youth and Child Development which leads the committee. The committee is tasked into developing the nursery policy to guide the development of regulations for nurseries. One aspect of the mandate of the committee is to conduct a situational analysis. This investigation report would be placed.

Mr. Speaker, the authority has developed a stringent process for the conduct of investigations into repairs of homes in need of care and protection. With regard to the receipt of reports, reporters have the option to make anonymous reports, as is done in our best-practice jurisdictions. This provision for anonymity seeks to encourage all persons to make reports so as to ensure that fewer children fall through the cracks. I want to assure this House that the highest levels of confidentiality will be maintained at the authority. Each contract of employment details the requirement for confidentiality. In addition, cutting-edge technology has been integrated into the authority's processes to ensure that the highest levels of security are maintained.

Mr. Speaker, a scientific risk assessment will be applied to each report received, thereby categorizing each case into high, medium and low risk. Immediate investigations will be conducted for these cases classified as being high risk; and those reports classified as medium and low risk have an expedient response, thereby facilitating immediate assessments and interventions.

Finally, I would like to say, again, the words on proclamation. I belaboured throughout my earlier presentation today and detailed the complex machinery and infrastructure that are needed to be in place to allow proclamation. The legislative process is the final step towards proclamation compared to the previous Government which I do not really want to go into that direction. We have achieved quite a lot in the tenure that we have shared to facilitate the implementation of the new child protection system. All the pieces of legislation that remain to be proclaimed will be proclaimed in very short measure and a new system will be in place. The Children's Authority will be able to deal with the assessment centre in San Fernando, teaching hospital, and we will also deal with those children who have been abandoned more or less or who are under the care of the San Fernando Hospital.

Mr. Speaker, I will conclude by thanking all Members, again, for their contribution. It was very informative and I am very gracious. I thank you, I beg to move. [*Desk thumping*]

Question put and agreed to.

Resolved:

That the Foster Care Regulations, 2014 be approved.

Mr. Speaker: We have three separate Motions, we have approved one. So, hon. Minister of Gender, Youth and Child Development, you have to beg to move that Motion No. 3 standing in your name be read in total and you move at the end of the process. So I now call on the hon. Minister, again.

CHILDREN'S COMMUNITY RESIDENCES REGULATIONS, 2014

The Minister of Gender, Youth and Child Development (Hon. Clifton De Coteau): Mr. Speaker, I beg to move Motion No. 3 standing in my name:

Whereas it is provided by section 53 of the Children's Community Residences, Foster Care and Nurseries Act, 2000 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of the management of any community residence and discipline of the children therein, and to prescribe the punishment for all offences committed against the rules or discipline of any community residence, the imposition of requirements as to the accommodation and equipment to be provided in residences, foster homes and nurseries, medical arrangements to be made for protecting the health of the children in community residences and foster homes, the provision of information to the Children's Authority of Trinidad and Tobago by the Managers as to the facilities provided for the parents or guardians of children in community residence and foster home to visit and communicate with the children and where not so provided to authorise the Authority to give directions as to the provisions of such facilities, and all such other matters and things as may appear necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of the Act;

And whereas it is provided by section 53(2), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

And whereas the Children's Authority has on the 14th day of November, 2014 made the Community Residences Regulations, 2014;

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And whereas the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Community Residences Regulations, 2014;

And whereas it is expedient that the Community Residences Regulations, 2014 now be affirmed:

Be it resolved that the Children's Community Residences Regulations, 2014 be approved.

Question proposed.

Question put and agreed to.

Resolved:

That the Children's Community Residences Regulations, 2014 be approved.

8.15 p.m.

CHILDREN'S AUTHORITY REGULATIONS, 2014

The Minister of Gender, Youth and Child Development (Hon. Clifton De Coteau): Thank you, Mr. Speaker. I beg to move the following Motion standing in my name:

Whereas it is provided by section 50 of the Children's Authority Act, Chap. 46:10 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of matters which are required to be prescribed under the Act and for the purpose of giving effect to the provisions of the Act;

And whereas it is provided by section 50(2), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

And whereas the Children's Authority has on the 14th day of November, 2014 made the Children's Authority Regulations, 2014;

And whereas the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Foster Care Regulations, 2014;

And whereas it is expedient that the Children's Authority Regulations now be affirmed:

Be it resolved that the Children's Authority Regulations, 2014 be approved.

Question proposed.

Question put and agreed to.

Resolved:

That the Children's Authority Regulations, 2014 be approved.

Mr. Speaker: Hon. Members, I understand that we are going to be here for a long period so we need to have some dinner. So, at this point in time, I would want to suspend the proceedings so that we can have dinner and we will come back at 9.00 p.m. sharp. This sitting is now suspended until 9.00 p.m.

8.17 p.m.: *Sitting suspended.*

9.00 p.m.: *Sitting resumed.*

Mr. Speaker: The hon. Minister of Gender, Youth and Child Development.

ADOPTION OF CHILDREN (AMDT.) BILL, 2014

Order for second reading read.

The Minister of Gender, Youth and Child Development (Hon. Clifton De Coteau): Mr. Speaker, I beg to move:

That a Bill to amend the Adoption of Children Act, 2000, be now read a second time.

Mr. Speaker, I am pleased to present the Adoption of Children (Amdt.) Bill, 2014 in this honourable House. It is a simple but very important amendment to the Adoption of Children Act, 2000. The subject is to replace the adoption board with the Children's Authority and to deal with certain other issues in the parent Act.

Mr. Speaker, it is important to situate this Bill in its historical context to appreciate its significance. The modern principles of adoption which it seeks to promote and its alignment with the new child protection system—because it is part and parcel of the new child protection system, its history bears resemblance to that articulated earlier in this honourable House. The 2000 adoption Act is part of the package of children legislation introduced in 2000 to establish the new child protection system. A committee appointed in 1998 by the then Attorney General to review the laws relating to children which incidentally led to the package of children legislation in 2000, found that the existing Adoption of Children Act, Chap. 46:03 to be put—to be out of sync with modern adoption practice. Historically, adoption in Trinidad and Tobago has centred on finding children for parents and adoption practice has developed around this. The system

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has focused on placing children, usually babies, with parents who are childless. Modern adoption practice centres on finding parents for children and increasingly forms part of progressive child protection systems globally. The new child protection system seeks to make adoption an important placement option for children in need of care and protection and this is evident in the Children's Authority Act, 2000.

A critical aspect of the mandate of the Children's Authority under the Children's Authority Act is the determination of the best placement option for children who need alternative placements. Such determinations made after careful assessment will lead to the placement option set out at section 25 of the Children's Authority Act. Critically, these options include adoption. It is evident therefore that the Children's Authority Act, when it was promulgated in 2000, sought to carve out a role for adoption within the new children protection system in keeping with the principle that a child in need of alternative care is best cared for in a family setting. This should ideally be the child's own family through integration, re-integration, but if that is not possible, that adoption should be the optimal permanent placement.

Mr. Speaker, in addition to adoption, section 25 of the Children's Authority Act provides for temporary placement options, including foster care and institutional care. However, in keeping with the principles articulated in the Convention on the Rights of the Child and modern systems of child protection, we are aware that we in Trinidad and Tobago have ratified this human rights position by our signature attached on June 30, 1990, and this rights treaty was ratified on December 05, 1991. Earlier in the House, it was identified by a Member.

Mr. Speaker, as far as possible, all children should be able to transition to adoption within the shortest possible time and with minimal disruption to the child. This, of course, will be where family re-integration is not possible. Adoption should, therefore, occupy a pivotal space within a modern child protection system such as the child protection system about to be introduced in Trinidad and Tobago. There is, therefore, a need for close relationship between adoption and foster care and adoption and institutional care. There should be a seamless interface between these placement options so that the end goal at all times for the child in foster care, or a child in institutional care, should be adoption where family re-integration is not possible.

This is the reason why the Bill is seeking to replace the adoption board with the Children's Authority. The competence of an adoption board is not in doubt. We are not questioning their competence. However, the responsibility for

transitioning from foster care to adoption and from institutional care to adoption has been given to the Children's Authority under the Children's Authority Act, Chap. 46:10. The Children's Authority will therefore be setting up the processes and procedures to achieve this and it will be the social workers of the Children's Authority who will be monitoring children in foster care or in institutional care to ensure that adoption always remains a viable option.

Given the Authority responsibility for adoption will allow such transitions to take place in the shortest possible time. Experience throughout the world shows that the older the child, the more unadoptable he or she becomes. The point of transitioning is, therefore, critical and this ideally should be the responsibility of the Children's Authority, notwithstanding that an adoption board was retained as the entity responsible for adoption under the 2000 Act.

Mr. Speaker, proclamation—permit me. In September 2007, a Bill was introduced to do precisely this: to replace the adoption board under the 2000 Act with the Children's Authority. The Bill lapsed, also, in September 2007 and was not reintroduced. Nevertheless, when the Children's Authority Act of 2000 was amended in 2008, the adoption function was given to the authority. This is reflected in section 5(1)(b), 5A and section 7A of the Children's Authority Act, Chap. 46:10. Replacement of the adoption board with the Authority therefore remains outstanding, and this is primarily what the Bill before this honourable House is seeking to do: to allow the authority to assume the adoption function. The Children's Authority can only assume the adoption function under the Adoption of Children Act, 2000.

Mr. Speaker, proclamation of the Children Act, 2000, will coincide with the proclamation of the Children's Community Residences, Foster Homes and Nurseries Act, 2000; the Children Act, 2012 and the full proclamation of the Children's Authority Act, Chap. 46:10. This will allow the authority to seamlessly include adoption as part of the new child protection system.

Mr. Speaker, in the absence of this, the courts will be deprived of the option of an order freeing a child in need of care and protection for adoption as specified under section 25 of the Children's Authority Act, Chap. 46:10. It did not make sense bringing the Bill before the Children's Authority as the Children's Authority was not a position to be operative. As I stated earlier, the vast amount

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of work needed to bring the Children's Authority into operation has now been conducted and completed.

Mr. Speaker, it is indeed appropriate that adoption should play a much larger role in the care and protection of children.

9.10 p.m.

This has been the approach of countries such as England and Canada, which have modernized their adoption systems and put systems in place to change the culture of adoption. Placing babies for adoption will remain important, but it has significantly declined in importance. Recent trends in this country reveal that the numbers of babies placed for adoption over—between five or six per year, the waiting list nevertheless exceeds 100. Adoption of children in need of alternative care should become the norm rather than the exception, and will require a major cultural shift. Public sensitization and buy-in will, therefore, be important if we truly wish to find permanent adoptive homes for those of our children who require alternative care. The Children's Authority will take the lead in this, but we all need to do our part in seeking to change the culture of adoption sooner, rather than later for the sake of vulnerable children in our country.

Mr. Speaker, I turn now to other amendments proposed in the Bill. Many years have lapsed since the enactment of the new Adoption of Children Act in 2000. It was opportune, therefore, to review the 2000 Act, and to propose further amendments where deemed necessary. In this regard a committee chaired by the Chairman of the Children's Authority was appointed to review the Act, and to also consider the further amendments proposed in the 2007 Bill which lapsed.

Mr. Speaker, I just want to share for the information of the other side. A Bill is not to be disregarded because of its genesis. This Government is magnanimous in its approach, and if the former administration had something good it is for us to continue to build on that. That is the level of our magnanimity. [*Desk thumping*] The committee also included the Chairman of the Adoption Board. The committee made further proposals which are now reflected in the Bill. Very fruitful discussions were also held with the Registrar General and her views were solicited on several issues.

Mr. Speaker, before I turn to further amendments proposed in the Bill, I would like to summarize the main reforms of the 2000 Adoption of Children Act, to provide some context and understanding of these further amendments. Some of the main reforms in the 2000 Act are as follows:

1. Reducing or waiving the six-month probationary period in certain circumstances;

2. Introducing court procedures to make a child available for adoption prior to an adoption order;
3. Protecting an applicant against removal of a child where the child has been residing with the applicant for a period of five years;
4. Abolishing the requirements that the applicant be resident and domiciled in Trinidad and Tobago, or that the child be a commonwealth citizen and be resident in Trinidad and Tobago;
5. Expanding the grounds for dispensing with consent by the court, by expressly introducing persistent failure to discharge his or her parental responsibility to the child;
6. Introducing a definition of abandonment, such that the child is deemed to be abandoned if the parent has failed to make contact with the child for at least six months;
7. Making provisions for overseas adoption; and
8. Making provision for disclosure of birth records by application to the Registrar General and, for the information to a person under 18 who intends to get married. As to whether the person he intends to marry may be within the prohibited degrees of relationships. Also through application to the Registrar General.

Mr. Speaker, on the whole, these further amendments proposed in the Bill are intended to plug gaps in the 2000 Adoption of Children Act, and to give further protection to the prospective adopters and biological parents. It will be observed that in several instances the law is simply clarified. Thus, for example, certain definitions are clarified, deleted or added as the case may be. Further, in keeping with the philosophy that adoption is to become an integral part of the new child protection system, which envisages the adoption of older children, it is appropriate that the child's views be considered in relation to his or her religious upbringing. Section 11 of the 2000 Act confines this to the views of the parent or guardian. Clause 7 of the Bill proposes to widen section 11, such that the views of the child should also be considered where practicable in relation to his or her religious upbringing.

It is also the Government's view that the pool of close relations who sought to benefit from the discretion of the Authority, to waive or reduce the six-month probational period should be widened. The mandatory six-month probationary period has been a major challenge for close relations who wish to adopt.

Sometimes the child has already been residing with them for a considerable period of time. This is particularly problematic if the close relative who is a prospective adopter wishes to migrate.

Clause 8, therefore, now proposes to widen the pool of close relatives specified at section 12 of the Act to include, a parent, step-parent or relative, and a former step-parent, or former relative. Mr. Speaker, this also reflects the fact that marriages or relationships may break down, but the child may still be living with a former step-parent or a former relative by marriage, this is indeed part of our culture.

Mr. Speaker, the Bill also seeks to make certain provisions more flexible. While the 2000 Act sought to reform the existing law, it nevertheless carried over certain quite rigid provisions. This is clearly seen in the rigid time frames within which a child may be removed from an adopter, where the adopter gives notice of his intention not to adopt, or where the Authority gives notice that the child will not be allowed to remain with the prospective adopter.

In other words, section 12 of the 2000 Act, retains these rigid time frames of the existing Act. However, there are cases where such notice may be due to no fault of the prospective adopter, such as where there has been a change in the marital status, or where there has been a change in financial circumstances, or a death might have occurred. It may be in the best interest of the child for him or her to remain there for longer than the rigidly prescribed seven days, or more time may be needed for the Authority to make alternative arrangements.

Clause 12 of the Bill proposes to extend this period from seven to 21 days, and to similarly extend the period where the court refuses the grant of an adoption order. The Authority still has the power to remove the child immediately where this might be necessary.

Mr. Speaker, and hon. Members, also note that greater protection is proposed for an applicant against the removal of a child, where the child is already living with that person. This principle is already implanted in the 2000 Act, at section 13, but it does not cater for young children who may have lived all or most of their lives with the applicant.

The Bill at clause 9 seeks to reduce the five-year period before the protection can be triggered to three years, and to further protect applicants where the child has been in their care for substantially all or most of his life.

Mr. Speaker, where a person has been convicted of the offences created for breach of section 13, the Bill now proposes that the applicant should be added to the list of persons to whom the child should be returned. This clearly was an omission.

Mr. Speaker, several new concepts are evident in the 2000 Adoption of Children Act. One of these is the concept of making a child available for adoption, whereby a child may be made available for adoption by the court, but still may have to await being placed with suitable adopters. Thus precaution should be taken to protect the child while awaiting adoption.

Clause 12 of the Bill amends section 15, to ensure that the child is fully protected in these circumstances. The suitability of prospective adopters is one of the most critical factors leading to a successful adoption. This will become even more critical where adoption is to become an integral part of the child protection system.

Children in need of care and protection will become available for adoption, and it is vital that the prospective adopters be subjected to rigorous scrutiny. It is felt that the Children's Authority should be given the discretion to determine the suitability of prospective adopters. The regulation making section, particularly 40(1)(c), 40(1)(b), also addresses this. Accordingly, clause 16 of the Bill proposes to repeal section 23.

Mr. Speaker, one of the most important proposals of the Bill before us relates to the kinds of official entries that may be made in respect of an adopted child. The date of birth of an adopted child is needed in various circumstances such as entry into primary school, and the SEA examination.

The current adoption certificate where the word "adopted" is written in large bold letters across the certificate, has long been a source of embarrassment for children. This certificate serves as proof of the child's date of birth. It is not unusual at times of SEA examination, for example, for Sir of Miss to exclaim loudly, perhaps unintentionally, that the child is adopted. Sometimes not even the child knows that he or she is an adoptee. Although it is hoped that adoption will be normalized, and will in the future carry no such stigma, we still need to deal with the reality and, therefore, need to protect the child against such stigmatization.

The Bill benefited from the advice of the Registrar General in this regard, and now proposes two entries in respect of an adopted child. The second entry, that is, an entry recording the birth of the child in which each adopter shall be recorded as

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the parent of the child, will still substitute for the child's birth certificate, and will carry a unique identifier. This is the certificate that will be used for everyday purposes by the child or his adoptive parents. The first entry record the adoption. Clause 21, therefore, seeks to amend section 33 of the Act, to cater for the two entries and clause 22 makes provision for the code to be approved by the Registrar General.

