

SENATE*Tuesday, March 12, 2019*

The Senate met at 1.30 p.m.

PRAYERS[MR. VICE-PRESIDENT *in the Chair*]**LEAVE OF ABSENCE**

Mr. Vice-President: Hon. Senators, I wish to advise that the President of the Senate, Sen. The Hon. Christine Kangaloo, is currently acting as President of the Republic of Trinidad and Tobago. Hon. Senators, I have granted leave of absence to Sen. The Hon. Dennis Moses, Sen. Foster Cummings and Sen. Dr. Maria Dillon-Remy, all of whom are out of the country.

SENATORS' APPOINTMENT

Mr. Vice-President: Hon. Senators, I have received the following correspondence from Her Excellency the President, Paula-Mae Weekes, O.R.T.T., and Her Excellency the Acting President, Christine Kangaloo.

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ Christine Kangaloo

Acting President.

TO: MR. NDALE YOUNG

WHEREAS the President of the Senate has temporarily vacated her office of Senator to act as President of the Republic of Trinidad and Tobago:

UNREVISED

NOW, THEREFORE, I, CHRISTINE KANGALOO, acting President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, NDALE YOUNG, to be temporarily a member of the Senate, with effect from 12th March, 2019 and continuing during the acting appointment of the Senator the Honourable Christine Kangaloo as President of the Republic of Trinidad and Tobago.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 11th day of March, 2019.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ Christine Kangaloo

Acting President.

TO: MR. AUGUSTUS THOMAS

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

NOW, THEREFORE, I, CHRISTINE KANGALOO, acting President as aforesaid, acting in accordance with the advice of the Acting Prime Minister, in exercise of the power vested in me by section 44(1)(a) and

section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, AUGUSTUS THOMAS, to be temporarily a member of the Senate, with effect from 12th March, 2019 and continuing during the absence from Trinidad and Tobago of the said Senator the Honourable Dennis Moses.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 11th day of March, 2019."

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

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

/s/ Christine Kangaloo
Acting President.

TO: MR. WAYNE A.M. INNISS

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

NOW, THEREFORE, I, CHRISTINE KANGALOO, acting President as aforesaid, acting in accordance with the advice of the Acting Prime Minister, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(a) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WAYNE A.M. INNISS, to be temporarily a member of the Senate, with effect from 12th March, 2019 and continuing

during the absence from Trinidad and Tobago of the said Senator Foster Cummings.

Given under my Hand and the Seal of the
President of the Republic of Trinidad and
Tobago at the Office of the President, St.
Ann's, this 12th day of March, 2019.”

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

By Her Excellency PAULA-MAE WEEKES,
O.R.T.T., President of the Republic of Trinidad
and Tobago and Commander-in-Chief of the
Armed Forces.

/s/ Paula-Mae Weekes

President.

TO: MS. SHERVON IFILL

WHEREAS Senator Dr. Maria Dillon-Remy is incapable of performing her duties as a Senator by reason of her absence from Trinidad and Tobago:

NOW, THEREFORE, I, PAULA-MAE WEEKES, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(c) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, MS. SHERVON IFILL, to be temporarily a member of the Senate, with effect from 5th March, 2019 and continuing during the absence from Trinidad and Tobago of the said Senator Dr. Maria Dillon-Remy.

Given under my Hand and the Seal of the
President of the Republic of Trinidad and
Tobago at the Office of the President, St.
Ann's, this 26th day of February, 2019.”

OATH OF ALLEGIANCE

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

Augustus Thomas, Wayne A.M. Inniss and Shervon Ifill.

AFFIRMATION OF ALLEGIANCE

Senator Ndale Young took and subscribed the Affirmation of Allegiance as required by law.

COMPANIES (AMDT.) BILL, 2018

Bill to amend the Companies Act, brought from the House of Representatives [*The Attorney General*]; read the first time.

PAPERS LAID

1. Ministerial Response of the Ministry of Rural Development and Local Government to the Twelfth Report of the Public Administration and Appropriations Committee, Third Session (2017/2018), Eleventh Parliament on an Examination into the Administration of Disaster Relief in Trinidad and Tobago. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]
2. Ministerial Response of the Ministry of Rural Development and Local Government to the Nineteenth Report of the Public Accounts Committee, Fourth Session (2018/2019), Eleventh Parliament on the Examination of the Audited Financial Statements of the Chaguanas Borough Corporation (CBC) for the Financial years 2008-2011. [*Sen. The Hon. F. Khan*]

3. Annual Administrative Report of the Arima Borough Corporation for the year 2016/2017. [*Sen. The Hon. F. Khan*]
4. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Twelfth Report of the Public Administration and Appropriations Committee, Third Session (2017/2018), Eleventh Parliament on an Examination of Disaster Relief in Trinidad and Tobago. [*The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat)*]
5. Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Second Report of the Joint Select Committee on Foreign Affairs, Fourth Session (2018/2019), Eleventh Parliament on an inquiry into Regional Integration and the Strengthening of the Caricom Institution. [*Sen. The Hon. C. Rambharat*]
6. Report of the Central Bank of Trinidad and Tobago (CBTT) with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended September 30, 2018. [*The Acting Minister of Planning and Development and Minister in the Ministry of Finance (Sen. The Hon. Allyson West)*]
7. Report of the Central Bank of Trinidad and Tobago (CBTT) with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended December 31, 2018. [*Sen. The Hon. A. West*]
8. Annual Audited Financial Statements of the National Infrastructure Development Company Limited (NIDCO) for the financial year ended September 30, 2016. [*Sen. The Hon. A. West*]
9. Annual Audited Financial Statements of the National Infrastructure Development Company Limited (NIDCO) for the financial year ended September 30, 2017. [*Sen. The Hon. A. West*]

10. Annual Audited Financial Statements of the Sports Company of Trinidad and Tobago Limited (SPORTT) for the financial year ended September 30, 2018. [*Sen. The Hon. A. West*]
11. Annual Audited Financial Statements of the Tourism Trinidad Destination Management Company Limited (TTDMCL) for the financial year ended September 30, 2018. [*Sen. The Hon. A. West*]
12. Ministerial Response of the Ministry of Finance to the Twenty-First Report of the Public Accounts Committee, Fourth Session (2018/2019), Eleventh Parliament on the Examination of the Audited Financial Statements of the Chaguaramas Development Authority (CDA) for the financial years 2008 to 2014. [*Sen. The Hon. A. West*]
13. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Princes Town Regional Corporation Chairman's Fund for the year ended September 30, 2016. [*Sen. The Hon. A. West*]
14. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Princes Town Regional Corporation Chairman's Fund for the year ended September 30, 2017. [*Sen. The Hon. A. West*]
15. Ministerial Response of the Ministry of Education to the Fifteenth Report of the Public Accounts (Enterprises) Committee, Third Session (2017/2018), Eleventh Parliament on the Examination of the Audited Accounts, Balance Sheets and Other Financial Statements of the Youth Training and Employment Partnership Programme for the financial years 2008 to 2014. [*Sen. The Hon. F. Khan*]

16. Ministerial Response of the Ministry of Foreign and Caricom Affairs to the Second Report of the Joint Select Committee on Foreign Affairs, Fourth Session (2018/2019), Eleventh Parliament on an inquiry into Regional Integration and the Strengthening of the Caricom Institution. [*Sen. The Hon. F. Khan*]
17. Response of the Service Commissions Department to the Nineteenth Report of the Public Accounts Committee, Fourth Session (2018/2019), Eleventh Parliament on the Examination of the Audited Financial Statements of the Chaguanas Borough Corporation (CBC) for the financial years 2008-2011. [*Sen. The Hon. F. Khan*]
18. Ministerial Response of the Ministry of National Security to the Twelfth Report of the Public Administration and Appropriations Committee, Third Session (2017/2018), Eleventh Parliament on an Examination into the Administration of Disaster Relief in Trinidad and Tobago. [*Sen. The Hon. F. Khan*]
19. Response of the Trinidad and Tobago Police Service to the Sixteenth Report of the Public Administration and Appropriations Committee, Third Session (2017/2018), Eleventh Parliament on an Examination into the implementation of the Public Sector Investment Programme. [*Sen. The Hon. F. Khan*]
20. Ministerial Response of the Ministry of Planning and Development to the Twenty-First Report of the Public Accounts Committee, Fourth Session (2018/2019), Eleventh Parliament on the Examination of the Audited Financial Statements of the Chaguaramas Development Authority (CDA) for the financial years 2008 to 2014. [*Sen. The Hon. F. Khan*]

21. Ministerial Response of the Ministry of Health to the Sixteenth Report of the Public Administration and Appropriations Committee, Third Session (2017/2018), Eleventh Parliament on the Examination into the implementation of the Public Sector Investment Programme. [*Sen. The Hon. F. Khan*]

1.45 p.m.

JOINT SELECT COMMITTEE REPORT

Trinidad and Tobago Revenue Authority Bill, 2018

(Presentation)

Mr. Vice-President: Sen. The Hon. Allyson West.

The Minister in the Ministry of Finance and Acting Minister of Planning and Development (Sen. The Hon. Allyson West): Thank you, Mr. Vice-President.

Mr. Vice-President, I have the honour to lay on the table the following report as listed on the Supplemental Order Paper in my name:

Interim Report of the Joint Select Committee, Fourth Session (2018/2019) Eleventh Parliament established to consider and report on the Trinidad and Tobago Revenue Authority Bill, 2018.

Thank you, Mr. Vice-President.

URGENT QUESTIONS

Scarborough General Hospital

(Shortage of Dialysis Machines)

Sen. Wade Mark: Thank you. [*Desk thumping*] To the Minister of Health: In light of reports that a shortage of dialysis machines at the Scarborough General Hospital is significantly compromising the health care provided to patients at that institution, can the Minister state what is being done to address this matter?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much.

[*Desk thumping*] Mr. Vice-President, I take this opportunity to correct the erroneous media reports which reasonably would have led Sen. Mark to ask this question. It is a reasonable question based on erroneous media reports. The Scarborough General Hospital is not the dialysis centre in Tobago. It is the Scarborough Health Centre. That centre has 11 dialysis chairs which operate Monday to Saturday between the hours of 6.00 a.m. to 9.00 p.m. and I am told by the Chief of Staff that there is absolutely no compromising of health care in Tobago because everyone who needs dialysis is being accommodated at the Scarborough Health Centre which is the major dialysis centre in Tobago.