Mr. Speaker, the need to protect the adopted child should be paramount and is reflected in the above case concerning the official entries to be kept by the Registrar General relating to an adopted child. In like manner, Mr. Speaker, the Bill proposes to restrict the search of the adopted children register. Instead of every person being able to search the register as is the case under section 33(6) of the 2000 Act, clause 21 proposes that this be limited to the adopter, a person authorized in writing by the adopter and the Children's Authority.

Mr. Speaker, I turn to the issue of disclosure of birth records. This has always been a difficult and sensitive issue. The discourse on the subject as revealed in the international literature is pervaded by two schools of thought. One school of thought adheres to the view that there should be open disclosure, with no barriers imposed when the adopted child reaches 18. It is argued that the adopted child has a right to know his identity. It is further argued that health issues such as serious hereditary diseases, should take precedence over closed records, and any perceived right of the biological parent to privacy.

The other school of thought, Mr. Speaker, holds steadfast to the view, the right of the biological parent to privacy should trump full disclosure. That is, that a biological parent may have suffered trauma in giving up the child, and does not want to relive that trauma, or may have gone on with her life with a new family, a new relationship to preserve. In some instances, the child may have been the result of very deep traumatic circumstances, such as a rape, and the biological parent would not wish to relive that deep trauma.

There are many scholarly papers online which are quite enlightening. In countries where records are still closed subject to court decision, as in the case of this country, many cases have reached the courts.

In reviewing the 2000 Act, the issue occupied the minds of the technical experts, and after much extended deliberations, hearing testimony from an expert who has been associated with adoption for over two decades, and reviewing the laws of several jurisdictions, the recommendation that records be closed unless opened by the courts was accepted. Clause 23, therefore, seeks to give effect to this and, therefore, to alter the position reflected at section 34 of the 2000 Act.

Mr. Speaker, the 2000 Act introduces overseas adoption for the first time, and sets out certain restrictions regarding children who are to be sent abroad. It is felt that the parent and step-parent, in addition to a guardian or relative as specified at section 35, should benefit from the exception prescribed in that section of clause 24, and seeks to give effect to this.

9.25 p.m.

Mr. Speaker, clause 25, most importantly, seeks to amend section 37 of the Act to permit recognition of adoptions by residents of Trinidad and Tobago, outside of Trinidad and Tobago, and before or after coming into force of the Act, while clause 26 would amend section 38 to extend to non-residents.

In addition to non-nationals, for the purposes of recognizing adoption of children in Trinidad and Tobago, these proposed amendments will overcome many of the current obstacles being faced by relatives and others who live abroad. Mr. Speaker, the philosophy of this Government is that the best placement for children in need of alternative care is with families.

I would like to conclude by saying that this Bill is, therefore, important to the commencement of the operations of the Children's Authority and for the effective implementation of the new child protection system. It is a simple Bill, but with far-reaching implications.

The new adoption Act, which will repeal and replace the existing Act, will chart adoption in new directions for the benefit of our children in need of care and protection. While the Children's Authority will have primary responsibility for charting these new directions, we all need to do our bit to erase the stigma of adoption and to embrace it as a positive and rewarding option for children in need of alternative care.

I, therefore, urge my colleagues on the other side to fully support the Bill. Mr. Speaker, I thank you. I beg to move.

Question proposed.

Miss Alicia Hospedales (*Arouca/Maloney*): [*Desk thumping*] Thank you, Mr. Speaker. I would like to say that there is an urgent, urgent need for the rectification of the current adoption process in this country because, if you were to hear the stories of many of the applicants over the years, they would tell you that they would have gotten so frustrated with the adoption system that it caused them to be disappointed, to lose hope in the entire process and, even up to today, many of them have not realized their dream to adopt a child.

According to the Children's Authority, the adoption system is actually processed and monitored by the Adoption Board and its staff and that particular board currently resides in the Ministry of Gender, Youth and Child Development, and the unit manages both the local adoption matters as well as case work arising from international requests related to adoption.

According, again, to the Children's Authority's report, the unit comprises one supervisor and two social welfare advisors. When this report was done—it was done in 2012—they indicated that, in that year, they would have processed 16 applications for adoption—and that is just “processed”; that is not the finalization of the actual adoption—and they would have had 85 prospective adopters. Sixteen applications would have been processed—only 16 in an entire year, so that tells you of the challenges already experienced by that particular unit.

In doing my research, I came upon some concerns expressed by the previous Minister of Gender, Youth and Child Development and she would have indicated that—she said that she could not understand, as a layperson, why basically the Adoption Board process was preventing people from adopting children and she was wondering what are the alternatives for these children if they are not adopted.

She also went on to say that she had several complaints from persons trying to adopt children in this country—numerous complaints—and she, at that particular point in time, would have been charging the new board that was coming in, to ensure that they find a way to simplify the process and even shorten the process so that children would have been adopted. But I do not think that that was accomplished because the report does not demonstrate that the process would have been simplified in any way.

There was also an interview with the Permanent Secretary asking about the lengthy delays with reference to the months or even years applicants have to wait on the waiting list to actually adopt a child. The Permanent Secretary in the Ministry of Gender, Youth and Child Development, Sandra Jones at the time, said that the problem was with the limited number of staff employed at the Adoption Board.

Mr. Speaker, the Minister is here indicating that the process for adoption would now be transferred to the Children's Authority and I am asking, would the transferring of the adoption responsibility to the Children's Authority shorten the process? Would that cause limited delays? Would people now have to wait months as against years to actually adopt a child?

She said that the same number of staff—which is one supervisor, two welfare advisors—were required to conduct research, conduct background checks and much of what they had to do would have had to have been done manually. She said there was also some confidential information with respect to why the process takes so long, et cetera. Even the then Minister and the Permanent Secretary identified the challenges with the process of adoption in this country.

I also came upon an article entitled “T&T’s adoption dilemma”, by Sandhya Santoo of the *Express*, dated December 24, 2014. This particular journalist indicated that the Adoption Board, at the time when she interviewed members, could not provide statistics on the number of children awaiting adoption or the number of children who would have been adopted over a period of time. The statistics were not available. The process by which a prospective parent could adopt a child in need was also not easily available. I think that is the kind of information that the Minister, through you, Mr. Speaker, needs to ensure is available so that people would have a clear understanding of what the adoption process entails.

She also went on to say that the Minister of State in the Ministry of Gender, Youth and Child Development admitted to the *Express* that there are only a few children in the system who may be up for adoption and that information regarding the number of children in children’s homes—I know the Minister talked about the children in children’s homes who are up for adoption—that data was not available because they normally do not collect that kind of information. She said that they can only guess a number, but they do not have it documented because they did not do the research to determine exactly how many children would have been available for adoption.

So, Mr. Speaker, we recognize here, apart from the challenges in terms of the staffing, there are challenges with reference to the actual process and the lack of information that can guide the way in which the adoption process is operationalized.

So, according to this reporter, there are some challenges and, again, the entire process is really frustrating to many applicants. A lot of people have had to wait years. Even up to today, some people would not have realized their dream to adopt a child.

Coming out of that is what you will call the utilization of a back-door system to adopt children. Why I say the utilization of a back-door system, what has happened is that there are some people—say, for example, Miss S is a mother

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with a number of children. She decided that she is unable to take care of child number six and she is aware of a couple that is willing to adopt “the child”—not according to the regulations or rules stated by the Adoption Board—but she is willing to give up this child.

What they are doing right now—a lot of people are actually doing this—the man is putting his name on the birth certificate, registering his name as the father of the child, then the child is given over to this particular couple. That is exactly what is happening in this country right now. Because the adoption process has not worked for many, many people, they are now choosing to do the adoption process through a different means.

That process by itself is complicated. Because say, for example, after keeping this child for a year or two years, the mother decides that she would like to have her child back, that creates another level of complication because it is not an adoption order by the court, it is actually just an arrangement and that is what is wrong with that. It is an arrangement because the “father”—the man who is not the father—signed on to the birth certificate as though he is the father, to receive the child and to take care of the child until this child becomes an adult.

That is an arrangement—and there are so many informal arrangements as well where you hear of instances. Even Monday, during my office hours, a young lady came in and she said to me that her three-year-old son, she had him by a babysitter. She found that the babysitter was taking really good care of him and she left him by the babysitter. So the babysitter is now informally the adopted parent of this child.

So those are the kinds of informal arrangements that are made, but the complicated aspect of it comes up if the child’s mother, and even father, decides that they would like to have the child back.

There has to be a quickening of the process with reference to adoption. There has to be a shortening of the process, a quickening of the process and even in terms of employing more staff that will ensure that the investigations, the research, the background checks, whatever has to be done, so that the process would not take so long, that it is actually done.

I looked at the definition section that is for this new Act, clause 5, with reference to the list of definitions and, comparing with section 2 of the old Act, what I found is that there would have been two definitions that were not considered under this new section.

Why I am saying that, in clause 12, they said:

- “(2) Where a child in respect of whom an application is made under subsection (1) cannot be cared for prior to an adoption order being made, the Authority shall take the child into its care in accordance with the Children’s Authority Act and may place the child with a foster parent or in a community residence.”

I think the words, “foster parent”, as well as “community residence” should have been clearly defined in the definition section. So, Mr. Speaker, I am just recommending that the Minister take a look at that again and ensure that there are definitions that clearly explain who is a foster parent and what is a community residence.

9.40 p.m.

Mr. Speaker, they said that clause 8 amends section 12 as follows, and section 12(3) indicates that in any instance if a notice is given by a possible adopter—

- (a) “...in writing to the Authority of his intention not to adopt the child; or
- (b) the Authority may give the adopter notice in writing of the Authority’s decision not to allow the child to remain in the care of the adopter;”

—a 21-day time frame would be given with reference to them removing the child from the care of the adopter.

Mr. Speaker, I am asking: why was the time expanded—the number of days increased from 7 to 21. Previously, under the old Act it says that once a notice is given by the adopter that they are no longer interested in adopting the child, or the board wrote to the adopter indicating that they are not going to allow the adoption of the child that seven days would have been given within which the child would have been removed from the home. I am asking, why the number of days is increased from 7 to 21. So, if the Minister could answer that question for me.

In closing, the other thing I want to point out is that clause 9 of the Bill says that it amends section 13 as follows:

- “(1) Before an adoption order is made in respect of a child who has been in the care and control of an applicant—
- (a) for at least three years preceding the application; or
 - (b) for substantially all or most of his life,
- no person shall remove that child from such care and control of the applicant against the applicant’s will...”

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I want to focus specifically on clause 9(1)(b), which speaks to the issue of if the child is in the care of the potential adopter “for substantially all or most of his life”. I find that to be a little general. For instance, a child, if it is a baby, that prospective adoptive parent would have had the child from zero to one. That is the life of the child; that is the entire life of the child. I think that they need to be a little more clearer here because “for substantially all or most his life” could be any period of time over the course of that child’s life. So it could be one year, because that would be substantially all of his life. It could be two years, substantially all of his life. So they probably need to look at that particular clause again because it is a little unclear.

Mr. Speaker, the other thing I want to look at is clause 15 which says:

“The Act is amended by repealing section 22 and substituting the following section:”

And section 22 really speaks to the deletion of:

“...any proceeding under subsection (1) the court shall ensure that the child has legal representation.”

So, it actually deleted that, and I thought it was a good thing because most times in order to have legal representation for a child you have to have money to have the person or the lawyer represent the child in court and sometimes some people do not have the money. It is a costly exercise, and I think deleting that particular clause is good, and it is moving in the right direction.

Additionally, clause 18(3) of the Bill indicates that an adoption order shall not be made upon the application of two spouses without the consent of the other unless they have separated, and are living apart from each other and the separation is likely to be permanent. I had a concern with the fact that the separation is likely to be permanent. I thought that they should ensure that the separation is permanent through divorce because sometimes people go through their trials and tribulations in relationships, in marriages and, as a result, they separate, but then after some time they get back together. I am thinking that in order to avoid the ambivalence that is caused between separation or likely to separate, they ensure that the separation occurs through divorce. [*Crosstalk*] You need to listen. There has to be proof, concrete proof, demonstrating that there has been a separation, Mr. Speaker.

The other thing I just want to point out is the fact that clause 29(2) speaks to: there shall be no publication with reference to the adoption of a child, and that if

anybody publishes the information they will be fined \$3,000 and imprisoned for six months. I am saying that is a little bit of money. They need to consider increasing it to probably \$5,000 or even \$10,000 and increasing the imprisonment time frame as well. What happens is that sometimes people, because of the little bit of money they actually have to pay and the small duration of time they have to stay in prison, they will take the risk to try to get the information out and in order for it to be a deterrent we need to make sure that the fine is increased and the term of imprisonment as well.

Mr. Speaker, there is one other thing I just want to ask with reference to clause 23. Clause 23 actually repeals and substitutes section 34 which speaks to the fact that if a child attains the age of 18 that child can then apply to the Registrar General to get a record of their birth and may make an application in the prescribed manner to the Registrar General, et cetera.

Mr. Speaker, previously, they said that the child could have applied to the Registrar General upon reaching the age of 18, but now they are saying that the child needs to apply to the court, the court would then instruct the Registrar General and also recommend counselling if it has to, through the Children's Authority, et cetera. I am saying, why did they not leave the process as it was because under section 34A they said that an adopted person whose birth record is kept by the Registrar General and who intends to get married and who pays the prescribed fee may make an application in the prescribed manner to the Registrar General.

So, I really do not see the difference between an 18-year-old or somebody attaining the age of 18. It could be an 18-year-old who is going to get married. Would the process be different in the sense that the 18-year-old who is getting married needs to still apply to the court or would it be that the 18-year-old who is getting married can apply to the Registrar General and pay the prescribed fees?

So I think that this process is a little too complex and they should just leave—once the child attains the age of 18, they should leave the application for the birth record in terms of applying to the Registrar General as against applying to the court. I really think that it really does not make any sense because you have an 18-year-old applying to the court, and then the same 18-year-old possibly can be applying to the Registrar General once that person is desirous of getting married. It just does not make sense, and I think they need to look at it again.

So, Mr. Speaker, I just want to say the adoption process is really a very complicated one, and even though the Minister is bringing these recommendations, I really would like him to consider the other concerns that have

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been expressed: the fact that there are staff members who cannot fulfil the requirement to investigate, do background checks, conduct additional research, speed up the process for the adoption. They need to look at the number of staff that would be required to ensure that the process runs smoothly and quickly, as well as they also need to ensure that people are provided with information, because a lot of people still do not know what the process is.

Yes, we have a lot of frustrated people out there who would have gone through the system already and have been disappointed not having their dream to have a child realized, but there are still some out there who do not even have a clue how to start, and the Minister needs to make sure they have the information in a way that is clearly stated so that people would understand exactly what the procedure is, and they can begin to move forward in terms of having their dream to have a child realized.

The Minister did indicate that there is a need for a close relationship between foster care and the children's community residences as well as adoption. I would say yes there is a need for interdependence of all of them because children in community residences as well as children in foster care are in need of being adopted and being adopted in the right way. There are some of them who actually go through, as I said, the back door in these informal arrangements. It is important for the Minister to ensure that apart from the general public that the children in these institutions are actually provided with the opportunity to be adopted into stable families. So, Mr. Speaker, I thank you. [*Desk thumping*]

The Minister of State in the Ministry of Works and Infrastructure (Hon. Stacy Roopnarine): Thank you very much, Mr. Speaker. I am indeed very privileged to be able to join in this debate on the Adoption of Children (Amdt.) Bill, 2014. As I begin my contribution, Mr. Speaker, I wish to start by quoting the words of a song which I like, and it is a song by Whitney Houston, and the words which I quote states:

“I believe the children are our future
Teach them well and let them lead the way
Show them all the beauty they possess inside”

If I could sing, Mr. Speaker, I would sing in the Parliament today.

Mr. Speaker, it is in this context that I begin my contribution today, because I am of the firm view that as legislators in this honourable House, we have a responsibility to give each child an opportunity to shine and to become the leaders of tomorrow. They are our future and they are the next generation to come.

[*Laughter*] Thank you, Mr. Speaker. So I believe that the legislation that we are enacting today will, indeed, give these children of this land a better opportunity to be the leaders of tomorrow.

Before I get into the Bill, I wish to commend my colleague, the hon. Minister of Gender, Youth and Child Development, Member for Moruga/Tableland, and his entire team for bringing this legislation to fruition today. [*Desk thumping*] I also wish to commend the hon. Prime Minister for it was her vision and her leadership [*Desk thumping*] which created the Ministry of Gender, Youth and Child Development so that there could be a more focused approach to the development of our nation's children.

And so, the Prime Minister and Members of People's Partnership Government remain committed to the development of all our nation's children. If we look at some of the accomplishments to date with respect to our children, we can see that. The Minister of Education would tell you about over 90,000 laptops were distributed—[*Interruption*]

Dr. Gopeesingh: 95,000.

Hon. S. Roopnarine:—95,000 laptops have been distributed to the children of this land. He would tell you of his school construction programme; he would tell you of his approach for universal early childhood education.

We also know that through the Children Act of 2012, provisions have been made to prevent against cruelty of our children. A national text messaging programme was also set up to encourage citizens to report any suspicious acts against children to the Childline hotline. I think the Minister spoke to that earlier.

9.55 p.m.

A Child Protection Task Force was also established by the hon. Prime Minister to carry out an in-depth analysis of the factors which cause an increased risk of crime against children and to make proposals of how legislation, Government, NGOs, parents, and other stakeholders can better protect our children. So, Mr. Speaker, you can see that what we are doing today is no different to what we have done since 2010 to date; we continue to put the children of this nation first. [*Desk thumping*]

We recognize that there are gaps in the current legislation and, therefore, we are here today to make the changes to allow for a more efficient process in terms of the adoption of our children. We are seeking to replace the Adoption Board

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with that of the Children's Authority and to make some other amendments to the parent Act, which I will get to in a little while. I think it is about time we make these changes, and the hon. Minister has given us a little bit of the history of this Bill and how and why we are here today.

But, Mr, Speaker, I was listening to the Member for Arouca/Maloney and, you know, she gave some recommendations and she basically went through some parts of the Bill, but my question here is: What is the PNM's policy with respect to the children of this nation? I urge the next speaker to tell us what your policy is; that is important.

Mr. Speaker, I gave you a list of some of the accomplishments [*Crosstalk*] of this Government with respect to our children and I really want to know what is the policy—[*Interruption*]

Mr. Speaker: Please. Please. Please. I know that we had an early break and we went for dinner, but I do not know if people are tired—[*Interruption*]

Miss Mc Donald: “We sleepy.”

Mr. Speaker: Yeah, well then if you are tired and sleepy, well, I think the Members' Lounge is available, Members can retire, but allow the Member to speak in silence, please. Crosstalk, Member for Tobago West and Member for Port of Spain South, you all seem to have a relationship. [*Laughter*] Continue, please.

Hon. S. Roopnarine: Thank you for your protection, hon. Speaker. So, Mr. Speaker, I was asking what is the policy of the PNM when it comes to the children of this nation, but what do we know so far, Mr. Speaker? We know that the Leader of the Opposition, Member for Diego Martin West, came to this honourable House and referred to the children of this nation as “duncey heads”. Is that the policy of the PNM, Mr. Speaker? It is on *Hansard*.

Mr. Speaker, what else do we know?

Miss Cox: Mr. Speaker, 48(6), imputing improper motive. The Leader never said that.

Hon. S. Roopnarine: It is on *Hansard*. [*Crosstalk*]

Mr. Speaker: Well, the Member is not here to object, but—[*Interruption*]

Miss Cox: But I am objecting on his behalf.

Mr. Speaker: I know you are objecting on his behalf, and so on. The Member is saying that the Leader of the Opposition did not refer to students as “duncey head”, and in those circumstances you are imputing improper motives to him. I ask you to be guided.

Hon. S. Roopnarine: Mr. Speaker, I am guided, and perhaps I will get the *Hansard* for the hon. Member for Diego Martin West to remind him of his statement in this honourable House.

Mr. Speaker, what else do we know? We know that Members of the PNM Opposition refused to contribute to the Children’s Life Fund which saves hundreds of children’s lives on a daily basis. One of the first things—*[Interruption]*

Mr. Speaker: Please. Please. Member for Laventille East/Morvant, I think you are going to speak later, if I am not aware, if I am not wrong, so hold your fire. You will speak. And then, Member for Port of Spain South, I know you are gearing up to speak too, but allow the hon. Member to speak in silence, and even if you do not agree with what the hon. Member is saying, she has a right to speak. Take notes. Continue, please. Continue, hon. Member.

Hon. S. Roopnarine: Thank you, Mr. Speaker.

Mr. Speaker: You have the full protection of the Speaker.

Hon. S. Roopnarine: Thank you very much for your protection, hon. Speaker.

Mr. Speaker, one of the very first acts of our hon. Prime Minister upon assuming office was to set up the Children’s Life Fund which she contributes 10 per cent of her salary to, and Members on this side also contribute 5 per cent of our salaries so that the children of this nation who are in need of life-saving surgery can benefit from that. To date, there are some 147 children who have benefited from that fund. *[Desk thumping]* You know, Mr. Speaker, perhaps if more Members would contribute to this fund then perhaps more of our nation’s children’s lives can be saved.

Mr. Speaker, I await the next speaker on this side to tell us the PNM policies on our nation’s children. You remember when the Leader of the Opposition, Member for Diego Martin West, referred to our children as “hyenas”, I quote, *Newsday*, March 19:

“Opposition Leader Dr Keith Rowley has described the behaviour of the students as ‘hyenas in the African jungle.’”

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Mr. Speaker, as leaders in this society, as parliamentarians, as members of society who children look up to, we expect better. So that is what we know of the PNM, their policies. I await the next Member to tell us. As we look at the Bill before us today, I want us to look at the history of this Bill. I think the hon. Member for Moruga/Tableland did tell us that in 2000 a series of legislation was brought forward.

I want to remind this House that it took a UNC administration to bring the laws of Trinidad and Tobago in conformity with the Convention on the Rights of the Child. Mr. Speaker, that package of legislation brought then included the Adoption of Children Act of 2000, which sought to reform the adoption sector and replace the existing Adoption of Children Act. The new adoption Act was reviewed as one component of the new and modern child protection system to be established under the Children's Authority Act of 2000, the Children's Community Residences, Foster Homes and Nurseries Act of 2000, which also comprised part of that package.

Mr. Speaker, we have to talk about this package of legislation because this is really what is important in framing the framework to take care and to seek the protection of our children. That legislation was passed in 2000, and what happens next is simply mind-boggling: 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009—promises, promises, promises. In true PNM style promises never materialized. Mr. Speaker, you would recall in his budget statement, [*Crosstalk*] Prime Minister Manning in 2003, 2004, promised the establishment of a Children's Authority—[*Interruption*]

Mr. Speaker: Member, please, please. Member for Port of Spain South, you cannot continue to interrupt a Member because you do not agree with what the Member is saying. Democracy says you have to be tolerant. So, even though you do not agree you will have your chance to speak, but you cannot be interrupting the Member whilst the Member is speaking, and you know better. Not to mention the Member for Laventille East/Morvant.

Miss Cox: “How I get in dey?”

Mr. Speaker: “Yeah, because you in chorus.” So, I am asking both of you to allow the Member to speak in silence, please. Continue, hon. Member.

Hon. S. Roopnarine: Thank you again for your protection, Mr. Speaker. Mr. Speaker, you will recall in the budget statement of 2003/2004, Prime Minister Manning promised the establishment of a Children's Authority to champion the

rights of children; 2003 came and went; budget statement 2004/2005, again, he spoke of the establishment of a Children's Authority and the survey of needs of children's homes which commenced in fiscal 2004, would be finalized in the new year, fiscal 2005; 2004 came and went; 2005 came and went, nothing; Mr. Speaker, 2006, 2007, nothing.

Mr. Speaker, the Member for Moruga/Tableland did tell us as well that in September of 2007 a Bill was introduced to replace the Adoption Board under the 2000 Adoption Act with the Children's Authority to allow the authority to manage adoption, but even then the Bill lapsed, and in 2008 there was an amendment to the Children's Authority Act which expanded the functions of the Authority to include adoption as reflected in the sections the Member for Moruga/Tableland would have quoted. But the amending Bill was not reintroduced and, hence, the Adoption of Children Act 2000 has not been amended to effect the transfer of adoption to the Authority, as was intended since 2000.

So, Mr. Speaker, after doing nothing for the nine years in office, playing political ping-pong with our children's future, we had to come back here in 2010 and pick up where we left off. This is primarily what the Bill before us is seeking to do, replace the Adoption Board under the adoption Act, 2000, with the Children's Authority to allow the Authority to assume the adoption function, and to enable the proclamation of the Adoption of Children Act, 2000.

Mr. Speaker, proclamation of this Act is also expected to coincide with the proclamation of the Children's Community Residences, Foster Homes and Nurseries Act of 2000, the Children Act of 2012, and the full proclamation of the Children's Authority Act which will facilitate the implementation of the new child protection system to be managed by one authority, the Children's Authority. Proclamation of the Adoption of Children Act of 2000 and the full proclamation of the Children's Authority Act will therefore allow the Authority to include adoption as part of the new protective system.

Mr. Speaker, because so many years had passed, I understand that there had to be some reviews to the current Act, and I know, Minister, you would have set up a committee chaired by the Chairman of the Children's Authority to review this and make recommendations, and that is how we are here today. Mr. Speaker, while adoption is certainly a law and it is creating an essential link of a new style of parenthood, it is important that we look at more than just the process of adopting, but rather that we look at creating a lifelong relationship and a lifelong

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commitment, and that is why we are here to introduce this function under the Authority to take over the role from the Adoption Board.

The challenge, really, is to expand the number of children who will have a second chance at being raised as part of a new family and to understand some of the situations and circumstances that will better help that child in their new environment. Mr. Speaker, it is my own plea and my own hope that members of the public will hear the cries of so many of those children who are parentless and so many of them who are in need of a home, and that more members of the public will be willing to adopt our nation's children.

Mr. Speaker, in looking at clause 4 of the Bill, which seeks to replace the Adoption Board with the Authority in order to provide a role for adoption in the child protection system, in allowing the Authority to manage the adoption process, we see that this is certainly the way that many countries across the world are going now as adoption becomes a global practice, not just in finding homes for these children, but also in finding our children for couples who may not have the ability to have children.

In order for us to keep up with this ever-changing world that we live in, we have to keep our legislation abreast with these changes and make our legislation more amenable for adoption. Mr. Speaker, it certainly breaks my heart, and I know many of us here feel the pain of so many children who are living in orphanages, and while these children grow older, adults have to fight with the red tape and the bureaucracy while they could be providing a home for these children.

10.10 p.m.

In my own constituency I visited the Haven of Hope home in San Francique. They continue to provide accommodation for about 16 children or so, and it really is a sad thing when you go there and you see the hope on the faces of these children. So today, this legislation will perhaps bring some further hope to these children.

Mr. Speaker, it remains a fact that if children do not get the love, nurturing and care in a stable family environment, they can easily stray, they end up in gangs, they end up leading a life of crime. If we look at some of the statistics from the Ministry of Justice, they tell us that as of February of 2013 there were some 106 young males remanded at the YTC for various offences, and these young males range in ages from 13 to 25. Those statistics also tell us that there were 38 young females remanded at the St. Jude's School for Girls for various offences, and these young females range in ages 11 to 17. Mr. Speaker, look at this age

group; these are the children of our nation that we are talking about, and we have a responsibility to ensure that we keep these children away from a life of crime. One of the ways you do that is by providing a stable and nurturing home environment, especially for those who are not so privileged.

The Bill before us is seeking to make adoption in certain cases easier, so that the child can benefit and not have to deal with that red tape and bureaucracy. If we look at clause 8 of the Bill, section 12 of the Act will be amended to allow the authority to waive the probationary period of six months required before an application can be made for the adoption order. This waiver will be made in circumstances where only one of the applicants for a waiver is a parent of the child. Therefore, in cases where the child has already been with their prospective adopter for a period of time, or in cases where perhaps the adopters may wish to migrate, it will not keep back that family's life, but it would allow some discretion to be exercised.

Clause 22 of the Bill will amend the Act by inserting after section 33, new sections 33A, B and C, which will generally govern the form and content of the birth certificate issued by the Registrar General.

The Member for Moruga/Tableland outlined that in some cases it may be embarrassing for the child to have "Adopted" on their birth certificate, therefore it is really to make it less embarrassing for that child and to help them to lead as normal a life as possible. I know that the Ministry of Legal Affairs now has made it so much easier in getting births registered. They have decentralized their offices, so hopefully that would assist in the process of registering these births.

Clause 23 of the Bill will amend the Act by repealing section 34 and substituting new sections 34 and 34A. These new sections will generally provide for the manner in which an application for disclosure of the birth records of an adopted person who is at least 18 years, can be made.

Mr. Speaker, I look now to clauses 26 and 27. Clause 26 of the Bill amends section 37 of the Act to expand the application of that section, to include persons having resident status in Trinidad and Tobago. Any adoption order made outside of Trinidad and Tobago is recognized as having the same legal effect under this section.

Clause 27 of the Bill amends section 38 of the Act, to expand the application of that section to include persons having resident status in Trinidad and Tobago. Under this section, the court must first be satisfied that all attempts to secure an adoption of a child by a national or resident of Trinidad and Tobago have failed,

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before any application by a person who is not a national or resident of Trinidad and Tobago can be made.

This is important because this will allow persons from outside of Trinidad and Tobago to have an opportunity to adopt Trinidadian and Tobagonian children to give them a better life. Of course, the preference would be for Trinidad and Tobago citizens and, of course, they would have to satisfy the criteria, but we certainly cannot limit it to only Trinidad and Tobago citizens and residents. Global practices now allow for persons to adopt outside of their home country. In fact, a famous Hollywood couple comes to mind when we think of adoption, “Brangelina”, which is Brad Pitt and Angelina Jolie. They have adopted children from across the globe, and I think at least three children they have adopted. Perhaps a child of Trinidad and Tobago may one day be adopted by a couple such as “Brangelina”.

I cannot reiterate the importance of getting the adoption process right. Let us look at what has happened over the years with our children, some who may have been orphaned due to death of their parents, some abandoned or perhaps some whose parents end up in jail. What happens to these children? Some may be left in the care of relatives; some taken to homes, to foster care, and some of them fall by the wayside, they end up in gangs.

We have seen too many cases of neglect, abandonment of our children, and we hope that this adoption process will certainly encourage more persons to adopt children, and we also hope that it would allow social workers the ability to take comfort in knowing that if a child is removed from a current situation that may be harmful to that child, that they would have a sense that the child would be well taken care of and not fall by the wayside.

Mr. Speaker, we have also seen too many cases of death of our children due to the neglect of parents, and today I urge all members of the public to be vigilant and to look out for our nation’s children. We have to go back to the days where it took a village to raise a child.

Today we are seeing too many situations where adults turn a blind eye to a child in need and, therefore, we have to continue to encourage that kind of behaviour in our public. Parents need to accept greater responsibility for their children, and if they are incapable of caring for their child, then the State must step in, in accordance with our laws.

We have seen enough abuse; we have seen enough neglect. We must ensure that if social workers take children out of their parental home, for whatever may

be the situation, that they can be afforded a better life. I believe that this will certainly lead to a decrease in the death of our nation's children. As we reflect on cases such as Sean Luke, Amy Annamunthodo, we are indeed saddened, but today we act in their memory. Our action today takes care of the future generation, and the time to act is now. Perhaps, if these children were taken out of their homes and given a chance at a second family, we would not be mourning today.

Mr. Speaker, we recall the case of Amy Annamunthodo. The Justice Barnes Report tells of how many times she was hospitalized, taken to the police station and ended up being a victim of a failed system. Even though the administration of the day, the then PNM administration, commissioned the Justice Barnes Report, again they played political ping-pong with our nation's children by the delay in that report. You would recall that the Member for Siparia had to come here in October of 2008 and beg for that report.

I quote from her *Hansard*:

Just like so many other things this Government does, up to today that report has not seen the light of day. We have not seen what it is about. I am told that report has been in the hands of the Cabinet for months, but the Government has not shown the decency or responsibility to make that document public, so that people could take steps to do the things to try to prevent a similar kind of occurrence. The report has not been in public and it has not been laid in the Parliament.

Mr. Speaker, again, I urge the next speaker to tell us what their policies are; to tell us how they plan to take care of our nation's children. We have outlined our policies. We have outlined our accomplishments in the four and a half years of being in office and, today, we certainly create history as we amend this Act to allow our nation's children a brighter and a better future. As we stand here as parliamentarians, we certainly have a duty and a responsibility for the protection of generations to come, and this is why this legislation is before us today.

Our Prime Minister has certainly been an activist and advocate for children's rights and their protection, and this is why we have prioritized this today to bring before this honourable House. Therefore, I close as I started, in words of Whitney Houston:

I believe the children are our future.

Teach them well and let them lead the way.

Mr. Sharma: Sing it! Sing it!

Hon S. Roopnarine: Hon. Speaker, the decisions we take today is the legacy that we leave for tomorrow. Thank you.

Mrs. Paula Gopee-Scoon (*Point Fortin*): Thank you very much, Mr. Speaker. I really was trusting that this debate on the welfare of children would not be politicized, and I am here to support it; we are all here to support it. [*Desk thumping*] I want to say that it is very, very disappointing that this is the level we stoop to when we are discussing our nation's children. [*Desk thumping and crosstalk*]

Mr. Deyalsingh: We come to support the Bill! Shameful!

Mrs. P. Gopee-Scoon: This Bill was passed sometime in the year 2000, but it was never proclaimed. It is a very important piece of legislation as it deals with our nation's children. Of course, the nation's children have always been dear to the People's National Movement; always held dear to us, because we believe that children carry the future of Trinidad and Tobago; so this is a special Bill.

What we want is to build a kind of society where everyone would wish to live comfortably in, and this is what it is about. So it is not just about schoolbags, it is about families, it is about homes, it is about family life. This is why I trusted that it would not be politicized, but do not for one minute think that the UNC is here today because the children are at the centrepiece of their hearts and this is their primary interest. I do not believe that.