The hospital has one machine for emergencies or special uses. So I am glad for the opportunity and Sen. Mark asked a reasonable question, but it was based on erroneous reporting. I thank you very much, Mr. Vice-President.

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

Sen. Mark: Yes. Could the hon. Minister indicate whether there is some element of confusion in Tobago as it relates to where people in Tobago are to go to receive dialysis treatment, health versus the Scarborough Hospital.

Hon. T. Deyalsingh: Mr. Vice-President, I myself paid a visit to that facility earlier in 2016 and I could tell you from my understanding, there is no confusion. Citizens who live in Tobago know exactly where to access dialysis. I could tell you, Mr. Vice-President, I was shocked when I paid a visit there to see a 17-year-old young male being dialyzed who had end-stage renal disease; 17 years old looking like me. And you cannot look at a person and make a prognosis and tell them what their health status is. Seventeen-year-old male, looking like me, not overweight, on dialysis for end-stage renal disease. That is the type of conversation we need to have in this country about advising people on how to take care of their health. Again, I thank you very much, Mr. Vice-President.

Crash of Boeing 737 MAX Aircraft
(Consideration of Suspension)

Sen. Wade Mark: To the Minister of Works and Transport: Given the recent crash of a Boeing 737 MAX aircraft has caused several countries to suspend the use of this aircraft in their airspaces, can the Minister state whether local aviation authorities are considering a similar course of action?

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan):

Thank you, Mr. Vice-President. Mr. Vice-President, the Trinidad and Tobago Civil Aviation Authority is mindful of the information in the public domain with respect to the recent accident involving the Ethiopian Airline, Boeing 737 MAX aircraft. The Trinidad and Tobago Civil Aviation Authority notes from the media report that the accident is being investigated by the relevant authorities. Consequentially, the Trinidad and Tobago Civil Aviation Authority cannot be engaged in speculation about the cause of the accident and will take action once it has reason to believe that safety of flights is compromised. The Authority is monitoring the events related and extends its condolences to all those who have lost friends, family and loved ones. I thank you.

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

Sen. Mark: Mr. Vice-President, through you, can I ask the hon. Minister whether he is aware of any aircraft, commercial aircraft that operates within our air space using the same Boeing 737?

Sen. The Hon. R. Sinanan: Thank you, Mr. Vice-President. Mr. Vice-President, the answer to that is, yes, we do have, American Airlines and I think it is United that operates the 737 in our air space. Thank you.

Mr. Vice-President: Sen. Mark, second supplemental.

Sen. Mark: Mr. Vice-President, in light of the decision taken by several major

states to protect the safety and security of their citizens, can the hon. Minister indicate whether it is the intention of the Government of Trinidad and Tobago to seriously consider taking action against, even on a temporary basis, as it relates to those aircraft that seem—at this time, Mr. Vice-President, we do not know what are the reasons for what has happened, but for safety, whether the Minister is prepared to give the nation of T&T and the travelling public any undertaking—

Mr. Vice-President: Sen. Mark, you asked that question—

Sen. Mark:—as it relates to those aircraft operating in our air space.

Mr. Vice-President: Thank you. Sen. Mark, that question has been answered already. That is relatively the original question, so it has been answered, so I will not allow that question.

ANSWERS TO QUESTIONS

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Vice-President. Mr. Vice-President, there are 13 questions on the Order Paper. We plan to answer 12, we ask for a deferral of Question No. 78 for two weeks.

WRITTEN ANSWER TO QUESTION

Bunkering of Fuel

(Details of)

121. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries: Can the Minister inform the Senate of the following:

- i. the number of licenses for bunkering of fuel that are currently operational;
- ii. the total volume of fuel, broken down by type, that was sold via bunkering operations for each year during the period 2014 to 2018; and

- iii. what commercial and operational arrangements are being put in place to ensure that there is no disruption to the supply of fuel given the closure of the Pointe-a-Pierre refinery?

Vide end of sitting for written answer.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper in the name of Sen. Wade

Mark:

Flooding and Natural Disasters Fraud

(Measures Implemented to Avoid)

78. Can the hon. Minister of Social Development and Family Services inform the Senate of the measures implemented to avoid the perpetrating of fraud in the granting/obtaining of state assistance arising from flooding and natural disasters?

Question, by leave, deferred.

Refugees and Asylum Seekers

(Draft Legislation)

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

In light of statements made in this Senate on July 02, 2018 whereby the Minister of National Security indicated that legislation is currently being drafted to deal with the issues surrounding refugees and asylum seekers, can the Minister indicate when will such legislation be introduced?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Mr. Vice-President. [*Desk thumping*] I respond to this question on behalf of the Government. As submitted in the response to Senate Question No. 147 on July 02, 2018, Mr. Vice-President, the Government of the Republic of Trinidad and Tobago was in the process of drafting legislation to treat

with the issues surrounding refugees and asylum seekers.

1.55 p.m.