The last speaker has pointed me in a direction that I must again bring up the point of some of the negativity of things done over the last four years. The primary one is the LifeSport Programme; that could never have been in the interest of children. [*Desk thumping*] In fact, it has done so much damage to the nation's youth, and I want to say that I do not think that any speaker on that side has the moral authority to begin to say that they care about the nation's youth. [*Desk thumping*] They do not have it.

As a matter of fact, do you recall there was a former leader of that party who spoke about adopting a boy? This was a boy in the Beetham. They had gone to the Beetham and found that the boy had shown a liking for the leader and for the party. Of course, they were supposedly adopting that child, and whatever happened. After adopting this child, the boy was killed whilst rummaging through the garbage at the Beetham dump. So that was mere politics on the part of the UNC party, but I strongly believe that we should not be here trifling about adoption issues. I am very, very disappointed that this is where the level of the debate sunk.

I hope that this is not a means to an end, or this is not an opportunity by the Government to use this as politics, to use this on their platforms. I would be very disappointed. In fact, they are very late in coming with this. If they were serious, they would have dealt with it as soon as they came into office, and that did not happen. [*Desk thumping*] Four and a half years—they did not do much to this, because you did not modernize this piece of legislation, when you could have. You did not put extra thought into it, but I am happy it is here, and we are going to pass it as it is. When we get back into office we are going to make the changes that are necessary to, in fact, modernize what is before us.

I appreciate what you have done, Minister, but this is four and a half years later, so it really does not give me the confidence that the children are really at the heart of this Government at all. I hope that no other speakers will be making a mockery of this legislation by politicizing the debate. I just trust that.

10.25 p.m.

Mr. Speaker, all of the previous speakers, [*Crosstalk*] the few speakers before me, all spoke about the convention. Even in the last debate on the regulations, spoke about the Convention on the Rights of the Child which Trinidad and Tobago is a signatory to. Of course, there is a direct correlation between that treaty and, of course, this adoption Bill that we are going to agree on here today.

If I go to Article 3 of the Convention on the Rights of the Child, it speaks to the best interests of the child, that it must be the primary consideration or legal policy and practice decisions involving children, and that children must be protected from abuse, exploitation and discrimination. That is the heart of it.

In the Preamble, it recognizes the family as the fundamental unit. In fact if you go through that piece of legislation, Article 5 and in fact, there are about some 19 Articles—I flipped through it—which acknowledge the importance of parents and families in the lives of children. This is what we are here about today—the importance of family. I bring this up because I want to bring to the attention of the Member who introduced the Bill, the whole notion of permanency.

Now, I am not sure that any much attention was given to the notion of permanency which is, in fact, encoded in the legislation of the United States, for instance, and I am sure in other countries as well. What permanency is about? It is a policy where it is used in child protection. What it speaks to is each child having an enduring family. That is what permanency is about. So, it speaks to the enduring family being the family of the biological parents, and an enduring family being the family where there are parents who have adopted the child as well, but

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permanency highlights and focuses on the family. It is that every aspect of the child—this child protection system which we are talking about—the goal must be always about keeping children safely with families. The focus, again, must be on preservation of families as well whether it is the existing family or whether it is the adopted—whether it is the families who would undertake the responsibility of foster care or adoption as well.

So, I am asking the Minister when he is winding up, have you really looked at the notion of permanency, and did your Government discuss it? Is there a policy on permanency, as against this reliance on homes and children's homes and community residences? By that I mean, what this notion is about, is sort of—again, focusing on the family, but even if a child has to be placed into a residence or a home, it is there for a very, very temporary period, and with the focus being either reunification with the biological parents. After the social work has been done and all of the input has been made by social workers and psychologists and psychiatrists and so on, the goal is to reunify these children with their biological parents or in fact, transition them, very quickly, into the adoptive home as well.

So, the recognition here is the importance of a parent/child attachment whether biological or not. In other words, a child must have a fundamental right to a family. That is what it is about more than anything else.

So that the primary goal—and I looked at the US legislation, and permanency is also a central consideration in all of their child welfare policy. I looked at the whole question of permanency planning, Minister. I looked at the North Carolina Department of Health and Human Services. It talks about permanency planning being a philosophy that promotes a permanent living situation where there is, in fact, a continuous reciprocal relationship, and that there is a lasting, nurturing, legally secure relationship with at least one adult that is characterized by mutual commitment. Within that philosophy there are minimum standards, minimum sufficient levels of care that a child needs. It speaks to these minimum sufficient levels that the child needs to grow and develop safely. It speaks also, to the least detrimental alternative as well.

Clearly, Minister, what it seeks to highlight is that each child must have a permanent plan. So that even if the child comes from a situation where the child would probably not go back, there must be a plan for that child for permanency. The question of homes must be one of transition only, and even so, I think the foster home situation—it implies that the foster homes situation is a preferred situation to the children's homes and orphanages and so on.

We have seen in Trinidad and Tobago where so many children go to these foster homes and they languish there. It becomes home to them. Not the foster homes—sorry—to the children’s homes and orphanages and so on. They go in there, they are placed there by the State, and they are forgotten there by the State as well. They go in there at three and four and five, and they remain there until they are 18. Then they are thrown to the world and these children are not ready for the world. What do you expect from some of them?

So, I think that I would want, I would like to hear your views on this. I looked as well at—I particularly was interested in the older child and how this would bear on the older child—the question of adoption. I looked at this article called *Engaging Youth in Permanency Planning*. They spoke with a number of adolescents, and these children were asked: “What does permanency mean to adolescents?” Some of them—this is the kind of response that you got from some of them:

“It means having your side of the church full when you get married.”

This is their thinking of being in an adoptive home. How much they appreciate it. What it means to them.

“It means having your side of the church full when you get married.”

Another one says:

“It means having the key to the house.”

Another one says:

“It means having your picture on the wall...”

And:

“It is a chance for someone to choose you and for you to choose them.”

So, it says to you that, even from this, it means something to adolescent children that they are taken out of the environment of these children’s homes and they are placed with families.

So, I really think that there must be a serious consideration by the Children’s Authority to act quickly, to move swiftly, to transition children very quickly, either back to the biological or straight with adoptive parents.

I sought to find out what goes on in Trinidad, and you have said it. There is always a pool of adoptive parents waiting for children, but there are so many

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children that could be adopted. But for some reason they are not—the consent remains an issue. The consent remains an issue because—and you said it—there is a stigma attached to adoption. So that there are many—and you would find in a lot of the rural areas—and I would like to know the Tobago position on that—where people do not want to really place children up for adoption.

So it brings me to the point that, perhaps we should look at the question of consent. We should look at the question of consent, Minister, from the point of view that the legislation really does list the number of persons who are required to give consent including the parents or the guardian or the relative or so. But nowhere in there is there consideration of consent by the child itself.

I looked at the legislation in South Africa and saw where a child can consent to adoption if he or she is 10 years or older. I am not sure—I mean, I am putting this to you, I cannot say that it is a position that it is easy to adopt. It requires certainly a lot of conversation and discussion. It requires us going out to communities and discussing this whole thing, but it is something that we should think about.

It is not only the South African legislation. It is also in the US as well. I looked—it is for a fact that nearly all states require that older children give consent to their adoption. In some states, including the Virgin Islands and so on, the age of consent is at 14. In other states the age of consent is at 12. Even in some of the other states, including Puerto Rico, the age of consent is 10.

So, I think you would often find that there are these children in very, very unfortunate circumstances, and they wish to leave. They wish to be placed in a family environment. I am not at all advocating the State or the courts would act willy-nilly in making these kinds of decisions, but the point about it is, the law must provide for it, so that the child has a right—maybe not at 10, but certainly at a mature age—the right to choose if they would like to be adopted. I think, Minister, it is worthy of consideration.

In this day I want to say that I would definitely support this legislation with regard to adoption. I have concerns about these words of “best interest”. I am not sure that the legislation is clear-cut enough about what the child’s best interest is, and to my mind it leaves too much discretion to the Children’s Authority, and in some cases even the courts. And I think that the best interest is not clearly defined—not clearly defined enough. There is not enough specificity. There is not enough guidance on what really is meant by “best interest”, Mr. Speaker.

So that in just winding up this little part about permanency, I want to say that children's homes are too often used as the first resort to dump children—and I will put it like that. Too often used as the first resort, and very often we realize that is where they stay. That is very, very unfortunate because they are there for extended periods. Then, before you know it, they are permanently institutionalized there. Then of course, abandoned as I said. It cannot be good enough. It really cannot be good enough, and I would really like us to look deeply at a faster transition process, even if it means that the child chooses.

The reality is, we have too many societal problems in Trinidad and Tobago, and this is a country that is very well off financially. So that we really have to be concerned about these problems and curing them, and the basis for curing the problems that we have is sound family life. So when you look at teenage pregnancies, school dropouts, drug abuse, violence in the homes, crime, Mr. Speaker, the basis—the only way we can begin to solve these issues is through sound family life.

As I said, when you look at what happens in the children's homes, the outcomes are not good. If it is that the outcomes were—at the end of the day, if we could find that these children would become sturdy adults, ready to take on their own children, ready to embrace their own lives fully, then that would be fine, but often this is not the case. The outcomes have not been good.

As I said, for a country as wealthy as ours, these institutionalized children should really be at a minimum. Right? It is not good enough for us. There have been just too many neglected children, too many neglected families, too many neglected communities.

So that what is before us is the adoption, and of course, we are replacing the adoption board with the Children's Authority which would assume the responsibility for the adoption system. I want to support the Children's Authority, but I really would like you to look at the question of permanency and the value of that process, and also the question of consent as well.

As I said, I am in favour of it because, of course, research has shown that children grow up best in nurturing, stable families, and that is what we should want for every child—nurturing, stable family where there is a sense of commitment, where there is a unit that will help you to push through life's challenges. That is what we want for our children. This business of foster care and children's home—it must be temporary. And certainly not the hospitals. It is not good enough. I think my colleague spoke to it as well, where our children are in

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hospitals for two and three years. We need hospital beds. Children are not meant to be hospitalized because you cannot find a suitable home for them. It is just not good enough. So, I would say that adoption is something that we should encourage, but it must be done properly.

10.40 p.m.

I dealt with the question of consent and we looked to the both jurisdictions, South Africa and the US. When I spoke about the modernization of the legislation, I was very serious in that I think you should have at least spoken to some matters of same sex adoption. For instance, what is your—I know it is controversial, but if after four and a half years you are coming with this legislation now, I expected that you would treat, and perhaps you would introduce and say something. You should not be afraid of matters like that. You should be absolutely clear on where—

Miss Ramdial: What is your position?

Mrs. P. Gopee-Scoon: You are in Government, we will deal with it.

Miss Ramdial: What is your position?

Mrs. P. Gopee-Scoon: If you are coming here after this length of time you should be very, very clear on your position on a myriad of things.

When this was brought in the year 2000, human trafficking was not an issue, it is now a major issue. So, when we speak about placing children in the hands of residents, meaning foreigners that have been living here for five years, we need to be very wary that these children will not fall prey to human trafficking as well. So, these are the things that you should be speaking about. This should be a modern piece of legislation.

I am concerned about section 13. I know that I am a bit ad hoc in referring to the section, section 13 as well. This was done in the year 2000, and at that time the fine that was imposed, the penalty which was set was \$5,000 and nine months imprisonment, and what you have come here with is, I think, \$5,000 and six months imprisonment. Mr. Speaker, in the year 2000, \$5,000 may have been a deterrent, but 15 years later I do not think it is enough. Five thousand dollars is nothing to somebody who has a warped mind and has the wrong intention in terms of dealing with our nation's children, and doing so under the guise of adoption, \$5,000 is not a deterrent, and I would want you to look at that as well. I think the penalties are much too low as well; at least attach yourself to the

question of human trafficking as well, I need for you to speak on developments like that as well.

Mr. Speaker, I just want to speak briefly to the role of the State with regard to the welfare of the child, I am not satisfied. The Minister spoke about a few of the services they have brought in, but I am not satisfied that the institutions have been improved, I am not satisfied that the services have been improved enough as well, even the disabled children, I do not think that they have been given enough attention by this Government.

I can tell you that I wrote to the Prime Minister about a child who is severely autistic and it took me three months to get a response from the Prime Minister's office—three months—and when I did get a response it was signed by her secretary and distributed to about four or five Ministers. I have not heard a word, so poor Anderson who is severely autistic and being managed by a single parent has had no help from the State. So, I am not sure that you are really very serious about children and attending to children's needs as well.

As I said, I am concerned about the programmes that you have in place for the prevention of child abuse and neglect as well. You have an obligation of the Treaty of the CRC, you have an obligation under Article 19(2), and I am not sure that you have put anything in place for prevention of child abuse and neglect, you can correct me if I am wrong. And, believe it or not, the convention actually requires you to take measures to the maximum extent of your available resources, and I am asking you as well when you are winding up to tell me what portion of the budget has actually been spent on improving the lives and welfare of children and the disabled children as well. I am not sure that you have utilized a significant amount of the budget focusing on resources to improve the lives of children. And do not come and tell me anything about distribution of toys from the man from Mars, that has done nothing for our children. Yes, it is Christmas and they will all be happy with a little toy and so on, but really that does not take care of children. So, I am really disappointed in the improvement, in the systems which we have now.

I mean, you advertise a lot about what the nation is doing for you, and I am tired of hearing about the roads paved in Gopee Trace and so on. What our people need to know is about your National Family Services Division, and the services that they are providing for children. Those are the kinds of advertisements that you should be focusing on, and that is not so. This division, to my mind, is uncoordinated, because, I too have people within my community who have

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children who are going through the adoption process, and I must say it appears to be very disjointed, in terms of the services side, the supporting services whilst the family is going through what it is going through. The services are uncoordinated.

In any event, the department keeps a very low profile. We do not know enough about it and people do not know what is available as well. In fact, the Ministry of the People and Social Development, social welfare, that works in tandem with your Ministry as well, I am not happy about the manner in which its services are distributed. I will tell you that there is a family of four and they are in the process of adopting four more children in Point Fortin. That mother has tried to get a food card and it has been so difficult. That mother has tried to get a grant to extend to have one additional room now that she has four more children, it has been difficult and she is being given the run around, and that is what I mean by this Government really not working for you.

So, again, you need to have a proper social services structure to support this new child protection system. You are putting this in place, you must have the proper social services structure, and I do not think that is there at all. I am not seeing the focus of high-risk families, high-risk communities, I am not seeing the attention being given to those families and areas as well, and the point about it is you know that especially in the rural areas children are being brought up by communities. So, that the conversation is not just to a family or so, the conversation must be had with communities. Everyone has a role to play and I would like to see more of that done by this Government if it is you are really serious about children being secure and safe in their homes. But, again, this invites consultation and participation, and I am not sure that you are used to these kinds of processes. But, at the end of the day, I want us to have a better focus on these children who are in need of families.

I want to just bring to the attention of the public another instance, where, maybe about 20 years ago, when I was in the banking system, there was a customer who came to me and she said, "I want to show you something". She was taking a family of three home. She had no children of her own, and those children had spaces within their head and, obviously, there was some kind of disease and so on, and years later—let me tell you—she did adopt them in the end and one of them is a Cordon Bleu chef and runs his own business. I just want to highlight, there is a great success story in adoption and this is why we would support this Bill here today. But, the point is, you have to have the matching social service structures, you have to support families so that we can keep children with their biological families, or we can kick them directly into new families.

I expect, Mr. Speaker, as well, that this Government recognized that this Treaty which they signed on to, the Convention on the Rights of the Child, they have a duty to comply with all of the amendments that are enshrined in that Treaty, and this does not happen. Every Treaty in force is binding upon the parties to it, and must be performed by them in good faith, and that is the Vienna Convention on the Law of Treaties, and your obligations towards international Treaties when you sign it. I am not sure, I think my Government might have even been at fault. I am not sure that we have complied in terms of reporting, and I think this was highlighted before, and reported to the committee which has been set up to monitor the Treaty and its enforcement as well.

And the whole question of corporal punishment is another issue that your Government needs to be brave enough to speak about. You all love to come here and speak about the Prime Minister abolishing corporal punishment, that has not been a significant move by your Prime Minister. In fact, it has been a very coward move, because, at the end of the day, it is not legal. That is just a ministerial directive which was given in the year 2000, but it is not legal. So, really, the Prime Minister has never done anything about corporal punishment, and it is a conversation that has to take place given what is happening in society.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Point Fortin has expired. Would you want to guide me?

Mrs. P. Gopee-Scoon: Yes, I would like to speak for perhaps another five minutes.

Question put and agreed to.

Mrs. P. Gopee-Scoon: [*Desk thumping*] Thank you, Mr. Speaker. So, I would like us not as a country to be in violation of our obligations under international law.

As I close, I would want to pay a little attention to the last speaker and speak about the rights of the child under the PNM, and the kind of responsibility that the PNM has undertaken towards children. But, very briefly, before that, I want to emphasize, every child has an inherent right to be treated well, and that should be adopted into our legislation. I feel that that should be put into the Preamble as well, just the right to be treated well.

So, the Member for Oropouche West has prompted me to speak to the public to, again, highlight, that the PNM has always focused on children, and the right to a proper education has always been a focus of the People's National Movement.

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[*Desk thumping*] Post colonialism, we are the ones who gave free primary and free secondary education to the children of Trinidad and Tobago, [*Desk thumping*] we are the ones who constructed primary and secondary schools, we, in fact, established a teachers training college in Mausica and then one in Corinth as well. [*Desk thumping*]

We developed a comprehensive education plan, the 1968 to 1980 plan, where we established free school programmes as far back as then. By that time we had built 468 primary schools, we had built 80 secondary schools, we had built two technical schools and, of course, we were always changing the curriculum in line with the economy and so, so we then had a focus on science, technical and vocational education. [*Desk thumping*] There was training in computer literacy as well and then, of course, you saw the expansion of the enrolment of the UWI in St. Augustine. Mr. Speaker, we put libraries in all schools. We gave free schoolbooks and uniform grants as well, free meals, free transportation to school, we put quality into the education system in Trinidad and Tobago. [*Continuous desk thumping*]

Free tertiary education, we are the ones who formalized early childhood care. You can phrase it however you want, it is the PNM that formalized early childhood care, and we addressed low literacy levels. You are the ones who took away the remedial teachers when you came into office. But, let me not dwell too much on this, there is a lot more I can say about the People's National Movement and its commitment to the children and to the families of this nation.

But, I want to say in closing that I support the legislation, but I want to hear what the Minister has to say about those two things in particular: the notion of permanency and the question of consent, whether or not we should look at consent coming from the child as well in, perhaps, extenuating circumstances, simply because we do not want any child left behind. We do not want any child left distressed. Mr. Speaker, I wish to see a more modernized legislation before us, but we are going to support what is there in the interest of the child.

Thank you. [*Desk thumping*]

10.55 p.m.

Mrs. Joanne Thomas (*St. Ann's East*): Thank you, Mr. Speaker. Mr. Speaker, I thank you for the opportunity to interject my short intervention into this Bill, the amendments to the adoption of the children.

Mr. Speaker, I want to, you know, on the heels of my colleague who just finish speaking, the care of the children in this nation is critical to all of us as Members of Parliament. [*Desk thumping*] And, you know, I do not want to reiterate, again, much, but I must mention on some of those heinous crimes that have taken place against our children. I know the Member for Tobago East would have mentioned some of these heinous crimes and when I think about, you know, as my colleague from Port of Spain North/St. Ann's West mentioned, about the young boy from St. Michael's Home, this innocent little boy. What was also sad about this, even after he died, in an article from the *Newsday* in July 16, 2014, this innocent little boy also fathered a baby with the female worker who moved him from the home and took him to her home.

So when you look at the kind of crimes that are taking place against our children, it is really really horrendous, Mr. Speaker. And then we look at six-year old Keyana Cumberbatch, another one. I know it hurts all of us when we look at the kind of heinous murders that these children went through, Mr. Speaker, and then you have two-year old Aaliyah Johnson beaten to death. Reports described the death as so horrific, where her liver was ruptured and it caused her to bleed even through her private parts, you know, Mr. Speaker. It is really, really, I mean I have to let us know the kind of crimes that take place against our children and that is why we have to do everything within our power to make sure that these things do not occur and put systems in place to alleviate all of these things.

Then most recently, Mr. Speaker, we read about a different type of crime again, where the 50 year old taxi driver who sexually assaulted the four boys. Mr. Speaker, it just goes on and on and on. You know, I look at abandoned children. I had some interaction with the Rainbow Rescue where, they take in these abandoned boys and, of course, I would go, I carried several people to go and to also be a part of sharing with these boys. You go you would carry stuff for them then you go and spend some time with them. And these boys were actually reaching out for love, reaching out for care, and being in an environment with just all boys they do not get that kind of love and care. Sometimes when one person shows them that care, they gravitate towards you.

Mr. Speaker, as my colleague mentioned about the idea of consent, if this could be introduced somehow, then there are people who would go, some people go monthly and carry stuff for these homes, for these children and they desire in some way to adopt one of these children when they go to these homes. And maybe that idea of consent, if it is introduced, can assist with people having that opportunity.

I too have a personal experience where, when my son was going to secondary school and one of his friends came from a very poor family, and he would not have anything to eat, but my son will always be there with him. And he wanted so bad to come home by me to live and his mother came and she spoke to me and I did take him in, and he would be there with us. I mean, I would treat him like my son. But then problems came about, because he started to call me mummy and my son did not appreciate that. My son was very jealous about that. And because of that now there arose a conflict and my son no longer wanted him to be with us because he find that he was getting too familiar, you know, it is okay, you can come and stay with us and be like my brother, but when you get in to calling my mother “mummy”, you know. I mean, I felt really bad about it, but I had to take him back to his mother—but what I would do I would carry stuff for him. So you know that little loophole there, children are out there just longing for some care and attention.

I want to look at, I know the amendments seek to correct certain deficiencies. And when I look, Mr. Speaker, at the criteria that are stated for persons applying to adopt a child, the first criterion is applicants must be 25 years and over and at least 21 years older than the child to be adopted. And then in the case of a sole applicant, a male, the court must be satisfied that there are special circumstances to justify the application. And single adults are eligible to adopt.

Mr. Speaker, I look at this, and of course, it brought back the crime to me, and I was a little concerned about that, because when you look at the type of crimes based on our records, you have a female committing a crime against a male, in the case of the little boy from St. Michael’s. You have male committing crimes against male. I just want to draw to your attention, the authority, that the screening for people to adopt children, it should be more expansive and be more specific, where you can zero in and do as much research before you determine that somebody is eligible to be an adoptive parent.

Mr. Speaker, I just want to look a bit at some of the regulations in the United States, because, you know, in the United States you have an average of 40,000 adoptions being done annually. And if one looked one would see there are six steps that are stated in the information posted for the United States. And it helps that person who is thinking about adopting a child.

Step one deals with deciding if adoption is right for you and for your child. And it addresses commonly asked questions such as, how do I chose an adoptive family? Is adoption free? Can I have an open adoption with the family and my

child? Does the father of the baby have to be involved in the adoption? And what else do I get to choose adoption? So it actually goes in to very specific areas that people would be concerned about.

Then you have where the American Adoption Agency would assist with creating an adoption plan. It helps you, in step 3, in finding an adoptive family, because we have hundreds of families waiting to assist in adoption. So, you know, background checks and a home study is done on these families. Then you have where families have moved on. You have to be sure that the families have moved on from infertility and are fully committed to the adoption.

So, Mr. Speaker, you look at getting to know the adoptive family. In Trinidad I am not too sure if this is done where the family that takes the child, you actually have an open relationship with them. And then you have—for the teenage pregnancies where you actually prepare that young girl for the hospital stay and what is the procedure in her giving up her baby for adoption.

You also have—because as a teenager, you know, very young you get pregnant, but sharing that contact after the adoption—in the United States some people create that relationship where you can send cards, you can email the parents, so there is still that open relationship. So you do not have where, when the child gets big and that child does not know who his parents are, but there is that open relationship where understanding of why you were given up for adoption. It is their information for the child, and those are just some other areas that are quite open in the United States.

Mr. Speaker, when you look at—in Jamaica, of course, they have two types of adoption. They have an adoption licence which allows a Jamaican citizen child to be taken to a schedule country for adoption, most oftentimes it is the United States. Then you have an adoption order which provides for an orphan to be adopted in Jamaica. And, you know, what was most interesting to me, when I was looking at the information on Jamaica, the Jamaica law allows for the Jamaican passport, the child's Jamaican passport may be also superseded by the new parentage and name. So that is a possibility of imbedding that into the child's passport.

Mr. Speaker, I just want to go back a bit to the Adoption Board of the Ministry of the People and Social Development. And in adopting a child it says prospective adoptive parents are investigated and evaluated before they are approved as suitable candidates for adoption to ensure that children would be safe, loved and nurtured.

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Mr. Speaker, I just want to highlight to you a story in the *Newsday* on Sunday, March 29, 2014. And this story is by Nalinee Seelal. She spoke of this foster mother in Carapichaima, and right now there is a legal battle with her and the Adoption Board and the Foster Care Unit, because where they were given—they passed the screening to be foster parents and they were given this three-month baby and now that the baby has reached the stage where the baby is talking and calling her and her husband mummy and daddy, and, of course, they were a Christian family, they were so excited to get this child.

Of course, like normal new born which my colleague here, Member for Couva North and even the Member for Oropouche East would know, where you have to stay up late in the night, because they are taking care of this baby and the baby established a bond with the parents and they applied to adopt this child. But one day when she was at work—a bank employee, her neighbours called her and told her the police was by her house asking questions about her. They came for her and she received a call from the Foster Care Unit informing her that the Adoption Board had decided to place the baby up for adoption.

So, of course, she could not believe this because the child was in her foster care all the time as a baby and now that the child is growing up—and they told her that there was a couple who was first on the list waiting to adopt and to get the baby. Of course, you know, this totally shattered she and her husband's world, and when she enquired, the representatives from the board advise her that because she was of a different—let me just quote it, Mr. Speaker. She told the *Sunday Newsday*:

“...that the baby is the light of her life and that she was upset when she was told by an official of the Adoption Agency that one of the reasons why the baby was taken away from her was because she was of a different race. The baby is Afro-Trinidadian while Cindy and her husband are Indo-Trinidadians.”

11.10 p.m.

And what I wanted to highlight, as I read before, the Adoption Board, looks for people who can give love and who can nurture the child, and in a case like this, where this baby knows only these two people as mummy and daddy, how can you now come and say it is because it is a different race? And we have people from our adoption agency saying this to a couple. So you know, things like this need to be fine-tuned. I know it is transferred to the Children's Authority, but

understanding, matching the adoptive parents to children, I know it is critical, but the key factor is to have this child grow up in an environment of love and care.

I know my colleague from Arouca/Maloney highlighted here when the appointments were made to the board one of the cries were that a lot of their operations are not computerized, hence the reason, as the Member for Arouca/Maloney mentioned, you cannot get statistics. So I want serious attention to be given to making sure that this department is competently equipped so that they can go and do what they have to do. And as she did mention, which I had noted here, where the permanent secretary also said because of the limited staff, they cannot get to do the work.

So, I mean, in order that adoption can take place and orphans out there can be placed in proper homes—can be adopted by people who want to adopt them—we need to have the staff adequately handle the process. That is why I really had to get up and put my two piece, to indicate that we on this side support the Bill but the things that we have highlighted, I would just like if the Minister could address some of these issues—the ones highlighted by the Member for Point Fortin, Arouca/Maloney and, again, this whole idea, as I suggested, about focusing on love, care and nurture for our children of Trinidad and Tobago.

Mr. Speaker, I thank you for this short intervention. [*Desk thumping*]

Mr. Speaker: The hon. Member for Laventille East/Morvant.

Miss Donna Cox (*Laventille East/Morvant*): Thank you very much, Mr. Speaker. [*Desk thumping*] Mr. Speaker, I rise to join the debate on the Adoption of Children (Amdt.) Bill, 2014. This is indeed a very important debate because it deals with children who are the future of our nation. The welfare of the children should be of utmost importance to all of us. It is important, therefore, that we do what is right for them.

As I stand here, Mr. Speaker, I am really disappointed with the contribution made by the Member for Oropouche West because this is a serious Bill, a Bill dealing with the welfare of children, and I felt that if we come here to speak on a Bill dealing with children, that the Member should not just come here to misquote, and I want to set the record straight.

Hon. Member: Please do.

Miss D. Cox: The Opposition Leader, Member of Parliament for Diego Martin West, never called the children “duncey head”.

Hon. Members: Never! Never! Never! Never! [*Desk thumping*]

Miss D. Cox: He said that the UNC government was treating the children as though they are “duncey head”.

Mrs. Mc Intosh: That is right! That is right!

Miss D. Cox: He never said that they are “duncey head” children. Okay?

Mrs. Mc Intosh: They put a spin on it.

Hon. Member: Let them check the *Hansard*.

Miss D. Cox: And I would like the *Hansard* to be checked. Okay? But I heard it. He never said that they are “duncey head” children—that the children of this nation are “duncey head”. That never took place.

Mr. Speaker, when you come here prepared to talk on a Bill as serious as this, you are really not here to talk “Nancy” stories—[*Interruption*]

Mrs. Mc Intosh: Mauvais langue, mauvais langue.

Miss D. Cox:—or to come and bash for bashing sake—[*Interruption*]

Mrs. Mc Intosh: Mauvais langue.

Miss D. Cox:—because this is a Bill that is very important to the people and to the children in Trinidad and Tobago and we are here about serious business.

The point was also made about the Children’s Life Fund; that, oh, we never contributed to the life fund. I do not know what that had to do with the adoption Bill, but the point about it is that they were mandated to give a percentage of their salary to the life fund.

Hon. Member: That is true.

Miss D. Cox: We have contributed to that life fund through charitable organizations. [*Desk thumping*]

Hon. Member: Really?

Miss D. Cox: Yes, and there is one organization, the Consular Corps, they normally would have a charity, which is one of the single largest contributors to the life fund and we have always contributed towards it. [*Desk thumping*] PNM Members have always taken part in that charity event. [*Crosstalk*]

Mr. Deyalsingh: “Dey does lie and say they put \$50 million.”

Miss D. Cox: Mr. Speaker, about the \$44 million, over 43 is from the Government of Trinidad and Tobago in that life fund, so it is taxpayers at work, and we are all taxpayers.

Hon. Member: That is right.

Miss D. Cox: This is why we are the only party able to speak about campaign financing and we can also say where we get our toys from.

Hon. Member: Tell us. Tell us.

Miss D. Cox: Mr. Speaker, I would move on because I am here to speak about the adoption Bill. In making decisions under this Bill, the best interest of the child must be taken into consideration and the Bill, in some instances, does not set out some of the principles that I would have liked to see, and I believe that clear principles should be set out in this Bill in order to guide the adoption process.

In perusing the amendments to this Bill, I observed the following: Section 11 of the Act is repealed and substituted with the following. Permit me to quote, please:

“The Authority, when placing a child with an adopter, shall have regard so far as is practicable, to the wishes of the parent, guardian or child, in relation to the religious upbringing of the child.”

I am personally not in agreement with this because adoptive parents must have the right to bring up their children according to their values and religious beliefs. I feel, because of the fact that when you adopt a child, the child becomes yours and if the child is living in your household, then your religious beliefs and values, I think this is what you would pass on, and this is how you would grow up this child. So I am not in agreement with that clause.

Clause 12(5) and (7) which deal with the probationary period where the adopter could decide that they may not want to keep the child anymore, or where the Authority might decide not to leave the child into that adopter’s care for different reasons, there is a change. There is an amendment which states that instead of removing the child in seven days they have now stated that in 21 days. All right? Then there is also an amendment which states that “you may”. Before, it was “shall” and it has been changed to “may”. Now, what I see, if there is a problem and if somebody decides they do not want to adopt a child again, I would think that the best thing you would do is to remove the child from that household as soon as possible. So I just need some clarification as to why the Authority would now want to wait 21 days to remove a child from a household after getting a written request for this child to be removed. Something does not add up here for me and I would like an explanation.

In clause 15(1) it talks about making a child available for adoption, and this process must involve the birth parents giving up their parental rights. The Authority must take into consideration, of course, the best interest of the child, and I was wondering—I see it is a process of, the Authority has to go to court for an order declaring the child available for adoption. I was wondering how long this will take because one of the problems we have today is, you hear the complaints about how long the adoption process takes. If you have to go to court and so on, I would like to know how long this whole process is going to take. It seems as though this—it will come across as if the process is being dragged on.

Clause 15(3) speaks about guardians, and it speaks about the guardians giving consent for adoption. I was wondering, you know, since when could the guardian give consent because, to me, the guardians are not the owners of the child. They said, parents, guardians or—I do not want to go in to read the whole thing, but I would like an explanation. Since when could guardians give consent to adopt a child? I would think it would be the parents, or there may be special circumstances, I guess.

Clause 15(5)—and I would like to quote clause 15(5):

“Consent by the mother of the child is ineffective for the purpose of this section if it is given less than six weeks after the child's birth.”

Now, I understand this, but somehow I would have liked to see where the legislation is speaking more about fathers because it negates the importance of fathers. This must apply to both parents and we cannot value one above the other. So I see a little bias here against fathers. Both parents of a child have legal rights and as far as is reasonably possible, both parents should be involved in the adoption plan for their child. I know that, yes, this is taken into consideration, but I feel that there should be a more prominent role, or prominent information in the legislation where fathers are concerned.

Sometimes because of the nature of their relationship or their current circumstances, a mother may not be able to involve the child's father in her adoption decision and that is understandable, but when a father is aware of the adoption plan, he should be encouraged to be actively involved, and he may see the adoption worker with the mother or may request separate interviews to explore his individual thoughts about the proposed adoption.

Now, it is important to outline what approach will be taken for fathers who have not been notified of an adoption because the Irish Adoption Act of 2010

includes clauses about the rights of the father who wishes to be consulted. It includes information on a father who has not been consulted or consulting the father and how to proceed if they are unable to consult the father. I think that this should be included in the Bill.