Mr. Vice-President, at present the Ministry of National Security is in the process of finalizing the draft legislation. As such, the Ministry is not in a position to provide the time frame as to when the legislation will be introduced. I thank you.

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

Sen. Mark: Mr. Vice-President, in light of developments in Venezuela and the possibility of a large invasion of more Venezuelans as refugees, can the Minister indicate to this honourable Senate whether the Government would take the necessary steps to speed up the drafting and the completion of the drafting of this legislation and give this House a specific time frame for its introduction?

Mr. Vice-President: Sen. Mark—just now, Minister of Agriculture, Land and Fisheries—you are asking the same question in a different way. Do you want to rephrase that as a second supplemental question or ask another supplemental?

Sen. Mark: Yeah. Mr. Vice-President, what I am asking the hon. Minister is in light of what is taking place between the two countries at this time, whether the Government intends—what interim measures, Mr. Vice-President, may I ask, is the Government intent on introducing to address the invasion of refugees and asylum seekers from Venezuela in the absence of legislation before our Parliament to deal with it in accordance with the conventions that we have signed off on?

Mr. Vice-President: Minister of Agriculture, Land and Fisheries.

Sen. The Hon. C. Rambharat: Mr. Vice-President, I must admit that the supplemental is extremely distinct from the original question and I would say this. The Government does not intend to deal with refugees and asylum seekers except by way of legislation which we are in the process of finalizing, and I am unable to

provide a time frame for the finalization of that legislation, but the Government is working to finalize the legislation.

**Telecommunications Services of Trinidad and Tobago
(Employees Earmarked for Termination)**

79. Sen. Wade Mark asked the hon. Minister of Public Utilities:

Can the Minister inform the Senate of the number of workers at the Telecommunications Services of Trinidad and Tobago Limited whose employment is earmarked for termination during the company's restructuring exercise?

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): Mr. Deputy Speaker—

Hon Senator: Deputy Speaker?

Sen. The Hon. R. Le Hunte: Mr. Vice-President, at the conclusion of TSTT's staff rationalization exercise, a total of 691 employees exited the organization. These included a combination of 503 unionized employees and 51 non-unionized employees, and an out of court settlement that facilitated the resignation of 77 employees. An additional 16 employees exited the organization through the out of court settlement on the 15th of December, 2018, which allowed their prior request to leave the organization to be followed. The company, having concluded its staff rationalization exercise, has no current plans of any further staff rationalization.

Mr. Vice-President: Sen. Mark, supplemental?

Sen. Mark: No.

Mr. Vice-President: Next question, Sen. Richards.

Sen. Paul Richards: Thank you, Mr. Vice-President. With respect, I would like to invoke Standing Order 27(17) and withdraw the question.

Mr. Vice-President: In relation to the relevant Standing Order, the question is

withdrawn. We move on to the next question. Is that for question No. 123 as well, Sen. Richards?

Sen. Richards: Yes. Thank you.

The following questions stood on the Order Paper in the name of Sen. Paul Richards:

Damage to National Stadia/Sporting Facilities

(Details of Policy Governing)

122. Having regard to damage caused in previous years to the various national stadia/sporting facilities due to the hosting of Carnival events, can the hon. Minister of Sport and Youth Affairs indicate the following:

- (i) whether the Government has reviewed and updated the policy governing the rental of stadia to private event promoters;
- (ii) if the answer to (i) is in the affirmative, what are the measures identified to prevent damage to the stadia; and
- (iii) how has the Ministry rolled out this updated policy to the relevant stakeholders?

Non-sporting Events at National Stadia/Sporting Facilities

(Details of Displacement)

123. With respect to the hosting of non-sporting events at the various national stadia/sporting facilities during the Carnival season, can the hon. Minister of Sport and Youth Affairs indicate the following:

- (i) whether the hosting of such events will displace any sporting events or training sessions scheduled at the stadia/sporting facilities during the Carnival season; and

- (ii) if the answer to (i) is in the affirmative, what alternative measures are in place to ensure minimal disruption to said sporting events and training sessions?

Questions, by leave, withdrawn.

Mr. Vice-President: So we move on to the next question. Sen. Deonarine.

Cabinet-Approved Ban on Styrofoam Products

(Commencement Date)

124. Sen. Amrita Deonarine asked the hon. Minister of Planning and Development:

In light of the 2018 announcement that the Cabinet-approved ban on Styrofoam products will take effect in 2019, can the Minister indicate the commencement date of such ban?

The Acting Minister of Planning and Development and Minister in the Ministry of Finance (Sen. The Hon. Allyson West): Thank you, Mr. Vice-President. [*Desk thumping*] I am also acting for the Minister of Planning and Development at the moment. Mr. Vice-President, Cabinet at its meeting held on June 21, 2018, agreed inter alia to the following:

- (a) that the importation of the finished expanded polystyrene products for the food and beverage sector should be banned;
- (b) to the removal for a period of the two years in the first instance of customs duty on the importation of the alternative biodegradable products listed hereunder: to the EPS products used in the food and beverage sector. Those products are bio-plastics, polylactide acid, crystallized polylactide, polyhydroxyalkanoate and bagasse;
- (c) that the Ministry the Trade and Industry provide HS codes with respect to (b) above;

- (d) that the Ministry of the Attorney General and Legal Affairs in collaboration with the Ministry of Trade and Industry, and the Ministry of Finance, take the necessary action to give legal effect to (a) to (c) above;
- (e) the local manufactures of EPS products explore the addition of safe biodegradable additives to the existing manufacturing process with production trials to commence in the last quarter of 2019.