Clause 18(2) speaks about where an application for order is made by two spouses jointly, the court may make the order authorizing the two spouses jointly to adopt. Now this speaks of a married couple. All right? Does this clause take common-law arrangements into consideration with regard to adopting a child who is not the offspring of either adopter? That is not clear. Because I wish to refer to clause 12(2)(a) and that clause speaks about cohabitation. When you want to adopt a child and it is your common law husband or wife's child, then there is some leeway given where the probation period would be lessened. So I understand that, of course, a common law relationship is taken into consideration under clause 12(2)(a), but clause 18(2) does not speak about common law here. It talks about two spouses—joint. So I would like to know if two persons in a common law relationship for probably five years and over, or something like that, are they able to adopt a child that is not the child of either of the spouses? That is not clear to me, so I would like an explanation to that, please.

Clause 20 speaks about the power to make a subsequent order in respect of the child already subject to an order. I really would like an explanation for that clause because in this clause it speaks about further adoptive parents. What further adoptive parents can we speak about here in clause 20? Because if a child is already adopted, then the persons that child lives with is already parents, and I see a talk about further adoptive parents. So I would like an explanation for this.

Now, section 23 is repealed, and I am wondering if the Bill—it speaks about who cannot adopt. But should the Bill not be clear on who could adopt? I would have liked to see more information on who could adopt, and I would speak to that later. We need some specifics on who is eligible to adopt a child because I believe that this should be clearly outlined.

The legislation should govern the assessment and approval of adoptive parents and must take into account the requirement to ensure the best interests of a child are met by adoption to meet the conditions of international treaties and to encompass the changing nature of adoption as an open, lifelong process. Not identifying who can adopt is a recipe for a series of court action in which persons interested in adopting may hold the opinion that their rights have been violated. The Irish Adoption Act, 2010 has a chapter dedicated to the eligibility and

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suitability to adopt. Although it speaks specifically to inter-country adoption, it does state, in no uncertain terms, the criteria for adoption.

11.25 p.m.

Furthermore, a declaration of eligibility and suitability has to be issued for the adoption to proceed. Therefore, why is there not greater clarity in our Act about who can adopt? That is very important. Section 26 speaks about the adopter being fit to make provisions for the adopted child and this suggests partly a criterion for being able to adopt, but what does the term “fit to make provision for the adopted child” mean? Because at the end of the day, what or who I might think may be fit, somebody else may not feel that that person is fit. Okay? It is subjective. I would like that to be looked at, please.

Section 34 deals with the disclosure of birth records of adopted children and this should be limited to the adoptee, and this speaks of the child having access to his or her birth records. I do not have a problem with that, but I know that there may be exceptional circumstances and I am wondering if there are the same privileges otherwise. I am asking that because—the adopted parents I am talking about—if the child is sick, if there is need for a blood transfusion, if there is some basic problem and the only persons who may be able to assist are the birth parents, there must be some exceptional circumstance situation where the records could be unveiled. I guess they will have to go to the court. That is expected. There is no problem with that, but there should be a provision to take a court ruling into consideration in this case.

Section 36(2)(b) speaks about an order permitting the child to be sent abroad for adoption. This deals with overseas adoption and it speaks about a Trinidad and Tobago Consular Officer, based on the fact that—I believe it deals with overseas adoption and I think I will have to pull that section, Mr. Speaker, section 36(2)(b). I will start from (1) and I am quoting:

“The court may make an order, subject to such conditions and restrictions as it thinks fit, authorising the care and control of a child for whom adoption arrangements have been made to be transferred to a person resident abroad.”

And it speaks about—(2)(b) is saying about:

“Subject to this section, no such order shall be made unless the court—

is satisfied by a report of a Trinidad and Tobago Consular Officer or any other person who appears to the court to be trustworthy that the person to whom the care and control of the child is proposed to be transferred is a suitable person to be entrusted therewith and...”

I do not know. I am just not comfortable with this because how trained is this consular officer to be able to make a proper assessment of who is a suitable person; who is any other person and how do you determine this trustworthiness; how will that person be assessed? Anyone can pretend to be trustworthy to a court.

Well, we are aware that we have to be very careful concerning adoption and concerning overseas adoption. I know there has been a little widening and I will speak about that in a little while, but I have a suggestion, though, concerning offences and penalties. I would like to suggest that a section on offences and penalties, as exists in many countries' adoption Acts, be included in ours, for example, as in British Columbia's Act. This section should address areas such as accepting payments for adoption, publishing advertisements about adoption, human trafficking issues, enslavement and all possible criminal offences in relation to adoption.

Although there are penalties for breaches of the adoption process in sections 13, 28, 29 and 35, reorganizing them under one section will make the Bill more effective, taking into consideration a child's well-being is involved, and I would like to suggest as my colleague, the Member for Arouca/Maloney, that the penalties be stiffer. These penalties are not steep enough. We are dealing with children, children's issues, the children's well-being and I think that these penalties are definitely not stiff enough, and if there is one change we would like to see is increased penalties. Okay?

I want to ask about section 28. Section 28 does not state—what is the penalty for section 28? I am not seeing any penalty. Okay? I would like to read section 28. Permit me to quote:

“It shall not be lawful for an adopter or for any person to receive payment or other reward in consideration of the adoption of a child under this Act or for a person to make or give or agree to make or give to an adopter or to a parent or guardian any payment or reward.”

I do not know if I missed it, but I looked, again, and there is no penalty here because in 29 there is a penalty of a fine of \$3,000 and imprisonment for six months, which deals with advertisement. But section 28, I am not seeing the penalty for persons receiving rewards and so on. So I would like the Minister to look at this, please, because, Mr. Speaker, adoption results in a change of identity, it makes a child your child by law and for the rest of that child's life, and all rights and privileges are transferred to you who are now the parent of the child.

In today's society adoption is still viewed as a secret and conducted behind closed doors with hushed tones. The adoption process must not be closeted. It is secretive because of many things, many taboos. There are taboos about people who feel because you adopt, it is because you cannot make children and you want to hide; some people it is because they feel the child might think that because the parent did not want the child and so on, but it is time for the people of this country to be educated about adoption, the process, the whys, the hows and this will help to lift the stigma attached to adoption because an adopted child must not be viewed differently, and once we, as adults, accept the process and we are comfortable, the children, therefore, would also be comfortable. The veil, therefore, must be lifted with regard to adoption and there is sometimes, of course, uneasiness, and people whisper about it and this must cease.

It brings me to an amendment that I would like to suggest, something that I have a pet peeve about because I am aware that social workers always encourage persons to inform the child at an early age that he or she is adopted, but the point is this does not always happen. So you will always hear stories about persons who do not know how to tell the child that that child is adopted, and I think that is something, you know, we either have to put it in the legislation or do something because a social worker—I will come, I will sit with you and, of course, I want the child and I will sit, listen and agree to everything and say, yes, I will inform the child at a suitable age, and then do not do it.

Then, what happens after that? It is the child that is affected when the child finds out at some point in their life that they are adopted and the parents never told them. It is the child who is traumatized and I feel that this is a situation—this is something that we need to look at and we should not just leave this to go through. So adoptive parents, therefore, must be educated to help children understand and learn about adoption. It is very important that the child be made aware because somehow I feel it should be part of the rights of a child to know that, hey, I am adopted.

Mr. Speaker, there is also some post-adoption support that takes place which there is a probationary period of mainly six months, and I observed that there has been an amendment for special circumstances with the probationary period that that person keeps this child. At the time of the probationary period the case workers visit the household and they normally would go for, I think it is about four visits in those six months and these visits are structured. I wonder if the right thing is to have a structured visit because I can always prepare myself when I know the case worker is coming. Somehow, these should be surprise visits or spot checking as the social workers will say.

But here, I know that what normally happens is that the visit is structured. So you call the family, hey, I am coming to visit today, and this is what takes place during that probationary period. Of course, my thing is that the social worker must be properly trained. It is not just you take a social worker, they are working in an agency, but when you are dealing with children and you are dealing with adoption issues, there should be some form of specialized training that should take place with social workers as it relates to adoption.

I would just like the Minister to tell us about the Children's Authority. I understand he said that they are properly staffed, but that is not the word that is on the ground or the word that is out there with regards to the Children's Authority. I understand that at present the Adoption Board is understaffed, so what is the plan for that? Because if the Adoption Board now, and the whole unit is going to be absorbed under the Children's Authority, we want to make sure that the staff is adequate. What is the plan to train and to have proper social workers? Because of the varied responsibilities related to adoption, it is clear that the authority must function in a way that it will provide the best service to the people.

I go back to overseas adoption as it relates to human trafficking and scandals because I am aware that there was a little widening of the net concerning overseas adoption because section 38 speaks of that. I know that most of the overseas adoption deals with kinship, so it is more or less family, but it does not necessarily mean it will only be family, and therefore, we must be prepared to deal with what may happen in the future because there are many scandals in relation to overseas adoption. A growing number of voices, internationally, have been speaking out against it.

Critics argue that the hunger to adopt children from developing countries help feed nefarious practices as families are often deceived or coerced into giving up their children for adoption. I just want to give some example of some situations that took place concerning adoption because David Smolim, Director of the Centre for Children, Law and Ethics at Stanford University, became a legal expert on international adoption on the issues relating to international adoption after he and his wife adopted two girls from India in 1998, only to discover that the girls were stolen from their mother.

In 2007, overseas adoption was shut down in Guatemala after allegations of families being coerced and children kidnapped to feed the US demand for children. I also have some other information which concerns the United States and Russia. Russia temporarily suspended all child adoptions by US families after a seven-year-old adopted by a nurse was sent alone on a one-way flight back to

Moscow with a note saying, “He was mentally unstable”. Again, Russian officials called for a suspension of adoption after US parents, a Pennsylvania couple, were charged for beating to death their adopted child from Russia.

We all know about closer to home in 2010, after the earthquake in Haiti, where some missionaries were arrested and charged with kidnapping a group of 33 children, and when they did their investigations it became clear that most of the children were not orphaned. In China, six government officials in south-west China have been punished over an orphanage scandal where children were taken from their families who could not afford fines for violating family planning regulations. Ethiopia, there was another issue where an adoption agency was found guilty because they were listing the cases of the mothers being deceased, and when they checked, the mothers were very much alive.

In Haiti, 47 children were victims of child trafficking. China, there were also some issues with persons caught buying babies from traffickers, and the list goes on and on concerning adoption. So I would not—it is late, but I would like to just caution the Minister and we cannot take it for granted. Once we widen the net concerning overseas adoption, we must be able to plug certain loopholes in this area. We must be able to look at it and not let Trinidad and Tobago be a part of this.

So in conclusion, Mr. Speaker, there has been indeed a decline in international adoption due to allegations of corruption and human trafficking, and we must however be vigilant.

11.40 p.m.

In every document concerning adoption, it speaks about the best interest of the child and I am concerned that there is proper information on the criteria for eligible adoptions. Mr. Speaker, am I close to my 15 minutes?

Mr. Speaker: Yes, very very close.

Miss D. Cox: I would like to get my 15 minutes, please.

Dr. Moonilal: “Ah thought yuh say ‘in conclusion’.”

Miss D. Cox: Yeah, “but ah want to conclude properly, ah doh want tuh rush”. To conclude properly, so I want to know how much time I have. Go ahead?

Mr. Speaker: Yeah, continue.

Miss D. Cox: All right. So, Mr. Speaker, we already have problems in this country with parents who do not know how to parent, do not have parenting skills.

That is a reality. And some would tell you that, “you know, we are parents long and we have been parenting for a long time”, but parenting long does not mean parenting right. So some of the characteristics of the prospective adoptive parents that should include—because what I am seeing, we are not seeing who should adopt, and we must be very careful about who we make adopt children in this country.

Mr. Speaker, the age and gender of the child for which they have been assessed and approved for having the capacity to parent must be taken into consideration. Whether they have been approved, thus having the capacity to parent a child from a different cultural background is important. Whether they have been approved as having the capacity to parent siblings is important. Their indigenous and cultural background. Their capacity to parent a child with no medical conditions, disabilities or potential future problems is important. Their willingness to participate in exchanging information or have contact. The age of other children in the prospective adoptive family and other relevant information is important.

Mr. Speaker: Hon. Members, the speaking time of hon. Member for Laventille East/Morvant has expired. Are you interested?

Miss D. Cox: Thank you.

Question put and agreed to.

Mr. Speaker: You may continue, hon. Member.

Miss D. Cox: Thank you very much, Mr. Speaker. I am talking about eligibility to adopt which I feel needed to be clarified. One area too is the age of other children in the prospective adoptive family and other relevant considerations, and of course, their willingness, what I spoke about before, to inform the child that he or she is adopted. Because you will be surprised to know how many persons do not know how to tell their child that the child is adopted, and that is something that should be done at a very early age. The Australian adoption Act sets out some of these principles.

Mr. Speaker, we speak about adoption, we speak about children, but there is an issue that we would like—I am happy that the Minister responsible for gender affairs is back in the House, because I want to remind him about the girls that are in the Women’s Prison because of the lack of proper facilities for young female offenders. We urgently need a proper facility for girls under 18, because many of them would have been sent to the Women’s Prison and they should not be in the

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Women's Prison. They do not belong in the Women's Prison. Some of them would have gone to court for things like running away, fighting, obscene language, petty theft, uncontrollable behaviour, and the Women's Prison is not the place for them. There is, indeed, the need for a transitional centre for them, and I plead with the Government to remove these juvenile girls out of the Women's Prison and this has been going on for a while.

As I really conclude now, Mr. Speaker, I just want to remind this honourable House that today, you know, as we debate this Bill or these Bills actually, all geared towards the welfare of children, it is important upon all of us to be an example to the children of this nation. Our behaviour must be one that they can emulate. We cannot just come here and talk and talk and talk, we must be an example to them. We must also now walk the talk and we support this Bill. I just hope that the Minister will take some of our suggestions into consideration. I thank you. [*Desk thumping*]

The Minister of Gender, Youth and Child Development (Hon. Clifton De Coteau): Mr. Speaker, I thank the Members for their contribution. I want to allay the fears of most Members, probably too subjective in this particular adoption Bill because I myself, many, many moons ago, without the formalization and the formality of what is being produced here today, I was an “adoptee” by my aunt. And it was not only in my teenage years that I realized that my sister who I was calling aunty is my mother and my aunty was my aunty. And there was love in abundance, there was caring, I mean, beyond the boundary.

In my senior years, I had enjoyed the best of both worlds because the original mother tried her best to show that she was the best mother. So that when my aunt who took care of me died, I wept bitterly as opposed to when my biological mother died, “felt ah lil thing but that pain was not as intense”. So that I know about adoption. I know about it, too, in my own experience as a schoolteacher, as a dean of discipline, a vice principal, a games master, a principal, a school supervisor. I would have been exposed to all of these situations of the good, the bad and not-so-good of adoption. I would have heard of children reporting and talking about being abused and being used as servants. I would have been exposed to the caring in abundance. So that I am very much attached to this particular—adoption. I am saying there are good aspects of it and there are challenging aspects as well.

Mr. Speaker, I want to assure all those who would have contributed on both sides that we have internalized the suggestions made, and the concerns expressed.

I want to refer to the Member for Arouca/Maloney and she must be reminded, the Member, and I underscore that the adoption function will be transferred to the Children's Authority thereby addressing the inefficiencies in the system in order to eliminate the very inefficiencies the Member spoke to. And here are some of the measures we—I want to regurgitate, again, to eliminate them and these include:

- electronic record management system;
- fully staffed and functional adoption unit;
- adherence to best practice guidelines;
- public education campaign readily available to prospective parents;
- robust data collection and assessment mechanisms.

It is the policy position of the Children's Authority and, indeed the Government that children thrive best in a family environment. This point was raised in my earlier presentation where I underscored the unification re-integration will be the overarching principle guiding the work of the authority.

With regard to the seven days which the Member alluded to in my earlier presentation, I spoke to the rigidity and enumerated several reasons why the amendment is being proposed. The programme at the Ministry of Gender, Youth and Child Development, there are several programmes to support the children and families that were implemented. We have the National Parenting Programme which helps to strengthen the families and has been executed in Laventille, Barataria, Marabella, Moruga, and it is continuing; the Children's Forum giving children an opportunity to express themselves on matters concerning them and this will assist with policy development concerning children. We have the Break the Silence project which focuses on reducing the child sexual abuse; training for various service providers: the police, teachers, media persons. So far, training for these persons have been conducted.

We have—over one million has been allocated for the promotion and protection of the children rights. Under this, we have the following: the Anti-bullying Campaign, the children who inspire and other programmes; the Children Registry, a central register to ensure that children are being taken care of, and the necessary services that they require. We have the National Youth Services Directory, a very innovative directory that we have produced, providing information for children, parenting, social workers, teachers and officers on services provided for them.

Mr. Speaker, my colleague from Point Fortin did express some concerns too. Cabinet has approved the building of an autistic centre in Marabella which the Ministry of Gender, Youth and Child Development is currently undertaking, this autistic centre. The Ministry is undertaking a review of the National Family Services given that the Children's Authority is coming under the purview and largely dealing with focusing on the prevention measures which would support family.

Mr. Speaker, a number of things have been said. I want to assure, again, those who contributed to this Bill that we are not taking this matter lightly. The screening process, the Member for St. Ann's East asked about the screening process for potential adoptive parents. I am pleased to inform the House that the new adoption system will require potential adoptive parents to go through modern relevant psychosocial assessment. Additional assessment will include a thorough background check to determine whether the prospective adoptive parents are able to provide for the physical, social, educational and emotional needs of the child.