Pursuant to this Cabinet decision, the Ministry of the Attorney General and Legal Affairs, in collaboration with the Ministry of Trade and Industry, and the Ministry of Finance have development the legal framework to give effect to the ban which includes the termination of the necessary HS codes. Upon completion of legislative framework, the ban on the importation of finished EPS products in the food and beverage sector will be placed in effect.

It is to be noted that the Ministry of Trade and Industry has also advised that notice of the intention to introduce this measure was provided to the Council of Trade and Economic Development of the Caribbean Community in November 2018. A meeting was held on February 25, 2019, to discuss the way forward to effect the Cabinet's decision in the shortest possible time. It was agreed that the Customs and Excise Division of the Ministry of Finance would present the Ministry of Trade and Industry the finalized customs codes for these Styrofoam products.

Upon receipt of these codes from the Customs and Excise Division, the Ministry of Trade and Industry will provide notification to the relevant international organizations within 20 days. Regarding the alternative products, the Customs and Excise Division is in the process of determining the customs codes for these products, and has requested further literature from the Ministry of

Planning and Development to assist in the classification of these items. These documents are currently being compiled by the Ministry of Planning and Development for submission.

It was also agreed at the meeting that upon advice of the Ministry of Trade and Industry a prohibition order would be engaged to effect a ban on Styrofoam. It was agreed that this will be communicated to the Office of the Attorney General by the Ministry of Trade and Industry. I thank you, Mr. Vice-President.

Mr. Vice-President: Sen. Deonarine, any supplementals?

Sen. Deonarine: Thank you, hon. Minister. Is there a timeline for the ban? What is the expected—sorry if I missed it, but is there a timeline?

Sen. The Hon. A. West: There is no specific date identified. As soon as these steps that I have outlined have been completed, we will introduce the ban. The only timeline that has been identified is the target date for current manufacturers to start producing safer products, and that is the last quarter of 2019 and they seem to be well ahead of that.

Mr. Vice-President: Sen Deonarine, any more supplementals? No. Next question, Sen. Deonarine.

Manufacturing of Environmentally Sustainable Products

(Update on)

125. Sen. Amrita Deonarine asked the hon. Minister of Planning and Development:

Can the Minister provide an update on the work of the team that has been set up to work with local polystyrene manufacturers to facilitate their transition to manufacturing more environmentally sustainable products and mitigate any possible negative financial fallout from the Cabinet-approved ban on Styrofoam products which will take effect in 2019?

The Acting Minister of Planning and Development and Minister in the Ministry of Finance (Sen. The Hon. Allyson West): Thank you, Mr. Vice-President. In order to determine a feasible solution for the environmentally sound management of expanded polystyrene in the food and beverage sector, the Minister of Planning and Development established a multi-stakeholders steering committee and engaged in discussions with key stakeholders to discuss the expanded polystyrene industry in Trinidad and Tobago, which according to the subcommittee report employs just over 400 persons with some firms being in operation for a number of years and one particular firm existing for over 40 years.

These discussions involved representatives from the local manufacturers of EPS products, that is to say, Santainers Limited, Thermo Plus Limited, R&C Enterprises Limited, Package Company Limited, Printopak Limited, Trinidad and Tobago Manufacturers Association, Hello Green, VF Packaging Limited, Green Seal Limited, the Ministry of Finance, the Ministry of Trade and Industry, the Trinidad and Tobago Chamber of Industry and Commerce, the American Chamber of Commerce of Trinidad and Tobago, the Trinidad and Tobago Solid Waste Management Company Limited, the Environmental Management Authority, Ministry of Health, Ministry of Public Utilities. Four stakeholder meetings were held during the period March 2017 to August 2018.

The Styrofoam industry in Trinidad and Tobago, as I indicated above, employs just over 400 persons, and firms in the industry have invested upwards of \$65 million over the period 2011 to 2016 with a total asset base of close to \$30 million book value. Some firms have been in operation for a number of years. The industry generated approximately \$5.6 million in revenue to the Government in 2016 from taxes. Economic activity in terms of expenditure generated by just one of the manufacturers of Styrofoam containers had an estimated value of \$16

million in 2016 in the local economy.

One of the major manufacturers has been in discussion with a manufacturer of a biodegradable resin which can be incorporated into the current manufacturing process. They are also currently in the process of doing internal reviews regarding human resources they would require in their new manufacturing process. It is anticipated that several manufacturers of EPS products will be compliant by the last quarter of 2019 once their products are biodegradable EPS which is ahead of the directive of the Cabinet. I thank you, Mr. Vice-President.

Mr. Vice-President: Sen. Deonarine, any supplemental? No? Sen. Deonarine, next question.