Mr. Speaker, the hon. Member spoke about the issue of the consular officer. The authority proposes that the consular officer will be the liaison between the accredited body which will be the central adoption agency or a central authority dealing with adoptions. The person from the accredited agency will be a trained professional in the adoption system. This is the administrative practice and will give effect to structural operations in the area. Mr. Speaker, transferring the adoption to the Children's Authority ensures that there is a specialized agency dealing with all children's matters. The new law makes the process more child-friendly which is the philosophy of the new system.

Mr. Speaker, I want to assure all in this House that we really take this adoption Bill seriously, and we are concerned about the youths of our nation, the future leaders; we are concerned about them. They are the bedrock of our Trinidad and Tobago family. How we help them will determine the progress of Trinidad and Tobago, it will determine the Trinidad and Tobago of tomorrow. And again, if we should be religious, and I would want to even go so far to quote Proverbs, chapter 22, I think it is verse 6 that says train the child in the way you would want them to be and when they grow old, they would not depart.

11.55 p.m.

And we believe that the adoption goes beyond—it is something personal. We want to give them that exposure, that family care, that love. When I think about myself, I was exposed to it. I benefited from it. I benefited from that abundant

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love, from that caring, from the education, from everything possible and I would want the same for those children who are in our care. Mr. Speaker, in closing, I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mr. Chairman: All right, there are some 31 clauses in the Bill. We intend to proceed accordingly. We will take clauses 1 to 11. We will then pause because there is an amendment to clause 12. We will then proceed to clauses 13 to 20. We will then pause because there is an amendment to clause 21, and then we will proceed to clauses 22 to 31. Is that agreeable? [*Assent indicated*] We shall proceed.

Clauses 1 to 11.

Question proposed: That clauses 1 to 11 stand part of the Bill.

Mrs. Gopee-Scoon: Thank you Chair. Clause 9 of this Bill deals with amending section 13 of the Act and section 13 deals with one of the penalties. We had raised a concern about the penalties in section 13(2) and 29(3). We had raised the concern about the penalties being too low.

Mr. Chairman: Member please, I hear you, but there is a procedure that we follow when we are at this level. We put things in writing and those things are circulated so that all Members would have the benefit of seeing it, studying it and, therefore, responding. But we cannot be making amendments as we proceed. So I would ask you, in the future, or if you have amendments to make in the future, you follow the Standing Orders. But I do not know if the Leader of Government Business would want to entertain that amendment at this time, but I leave it up to him.

Dr. Moonilal: Mr. Chairman, we did hear the concerns raised by the Member, but the Government is not so minded at this time to entertain an amendment with regard to those concerns. Regrettably we do not have an amendment in writing before us from the Member that we could have considered but we cannot accept it at this time. So I propose that we move on.

Mr. Chairman: All right, we move on.

Question put and agreed to.

Clauses 1 to 11 ordered to stand part of the Bill.

Clause 12.

Question proposed: That clause 12 stand part of the Bill.

Dr. Moonilal: Mr. Chairman, I beg to move that clause 12 be amended as circulated:

In the proposed section 15(2A), delete the words “suitable adopters” and substitute the words “a suitable adopter”.

Question put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 20.

Question proposed: That clauses 13 to 20 stand part of the Bill.

Miss Cox: I just wanted some clarification concerning clause 18(2).

Dr. Moonilal: Clause 18?

Miss Cox: Clause 18(2).

Dr. Moonilal: There is no 18.

Mr. Chairman: You mean clause 18?

Miss Cox: Clause 18, that deals with the application. Where an application for an order is made by two spouses jointly.

Mr. Chairman: Where are you reading from? We do not have the same Bill. That is not clause 18.

Dr. Moonilal: When an application is made for adoption—what is the shoulder note that you have?

Miss Cox: It is Part V, Adoption Orders.

Dr. Moonilal: Part V?

Miss Cox: Yes, if you are looking at the 2000, under Adoption Orders.

Dr. Moonilal: It is the amendment Bill we are dealing with.

Mr. Chairman: The Bill that is before us is this Bill.

Dr. Moonilal: It is not the parent Act.

Miss Cox: No, I did work from this one so that is why.

Mr. Chairman: No, no, this is the Bill.

Dr. Moonilal: But is there a corresponding section in the thing? You can look at it while we deal with the Member for Point Fortin.

Mrs. Gopee-Scoon: Chair, I acknowledge what you said before about the circulation before but I just want to speak to clause 17, which seeks to amend clause 24, which deals with the consent to the making of an order and I just make the point that the consent by the child, whether or not you are prepared to consider consent by a child? I mean, I think it will take a lot of discussion with regard to the age of the child but are you prepared to be open-minded on this?

Dr. Moonilal: Mr. Chairman, we are advised that in the parent Act, the court takes into consideration the concerns of the child and in the Children's Authority legislation, the Authority takes into consideration the best interest of the child and, indeed, the views of the child. At this time, we would like to follow that practice, rather than put in a statute to consider the child's view. Because as it is now, both the court and the Authority has the jurisdiction to consider the views of the child and their best interest. So it is not advisable at this time to put in statute that type of phrase.

Mrs. Gopee-Scoon: Can I just say that the best interest seems to be such a very loose term, it is not definitive and I would have preferred that you consider something more explicit. So in clause 24(1)(a)(i), I am going back to the parent Act, 24(1)(a)(i) where it is very clear:

“except with the consent of every person who—
is a parent or guardian...”

Is that where we, perhaps, could consider putting a child of a particular age?

Dr. Moonilal: You are asking for a further amendment to the parent Act? Is it—*[Interruption]*

Mr. Chairman: What are you asking for?

Mrs. Gopee-Scoon: Sorry?

Dr. Moonilal: What are you asking for, for a further amendment to the parent Act?

Mrs. Gopee-Scoon: Well, I mean, if we have to alter it at all you would be

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dealing with it through clause 17.

Dr. Moonilal: Yes.

Mrs. Gopee-Scoon: Right, and I am just asking whether or not you would be prepared to introduce an amendment there on consent by the child as well.

Dr. Moonilal: It is a heavy policy issue. [*Interruption*]

Mrs. Gopee-Scoon: It is, I agree.

Dr. Moonilal: It is a heavy policy issue to ingrain in the statute, the consent of a child. So it is something of a very strong policy nature and at this time, in this process, I do not think we can consider that here. But it is something, I am sure that the Ministry and the technical advisors may consider for the other place, if the matter does arise but at this time, I think it is a very serious matter of policy.

Mrs. Gopee-Scoon: Okay.

Question put and agreed to.

Clauses 13 to 20 ordered to stand part of the Bill.

Clause 21.

Question proposed: That clause 21 stand part of the Bill.

Dr. Moonilal: Mr. Chairman, I beg to move that clause 21 be amended as circulated:

In the proposed section 33(6), delete the words “no person, other than” and substitute the word “only”.

Question put and agreed to.

Clause 21, as amended, ordered to stand part of the Bill.

Clauses 22 to 31 ordered to stand part of the Bill.

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

House resumed.

Bill reported, with amendment, read the third time and passed.

12.10 a.m.

**POLICE SERVICE COMMISSION
(NOMINATION OF DR. MARIA THERESE GOMES)**

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move Motion No. 1 standing in my name:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate

persons who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission; and

Whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives; and

Whereas the President has nominated Dr. Maria Therese Gomes to be appointed as a member of the Police Service Commission; and

Whereas the President has on the 17th day of December, 2014 made a Notification in respect of the nomination; and

Whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Dr. Maria Therese Gomes be approved.

Mr. Speaker, we are here at a very late hour to examine Motion No. 1 for affirmative resolution, which deals with the appointment of a member of the Police Service Commission, that the Constitution provides for the House of Representatives to approve a nomination, pursuant to a notification of His Excellency the President to the House of Representatives. Mr. Speaker, this is a process that has been undertaken over years, which has been undertaken with some alacrity, and which on several occasions has not generated widespread debate, except to put on record the qualifications and experience of the individual to whom we are addressing our approval of a nomination process.

Dr. Gomes lives at Diamond Vale in Diego Martin.

Degrees: Ph.D. Social Work. Howard University, Washington, DC
 MSW (Summa Cum Laude). Howard University, Washington, DC
 MSc. Social Policy and Planning in Developing Countries. London School of Economics & Political Science, University of London
 BSc. Social Work (Upper Second Class Honours). University of the West Indies, St. Augustine

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Certificates: Distance Learning Certification
Blackboard Certification
International Studies
Drama & Theatre in Education
Gender Studies (Distinction)

PH.D dissertation: Detention to Reintegration in the Context of the 1996 U.S. Immigration Reform Act: Life Experiences of Immigrant Women Deported to Trinidad and Tobago

MSc. thesis: Cultural Manifestations and Development in Trinidad and Tobago (Referenced in National Youth Policy, Republic of Trinidad & Tobago)

The nominee has several honours, awards and grants including:

Silberman Grant Application for Community based research (2013) on the issue of the Charged Economic Environment: Its Role and Impact on Parental Psychological Distress and the Development of Children and Adolescents.

Other awards include:

Georgetown-Howard Universities Center for Clinical and Translational Science.

Mr. Speaker, there are also several awards, which, I mean, I will not read every award, but to indicate that there is also a vast research experience that the nominee brings, in areas of social work and psychology.

The nominee has also worked as a research consultant over the period 2011-2012 in the Caribbean, particularly in Jamaica and Guyana; her experience in Trinidad and Tobago, Jamaica and Guyana working in the prison service and in the protective services as a whole. As a Research Assistant on the US/India-Howard-Jadavpur Research Initiative, she undertook work on economic issues involving the protective services and the health sector, and there are several such research efforts.

The nominee has publications co-authored with very prominent writers in the area of economics and psychology and sociology. Also another publication on women studies:

Refugee Women: Mental Health and Well Being

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—part of an edited publication:

Refugee Worldwide, vol 3. Mental Health

The nominee is also the author of a publication:

Reframing Reentry: Considerations for Immigrant Ex-offenders Facing Deportation

—in another publication titled:

Corrections Today

—and has several publications in the area of gender studies and:

Working with Female Offenders: A Gender-Sensitive Approach

—to dealing with such critical social issues. Dr. Gomes has another publication co-authored:

The Impact of the Unintended Consequences of the 1996 Immigration Reform Act on Women

—teaching and work experience as:

Adjunct Professor (Online). Howard University, Washington, DC.

Adjunct Lecturer. College of Science, Technology and Applied Arts of Trinidad & Tobago

—other practical experience:

Assistant Camp Coordinator. The Nature Nurture Project Boys Camp

The Trauma Center of Trinidad & Tobago

Clinical Supervisor, Retreat for St. Jude's Homes for Girls

Mr. Speaker, the list goes on and on.

Enormous experience in this area of social work, sociology: her Facilitated Courses in social work, human behaviour and the social environment, international learning and so on.

The nominee has also made:

Scholarly

Presentations: *Embracing Social Justice and Equality Locally and*

Globally: Immigration Reform and Human Trafficking

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—several areas involving law enforcement agencies, police agencies and so on.

So, there are several publications and presentations on economy, sociology, gender studies and so on. Mr. Speaker, her CV is extremely lengthy and I will not want to read every single publication. There is also multi-national experience not only in the Caricom region, but indeed in the United Kingdom, the United States and in Asia. There is also a significant Asian experience in research efforts. In terms of service, the nominee has been:

Secretary, Board of Education. Diego Martin Regional Life Center (Servol)

Humming Bird Summer Camp, Victory Over Violence

Ministry of Education, Student Support Services

—has also provided service to:

Vision On Mission Radio Programme

—speaking on the area of offenders and so on:

Board Member, Human Development Foundation

—several other areas of service:

Professional

Organizations: Council for Social Work Education

National Association of Social Workers

Society for Social Work Research

Society for Spirituality and Social Work

Mr. Speaker, this nominee is eminently qualified to serve as a member of the Police Service Commission. We are here—may I remind my colleagues opposite—to accept the nominee of His Excellency to serve as a member of the Police Service Commission. The Government stands by this nominee, and will ask Members opposite to give support as the House can now move to approve the nomination as notified by His Excellency the President.

Mr. Speaker, I beg to move.

Question proposed.

Miss Marlene Mc Donald (*Port of Spain South*): [*Desk thumping*] Thank you, Mr. Speaker. We are here today to approve this notification of the

nomination of Dr. Maria Therese Gomes as a member of the Police Service Commission. I have listened to the Leader of Government Business, and he stressed a lot on Dr. Gomes' publications and her presentations as listed in her CV. I have a few concerns that over the past few months, the Police Service Commission, such an important institution in this country, has been operating without a Chairman for months.

Mr. Speaker, at a time when there is rising crime, when there is a low detection rate of crime, there is little confidence in the police service, this governing body, this commission, has been allowed to operate without a chairman. The point about it, though I know that the Motion before us has to do with the appointment of a member to the Police Service Commission, perhaps down the road this person might very well be the Chairman of the commission—may very well be. That is not before us, but may very well be. You know, we can start thinking about that.

What concerns me also is the fact that this Bench presented to the Government two years ago, a crime plan, a 10-point crime plan. One of the points was the appointment of the Commissioner of Police. We said to the Government, let us resolve this matter, get the legislation, let us come to the Parliament and stop this acting, this continuous acting of a Commissioner of Police.

I am not much into national security, but I could tell you I have quite a few friends, and the morale in there is very, very, very low. I think it starts at the top. The fact that your commissioner, your boss is always on this continued acting appointment, it says very little for those who operate below the Commissioner's position. So I thought that perhaps what is needed here is the Government should seize the opportunity to do a comprehensive review of the Police Service Commission.

You see, when you keep doing things the same way over and over, using the same methodology, you get the same results. I am wondering, with the appointment of this person, would we see anything different happening in the police service. Would we? Would we see something happening to crime? Would we see the detection of crime being improved in the police service? This is how, you know, our Bench sees it.

But more importantly the Member for Oropouche East gave us a long dissertation—and I suppose the CV is long—on the publications and presentations of Dr. Gomes. I want to look at some of the work experience. I am concerned about the work experience. You see, those are little things, they are just little short

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courses, short publications. Let us see what her substantive work portfolio is. What is she bringing to the table? Let us look at the teaching and work experience:

“Assistant Camp Coordinator, the Nature Nurture Project Boys Camp
The Trauma Centre of Trinidad and Tobago
Clinical Supervisor, Retreat for St. Jude’s Homes for Girls
Social Worker, Adoption Division
Ministry of Social Development, (2001-2002)
Social Welfare Supervisor
Ministry of Social Development (2000-2001)”

12.25 a.m.

Social Worker II, Family Life, National Family Services
Division...(1995—2000)

Social Welfare Advisor, Ministry of Community Development & Social
Services...(1977—1992)

Mr. Speaker, this is the work experience that this person is bringing to the table. What the hon. Member for Oropouche East and, of course, no fault to the person, it is the CV that has been presented to him from elsewhere and it is filled with these living-on-the-edge, little publications, two-page publications throughout.

I am really concerned. I have my concerns about this. I certainly will abstain on any vote with respect to this and especially down the road if this person would be made the Chairman of the Police Service Commission. I think that we would be doing the same thing over and over and there will be absolutely no—square pegs in round holes. There will be absolutely no results, no improvement in the police service with the appointment of this particular person.

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

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. In winding up this debate, I would just make a couple quick comments. In all fairness, when I read the earlier excerpts from the CV of the nominee, of course, for the record, the nominee has a PhD degree and two masters degree, one in social work and one is a Master of

Science in Social Policy and Planning, so the person's education is beyond doubt.

There are four university degrees quoted here. There are significant honours. There are significant grants and there are significant publications, so that while you look at the tail end of a publication and sometimes, all of us in our professional publications, we will indicate that we were a member of a PTA somewhere or we were a member of the regional council, bazaar organizing team or something like that.

Sometimes you have that on your CV, but there is an up end as well and this person has lectured at reputable universities across the globe, has awards from US, India, Howard, Jabalpur Research Initiative Award. This person has an award for preparing future for socially—immigrants and so on—so that this person is highly awarded and has a serious high-level list of achievements from the academic community and the policymaking community. So that it is a bit unfair to look at only a tail end of a CV and make comments.

The publications I spoke about earlier are publications in the *Journal of Human Behaviour in the Social Environment*, Vol. 23, Issue 120/13—Refugee Worldwide, Corrections Today, gender studies publications. This is not the comic book section of a newspaper. These are serious academic publications that are referred. They involve co-editing with Professors Ross-Sheriff and Kaiser. Some of these people might be known to those in the academic community. Regrettably, my friends opposite may not be aware of these types of publications, but they are significant publications and this is not columnists with the *Sunshine* or something like that. These are serious academic publications here.

When you have a teaching assistant job at Howard University, when you work in some of these areas, they are significant. I would just say to my friends opposite, please be a bit more gentle and considerate of persons.

This is how a CV is done. A CV is done where you put higher and you put lower. And, in fact, some of my colleagues opposite I understand are now trying to redo their CVs and curriculum resumé. So, if they are applying for any job, post the general elections, they also will have an up-to-date CV and in your CV, you may actually put that you were a member of a parliamentary committee. You will put that in your CV or you talked twice in Parliament over five years or something.

That is part of a CV. That is how you do it. You attended a one-week certificate course in London, a CPA conference. You will put that. Many of you

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will be going job seeking in a few months. So, we have to understand how CVs are constructed. Some of my colleagues opposite may be going back to school to complete their primary education.

Another point raised by my friend, the Member for Port of Spain South, while we are aware that this process of putting—complete where you left out—*[Crosstalk and laughter]* The GATE, I think parliamentarians and ex-parliamentarians now readily—my friend, the Member for Chaguanas West may be a recipient of GATE for some further studies he is doing. I think it is on finance, international finance he is studying.

The point made by my friend opposite is that we have had some challenges with correcting the procedure for appointing a Commissioner of Police and that has been the subject of a multisector review team on the Police Service Commission.

Regrettably, my friend raised this issue about having an Acting Commissioner, the administration of which my friend, the Member of Port of Spain South, was a part. A member of the Executive then had extended appointment of a police commissioner, I believe, on four consecutive occasions. They have done that. In fact, the former Prime Minister, the Member for San Fernando East, gave the appointment letter to a Commissioner of Police during the Christmas season. He called him at Whitehall and, like a hamper, handed him his letter of appointment. I remember that well.

Miss Mc Donald: Five years and you are still talking about PNM. We want to change it. You are still talking about the PNM.

Hon. Dr. R. Moonilal: Mr. Speaker, it is the intolerance. *[Crosstalk]* They are just intolerant of any view apart from their own. *[Crosstalk]*

Mr. Speaker: May I seek your attention, please. Order! Order! Allow the Member to speak. *[Crosstalk]* Member, please! Member, please! Listen! Listen! You all are misbehaving, both the Member for Laventille East/Morvant and the Member for Port of Spain South. You all are overdoing it. I have spoken to you while I was seated. You are not taking me on, so I have to rise to let you recognize me. Allow the hon. Leader of the House to conclude his contribution. Continue, hon. Member.

Hon. Dr. R. Moonilal: Mr. Speaker, we did appoint a multisector review team to look at the appointment process. That review team included membership

from the Opposition. We are informed in a report that the review team held six meetings between October 2011 to March 18, 2013. The report, however, that was submitted was mainly prepared by the subcommittee which met 18 times.

As a matter of record, the Member for Laventille East/Morvant, representing the Leader of the Opposition, attended three of the six meetings held by the review team. It is to be noted that when the report was completed—a report dealing with a process for a more efficient appointment of a Commissioner of Police—the Member representing the Leader of the Opposition indicated that they would submit reservations but, to this moment, this day, this hour, I am instructed that no such reservations were ever submitted to include in that report.

The Member representing the Leader of the Opposition did not sign that report, so that the reservations that the Leader of the Opposition had on this matter and made a commitment to submit in writing have never been submitted. Is that a fact or not?

Miss Cox: Mr. Speaker, this is not true. There was no report. It was not dealing with the appointment of any Commissioner of Police. It was restructuring of the PSC. It was nothing to do with the appointment of a Commissioner of Police. That was not the basis of the report.

Hon. Dr. R. Moonilal: Mr. Speaker, I have it in my hand here. I could be wrong in misreading this thing. *Report of the Multisector Review Team on Police Service Commission* dated March 19, 2013. Part III deals with legislative report, selection process of police executive, selection criteria for police executive. Part III, legislative report.

My friend opposite—the legislative widening the remit of the Police Service Commission, selection criteria. It dealt with a selection process for the Commissioner and Deputy Commissioner of Police. Look, it says the subcommittee recommends the following additional qualifications whereas the Commissioner of Police should have further qualifications in the field of management, human resource. It dealt with the selection procedure. These recommendations would require the appointment of a Commissioner and Deputy Commissioner through a selection order, but the Member says she knows nothing of that.

I believe her. I believe her because when you look at the signatures to this report, the only person who did not sign here was the hon. Donna Cox, MP, Member for Laventille East/Morvant.

Miss Cox: “What yuh calling meh name for?”

Hon. Dr. R. Moonilal: “But yuh name right in here. It in black and white.”

Miss Cox: “What yuh calling meh name for?” I sign it?

Hon. Dr. R. Moonilal: “But it in black and white. Look it here.” Mr. Speaker, the membership of this committee:

Prof. Ramesh Deosaran, Chairman

Sen. The Hon. Anand Ramlogan SC

Hon. Jack Warner, MP.

Hon. Carolyn Seepersad-Bachan, MP

“I cyah call the next name.” The next name we cannot call.

Mr. Ian Macintyre, Senior Counsel

Mr. Samraj Harripaul, Senior Counsel

Dr. Kerry Ramsumair, Secretary

Mr. Alwin Daniel

Sgt. Anand Ramesar

But one name we “cyah” call.

So one name is forbidden to call. So a name forbidden to call tells us that we did not know the contents. Okay, the Member does not know the contents of the report and did not sign the report. So here we are, we were instructed that we were waiting for comments and reservations indicated by the Leader of the Opposition and those representing him. They have not been forthcoming.

The point I am making is that this process took time. It is a process that is ongoing, but it is a process that has been delayed somewhat by the failure of those opposite to submit in writing their reservations, comments, minority reports, as the case may be. In fact, the Member for San Fernando West, in writing this report, did have a concern and placed a concern on record. A member of the team of the Government placed her concern on record in terms of this report. So that—
[*Interruption*]

Miss Cox: Mr. Speaker, I just want to place on record, Standing Order 48(6).

Mr. Speaker: Wait, wait, wait, wait, both of you all take a seat. You are rising on a point of order?

Miss Cox: Yes, 48(6) because the Member for Oropouche East is imputing improper motives. This is not what took place. It is not what took place.

Hon. Dr. R. Moonilal: Mr. Speaker, I will give way to the Member if she wants a minute or two. You want to clarify?

Miss Cox: Yes, definitely, definitely.

Hon. Dr. R. Moonilal: Well clarify, clarify.

Miss Cox: I want to say that no report was delayed because of my signature at all. That did not take place. It is not true and please stop saying that. It is not true. *[Interruption]* That is not a joke. It is not a joke.

Hon. Dr. R. Moonilal: Mr. Speaker, for the record, because I am very clear. I am not saying that a delay took place because of your signature. *[Interruption]* I am not saying that now. What I am saying is that we were given an undertaking that reservations, comments would be submitted by the Opposition. Those comments, reservations, minority report, whatever, were not submitted.

Miss Cox: And it did not delay any report.

Hon. Dr. R. Moonilal: And, Mr. Speaker, I want to indicate that the committee did wait because they could not have gone ahead and written a report because if that had happened, that would have been a next complaint that we were waiting for comments from the Opposition. We did not wait. We went ahead and wrote a report without the comments. *[Interruption]*

Mr. Speaker: Please, please, please.

Hon. Dr. R. Moonilal: The Member is touchy on the issue and I have no difficulty with that.

Miss Cox: That is not true.

12.40 a.m.

Hon. Dr. R. Moonilal: We did not wait for her signature, whether it came or it did not come. What we are saying is there was a commitment, an undertaking to present reservations. The committee waited, no reservations came and, indeed, no signature came. So a report came out in March 2013. *[Crosstalk]* Mr. Speaker, they would fight up that—a report came out in March 2013 and that report is being considered, and a process is under review now involving the Public Service

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Commission at the respective Ministries of Government and other consultants and so on. That is where we are.

I raised the point because the Member for Port of Spain South in her contribution spoke about delay, so I came here just to respond to that issue of delay. We were waiting on reservations from the Opposition.

Miss Cox: That is not true.

Hon. Dr. R. Moonilal: That is what I am informed.

Miss Cox: Were you a member of the committee?

Hon. Dr. R. Moonilal: So I have to be a member of 25 committee in the world to speak on it? I have a report in my hand.

Mr. Speaker: Member for Laventille East/Morvant, you seem to be very touchy on the matter, but you cannot be shouting whilst the Member is speaking.

Miss Cox: He is not speaking the truth.

Mr. Speaker: Yeah, but you already got up on two occasions, and you have put on the record of *Hansard* your position. So you do not have to interrupt the proceedings to, once again, determine what your position is. The *Hansard* knows about it. So do not interrupt the speaker any longer, please. You are interrupting the proceedings. Continue, please.

Hon. Dr. R. Moonilal: Yes, thank you, Mr. Speaker. So, we have the extensive report. Just for the record, the report also dealt with administrative issues involving the Police Service Commission, the Police Service Secretariat, widening the remit of the Police Service Commission, the legislative recommendations—of course, there were significant legislative recommendations, and this is a work in progress that we hope, all of us hope, will come to fruition in the very near future.

I do not want to engage in any other matter, but to indicate the purpose for which we are here, which is really to give the approval to the nominee as notified by His Excellency the President. Of course, I took note, we are all aware of the situation.

Miss Mc Donald: Would you give way?

Hon. Dr. R. Moonilal: Sure.

Miss Mc Donald: Thank you colleague. Through you, Mr. Speaker, I am a little bit confused over that particular report. When we came to the government

from August to about October, November of 2013 with our 10-point crime plan, and I said one of the proposals was the appointment of a police commissioner, why did you not bring that particular report to the table so we could have addressed it?

Hon. Dr. R. Moonilal: Mr. Speaker, the Member is raising a matter of a 10-point programme of some sort in August 2013. I, myself, had not been a member of that. I am not instructed or informed on proceedings there, but the March 19, 2013 report, that had been out several months before August. I am sure that the recommendations there would have been known to the Member opposite from the report.

Miss Cox: I do not have a copy of that report.

Miss Mc Donald: We do not know nothing about that.

Hon. Dr. R. Moonilal: Mr. Speaker, the Member for Laventille East/Morvant is stating that she has never received a copy of the report.

Miss Cox: I never saw it.

Hon. Dr. R. Moonilal: Okay. If that is so, Mr. Speaker, that is something, you know, another matter. If the Member for Laventille East/Morvant is saying that she never received this report as a member of the committee, we will have to look at that because her name is there. Were you asked to sign? [*Crosstalk*] The Member is saying she did not see it, so she could not have signed it because she simply did not see it.

The Member for San Fernando West, I think, was also a member of that committee and signed on. The Member for Chaguanas West is not here to help us. So you just assume, Mr. Speaker, that persons who have signed, they see, and people who did not sign well, of course, they have seen and preferred not to, for any good reason of their own, give support. That is something we will have to look at. It is a very serious issue where a member of a committee is saying that I am a member of a committee required to sign a document and I have not even seen the document. [*Crosstalk*] We will check on that. So that process continues. The April 2013 meetings, of course, took place with another body of people and the recommendations are there.

Mr. Speaker, I do not want to dwell on this too much because the Member for Laventille East/Morvant has made a very serious concern as raised here on the public record, and is something I am sure that we would want to look at in the coming days. Without, you know, going on at this hour, I would just like to

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endorse the nomination of His Excellency the President for Dr. Maria Therese Gomes to serve as a member of the Police Service Commission.

Mr. Speaker, I beg to move. [*Desk thumping*]

Question put and agreed to.

Resolved:

That the Notification of the nomination of Dr. Maria Therese Gomes be approved.

ADJOURNMENT

The Minister of the Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn—well, Mr. Speaker, effectively today is the 22nd—to tomorrow the 23rd. The 23rd is the fourth Friday of the month and is reserved for matters raised by the Opposition, and I would just like to ask the Member to serve notice on us as to what matter we will be dealing with on Friday. So I beg to move that this House do now adjourn to Friday, January 23, 2015 at 1.30 p.m.

Mr. Speaker, I beg to move.

Miss Mc Donald: Mr. Speaker, I hereby give notice that on Friday, January 23 we would be giving way to the Member for Chaguanas West. At that time, Motion No. 3 will be debated—Motion No. 3 under “Private Business” will be debated.

Hon. Dr. R. Moonilal: Mr. Speaker, just for clarity. Is the Opposition saying on Friday they will not debate Motions Nos. 1 and 2 in the Members of the Opposition, but the Motion by the Member for Chaguanas West?

Miss Mc Donald: Yes, Motion No. 3 will be debated.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 12.48 a.m.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Mr. NiLeung Hypolite (Laventille West) earlier in the proceedings:

**Programme for Upgrading Roads Efficiency
Laventille West Constituency
(Information on)**

- 44.** Could the hon. Minister of Works and Infrastructure:
- (a) list all the roads that were paved under the Programme for Upgrading Roads Efficiency (PURE) in the Laventille West Constituency during the period June 01, 2010 to September 30, 2014;
 - (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and
 - (c) provide the contract sum for each paving project relating to (a) above?

The following reply was circulated to Members of the House:

	A	B	C
	List of Roads paved by PURE in the Laventille West Constituency during the period June 01, 2010 to September 2014	Name of Contractors who undertook paving projects regarding A	Contract Sum for projects relating to A
1	2nd Hamlet Trace, Off St. Barb's, Laventille	Nasser Khan Construction & Engineering Limited	\$1,125,984.09
2	Blundell Trace Off Brown Lane, Bell Eau Road, Belmont	Nasser Khan Construction & Engineering Limited	\$1,527,302.81
3	Hamlet Trace Off St. Barb's, Laventille	Nasser Khan Construction & Engineering Limited	\$1,798,905.90

5	Mc Intosh Street Off Pelican Extension Road, Morvant	Kall Co. Limited	\$466,319.48
6	Laventille Road from Cross Roads to Piccadilly Street, Port of Spain	Jusamco Pavers Limited	\$3,541,162.57
7	Belgrade Street, Off Laventille Road, Laventille	Kall Co. Limited	\$647,867.22
8	Horkette Baptiste Network & Park, Off Alexis Street, Morvant	Kall Co. Limited	\$2,482,708.09
9	Boxhille Trace, Laventille	Kall Co. Limited	\$1,157,266.85
10	Old St. Joseph Road, Duncan Street, Independence Square to John John	Aztec Asphalt Pavers Limited	\$4,633,913.04
11	Sogren Trace East Dry River, #8B Laventille Road, East Dry River	Super Klean Services	\$998,156.88
12	Beecham Coco Road, From Lady Young to Holder Shop	Kall Co. Limited	\$5,475,312.67
13	Mentor Alley, Off Laventille Main Road	Malick Construction Company Limited	\$571,767.35
14	Red Hill Ext./Sapadillo Hill [Roadworks] Off Laventille Road, Chinapoo, Morvant	Kall Co. Limited	\$1,401,155.75

15	Rock City Network [Road & Drainage Works] Off Erica Street, Laventille	Kall Co. Limited	\$2,314,254.25
16	L.P. 58 Garfield Hopson Road, [Road Concrete & Drainage Works] Off Quarry Road Circular, Gonzalez.	Nasser Khan Construction & Engineering Limited	\$1,393,020.53
17	St. Barbs Main Road [Road, Concrete & Drainage Works] Between Sandy Love and 2nd Hamlet	Jeremy Joseph Construction Company Limited	\$1,110,490.37

The following question was asked by Mr. NiLeung Hypolite (Laventille West) earlier in the proceedings:

**Unemployment Relief Programme
(Information on Siparia Constituency)**

45. With regards to the paving of roads by the Unemployment Relief Programme (URP):

Could the hon. Minister of Works and Infrastructure:

- (a) list all the roads that were paved in the Siparia Constituency during the period June 01, 2010 to September 30, 2014;
- (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and
- (c) provide the contract sum for each paving project relating to (a) above?

The following reply was circulated to Members of the House:

With respect to Question No. 45, please be informed that one (1) road was paved by the Unemployment Relief Programme (URP) in the Constituency of Siparia during the period June 01, 2010 to September 30, 2014. Information with respect to the name of the project, location, name of contractor, project cost and completion date is provided in Table 1 below.

Table 1
Report on Number of Community Road Paving Projects Completed in the
Constituency of Siparia over the period 01/06/10 to 30/09/14

No.	Location	Project Name	Name of Contractor	Project Cost (\$)	Completion Date
1	Rampersad Trace Road Restoration	Rampersad Trace, Rochard Road, Penal Restoration	Barry Kissoon General Contractors Ltd.	239,229.90	19/09/14

The following question was asked by Mr. NiLeung Hypolite (Laventille West) earlier in the proceedings:

Unemployment Relief Programme
(Information on Laventille East Constituency)

- 46.** With regard to the paving of roads by the Unemployment Relief Programme (URP), could the hon. Minister of Works and Infrastructure:
- (a) list all the roads that were paved in the Laventille West Constituency during the period June 01, 2010 to September 30, 2014;
 - (b) provide the names of the contractors who undertook the paving projects regarding (a) above; and
 - (c) provide the contract sums for each paving project relating to (a) above?

The following reply was circulated to Members of the House:

With respect to Question 46, please be informed that one (1) road was paved by the Unemployment Relief Programme (URP) in the Constituency of Laventille West during the period June 01, 2010 to September 30, 2014. Information with respect to the name of the project, location, name of contractor, project cost and completion date is provided in Table 1 below.

Table 1
Report on number of community road paving projects completed in the
Constituency of Laventille West over the period 01/06/10 to 30/09/14

No.	Project Name	Location	Name of Contractor	Project Cost (\$)	Completion Date
1	Upper Thomasine Street Road Paving	Upper Thomasine Street, Laventille	Zekera Enterprise Co. Ltd	488,290.00	7/06/14