Commitment to Environmental Sustainability

(Details of)

126. Sen. Amrita Deonarine asked the hon. Minister of Planning and Development:

In light of the Government's stated commitment to environmental sustainability and the need for the establishment of an industrial composting facility to treat compostable packaging, can the Minister advise:

- (i) whether the Government plans to establish such industrial composting facilities for the treatment of biodegradable waste;
- (ii) if the answer to (i) is in the affirmative, what is the status of the implementation of this initiative; and
- (iii) if the answer to (i) is in the negative, how does the Government plan to manage and process large volumes of waste?

The Minister of Public Utilities (Sen. The Hon. Robert Le Hunte): Mr. Vice-President, Solid Waste Management falls under my span of control and, as such, I will answer the question. A waste characterization study undertaken by a

consultant contracted by the Trinidad Solid Waste Management Company Limited in 2010 indicated that food and organic waste comprised 27 per cent of the solid waste generated in Trinidad.

SWMCOL, in recognition of the opportunity provided for diversion of this waste from the landfill and its use in the production of compost, has initiated the process for establishing an industrial composting facility. A public expression of interest advertisement for the establishing of a composting facility was issued, but was unsuccessful. A new EOI request has been prepared and will be issued by the end of March 2019.

Mr. Vice-President: Sen. Deonarine, any supplemental?

Sen. Deonarine: No.

Mr. Vice-President: Next question, Sen. Obika.

December Oil Spill in Icacos

(Remedies or Compensation Offered)

128. Sen. Taharqa Obika asked the hon. Minister of Agriculture, Land and Fisheries:

Given the impact of the December oil spill on the fishing community in Icacos, can the Minister indicate whether any remedies or compensation have been offered to the affected fishermen?

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Mr. Vice-President. Mr. Vice-President, the Ministry of Energy and Energy Industries has advised the Fisheries Division of the Ministry of Agriculture, Land and Fisheries that the oil spill of December 21, 2018, in the Soldado Main Field and South West Soldado was estimated at no more than five barrels of oil. The Ministry of Agriculture, Land and Fisheries is therefore not aware of any claims for losses being made by any fisherfolk arising out of that oil

spill. I thank you, Mr. Vice- President. **Mr. Vice-President:** Sen. Obika, any supplementals?

Sen. Obika: Mr. Vice-President, can I ask the Minister if he is aware that there are fishermen in Fullerton, Bonasse, and Granville that are claiming that they have suffered damages?

Sen. The Hon. C. Rambharat: Mr. Vice-President, to repeat, the Ministry of Agriculture, Land and Fisheries is not aware of any claim for losses being made by any fisherfolk arising out of that oil spill. I thank you.

Mr. Vice-President: Sen. Obika, second supplemental.

Sen. Obika: Yes thank you, Mr. Vice-President. Can I ask the hon. Minister, notwithstanding no claims reaching the Ministry, what steps the Ministry has taken to investigate, to unearth any possible damages that fishermen would have encountered?

Sen. The Hon. C. Rambharat: Mr. Vice-President, the Ministry of Agriculture, Land and Fisheries is not aware of any claim for losses being made by any fisherfolk out of that particular oil spill. I thank you.

Mr. Vice-President: Sen. Obika, any more supplementals?

Sen. Obika: No.

Mr. Vice-President: Next question, Sen. Obika.

National Gas Company Business Dealings in Tanzania

(Annual Revenue Realized)

129. Sen. Taharqa Obika asked the hon. Minister of Energy and Energy Industries:

Can the Minister state the annual revenue realized by the National Gas Company from business dealings in Tanzania for each year during the period 2015 to 2018?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Vice-President. Mr. Vice-President, no revenue has been realized by the National Gas Company for business dealings in Tanzania during the period 2015 to 2018 because there has been no agreement between the Government of Tanzania nor the State Oil Company of Tanzania and the NGC, nor the Government of Trinidad and Tobago.

Mr. Vice-President: Sen. Obika, any supplementals?

Sen. Obika: No.

Mr. Vice-President: Next question, Sen. Obika.

Dragon Gas Deal

(Status of)

130. Sen. Taharqa Obika asked the hon. Minister of Energy and Energy Industries:

Can the Minister inform the Senate as to the status of the Dragon gas deal with Venezuela?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Mr. Vice-President. Mr. Vice-President, regarding the Dragon project, discussions among representatives of the various stakeholders including the Government of the Republic of Trinidad and Tobago, and the Bolivarian Republic of Venezuela, the NGC, Shell and PDVSA have progressed well over the last two years, resulting in, inter alia, the execution of several documents including the term sheet in August of 2018 between PDVSA, NGC and Shell, outlining the key parameters for the development and the sale of gas from the Dragon Field. The next and final step involves the negotiation of a fully termed gas sales agreement which will inform the final investment decision by the parties.

As is well known now, recent domestic challenges being experienced in Venezuela have adversely affected the projected pace of these discussions. However, all stakeholders are confident that given the sound technical and commercial basis which the project has been developed, and the obvious benefits which will accrue to both Venezuela and Trinidad and Tobago, all outstanding issues can and will be comfortably addressed.

Mr. Vice-President: Sen. Obika, supplemental?

Sen. Obika: Yes. Thank you, Mr. Vice- President. Can I ask the Minister if the Government can indicate how they are going to be protecting Trinidad and Tobago's interest given his admission that the situation is dire in Venezuela?

Mr. Vice-President: I will not allow that question. Next supplemental question, Sen. Obika.

Sen. Obika: Can the Minister advise how our interests are being looked after in Caracas given that we do not have a head of mission?

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

Sen. Ramdeen: Thank you, Mr. Vice-President. Mr. Vice-President, to the Minister of Energy and Energy Industries: Having regard to the response that the hon. Minister has given with respect to the current situation in Venezuela, can the Minister tell the population when it is that the population can expect that the gas from this Dragon gas deal will finally arrive on the shores of Trinidad and Tobago?

Sen. The Hon. F. Khan: Some time ago, I think it is either in the House of Representatives or here, I did indicate that the first gas is estimated to arrive here in the latter part of 2021. Obviously, if there are delays, that timeline will stretch along. The situation in Venezuela is very fluid. We have not made direct monetary investment in the deal as yet. It is just agreements have been signed.

Why we feel confident is that in the long term there is a good symbiotic relationship between eastern Venezuela and the western Trinidad's gas infrastructure, and we are quite confident that when the dust settles everything will come back and the deal will continue along the path that it is supposed to be in.

Mr. Vice-President: Fourth supplemental, Sen. Ramdeen.

Sen. Ramdeen: Thank you, Mr. Vice-President. Mr. Vice-President, through you to the hon. Minister. Minister, having regard to the fact that in the last budget presentation, this Dragon gas deal was described as one of the game changers for this Government, what steps have been put in place to cushion the economic effect on Trinidad and Tobago having regard to the fact that gas will now be expected to be received by this country and revenue that would have been generated by 2021 will now have to be pushed back? What are the steps that the Government has taken to cushion the economic effect on the country, Trinidad and Tobago, as a result of these delays?

Mr. Vice-President: I will not allow that question. Next question, Sen. Richards.

Outstanding Moneys Owed by TUCO

(Details of)

154. Sen. Paul Richards asked the hon. Minister of Community Development, Culture and the Arts:

Can the Minister advise as to the following:

- (i) when will the Trinidad and Tobago Unified Calypsonians Organization (TUCO) pay judges outstanding moneys for the period 2016 to 2018; and
- (ii) the reason(s) why said moneys have not been paid?

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Mr. Vice-President. With respect to question

154, it should be noted that all allocated funds were remitted through the National Carnival Commission to the Trinbago Unified Calypsonians Organisation (TUCO) for payments related to all calypso competitions for Carnivals 2016 and 2018. The Ministry of Community Development, Culture and the Arts therefore expects that if there are any outstanding payments to be brought up to date, that will be done and we have instructed the NCC, which is the disbursing body, to monitor that situation so that it is cleared up certainly by the end of fiscal 2019 if there are any payments outstanding.

Mr. Vice-President: Sen. Richards, supplemental?

Sen. Richards: Thank you, Mr. Vice-President. Thank you for the response, Minister. Can the Minister please indicate if as indicated by the Chairman of the NCC, the payments were accompanied by audited financial statements from the organization TUCO?

Mr. Vice-President: I will not allow that question, Sen. Richards. You have another supplemental?

Sen. Richards: No.

Mr. Vice-President: Next question, Sen. Hosein.

Children's Life Fund (Details of Applications)

166. Sen. Saddam Hosein asked the hon. Minister of Health:

With regard to the Children's Life Fund, can the Minister indicate the following:

- (i) the total number of applications that have been made to access the Fund during the period September 30, 2015 to January 31, 2019; and
- (ii) how many of those applications have been denied?

The Minister of Health (Hon. Terrence Deyalsingh): Thank you very much,

Mr. Vice-President. The answer to part (i): the total number of applications that have been made to access the Children's Life Fund during the period September 30, 2015 to January 31, 2019 was 155. Answer to part (ii): the number of applications that have been denied during the period September 30, 2015 to January 31, 2019 was 11. It therefore means 93 per cent of the applications have been approved. Thank you very much.

Mr. Vice-President: Sen. Hosein, any supplementals?

Sen. S. Hosein: Thank you very much, Mr. Vice-President. Can the Minister indicate, through you, Mr. Vice-President, the reasons in which those 11 applications have been denied?

Hon. T. Deyalsingh: So some of the reasons are, one, one parent wanted to bring in a medical practitioner. That clearly is not within the ambit of the Act; another was a request for importation of medicine available here. Again, not within the ambit of the Act; about five of the cases were for beta thalassemia which the courts have recently pronounced on. I would not expand because I am sure an appeal will be filed within the 42 days. So the main reasons were, one, the Act does not allow for the importation of medical practitioner; it does not allow for the importation of medicines; two were because of poor prognosis. The Act has a clause in it that says if the prognosis for the long-term health of the child is not good the Act will not fund it. So those were the major reasons.

Mr. Vice-President, I want to thank the taxpayers of this country. From September 30, 2015 to now, the taxpayers in approving 144 applications, or 93 per cent, have spent collectively \$36,151,284.17. The taxpayer needs to be thanked most sincerely for carrying the burden, and it is a good burden for us to carry in this country. Thank you very much, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Sen. Hosein, second supplemental.

Sen. S. Hosein: Thank you, Mr. Vice-President. Mr. Vice-President, having regard to the Minister's answer that over 144 applications have been granted with a cost of \$36 million, can the Minister then indicate whether or not it would be the Government's policy to open the Couva children's hospital so that the children can receive treatment right here in Trinidad and Tobago?

Mr. Vice-President: I will not allow that question, Minister of Health.

Hon. T. Deyalsingh: I would love to answer it.

Mr. Vice-President: I know, but I am not allowing the question. *[Laughter]*
Next supplemental, Sen. Hosein.

Sen. S. Hosein: Mr. Vice-President, having regard to some of the reasons being given by the Minister with respect to some deficiencies in the Act, can the Minister indicate whether or not the Government has taken a decision to amend the Children's Life Fund Act so that more children can benefit from this facility that is available to them?

Hon. T. Deyalsingh: Mr. Vice-President, I never said there were deficiencies in the Act. Please do not misinterpret my words. I said the Act does not contemplate the importation of medical doctors on the request of a patient when you have the medical doctors here. I said the Act does not contemplate the importation of medicine when the medicine is available here. I said the Act did not contemplate the treatment of beta thalassemia which the courts have decided is not a life-threatening condition.

I never said Saddam Hosein—sorry, Sen. Saddam Hosein, my good friend and candidate for Barataria/San Juan. *[Laughter and crosstalk]* I never said—let me repeat, I never said the Act was deficient. The Act is not deficient.

Sen. Ameen: “Yuh misleading the Senate, man.”

Hon. T. Deyalsingh: We passed this Act in a bipartisan way. The Act is fit for

purpose and specifies what type of condition will qualify which is lifesaving, especially lifesaving surgery. Thank you very much, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Sen. Hosein, fourth supplemental.

Sen. S. Hosein: Thank you very much, Mr. Vice-President, and thank you Minister for the answer. But I would ask the Minister whether or not having regard to your last answer, whether or not some sort of consideration can be given for an amendment to the Act to also expand the treatments in terms of non-life-threatening diseases because there are a lot of families with children who cannot access medical care and funding?

Hon. T. Deyalsingh: That is an excellent question. And what we are now doing at the Ministry, under the PMOH—Principal Medical Office of Intuitions—we have now set up protocols and standard operating procedures. So any child that cannot access the CLF will now come to the Ministry of Health and we devise their health care protocols going forward. It has already started with a few cases of children with hypoglycaemia—that is low blood sugar. So under the Ministry of Health, we are now taking those cases that do not qualify under the CLF. We have developed the standard operating procedures working with the CLF, and they come to the Ministry and we do their care plan. So that is an excellent question and I thank you for it.

LIVESTOCK AND LIVESTOCK PRODUCTS BOARD

(REPEAL) BILL, 2019

Bill to repeal the Livestock and Livestock Products Board Act, Chap. 67:05 [*The Minister of Agriculture, Land and Fisheries*]; read the first time.

MINISTRY OF EDUCATION RE: CHILDREN WITH DISABILITIES

(IMPLEMENTATION OF COMPREHENSIVE STRATEGY)

UNREVISED

Ministry of Education Re: Children with Disabilities
(Implementation of Comprehensive Strategy)
Sen. Richards

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Sen. Paul Richards: Thank you, Mr. Vice-President. Mr. Vice-President, I beg to move the following Motion standing in my name:

Whereas section 6(2) of the Education Act, Chap. 39:01 provides that the Ministry of Education should provide special schools suitable to the requirements of students with physical and learning disabilities;

And whereas the Ministry has not provided students with disabilities, additional learning needs and/or challenging behaviours with the requisite support networks, and equal opportunities needed to achieve their full potential;

And whereas the lack of adequate funding, policies and specialist staff is reflected in the poor performance of students;

Be it resolved that this Senate call on the Government to commit to the allocation of adequate funding, reform of the appropriate legislation and revision of policies designed to ensure that all children with special needs are provided with equal educational opportunities to other students;

And be it further resolved that the Ministry of Education immediately initiate and implement a comprehensive strategy to assist all children with disabilities, additional learning needs and/or challenging behaviours.

Mr. Vice-President, through you, let me begin by thanking Sen. Mark and Minister Franklin Khan for allowing this Motion to be brought up into the docket because it was quite low down in the schedule, and I greatly appreciate the acquiescence to move it up—I am presuming, because I did not hear this from them—they both realized the importance of this Motion as it pertains to the education of a vulnerable group in Trinidad and Tobago. So I thank Sen. Mark and Minister Khan for agreeing to move this Motion up.

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Let me also start by saying in retrospect I would have changed one word in the Motion because it sends the wrong signal and it does not convey the accuracy of the situation.

2.25 p.m.

And that change would be in second paragraph:

“And whereas the Ministry has not provided students with disabilities, additional learning needs and/or challenging behaviours with the requisite support networks, and equal opportunities needed to achieve their full potential;”

I would, upon reflection, have liked to add “adequately” and not just simply not as an absolute because that does not convey the truth because the Ministry really has provided some level of support, so I apologize for that. In retrospect, that should have been adequate. [*Crosstalk*] Adequately, sorry.

I also would like to frame this against the backdrop that it is not intended to, in any way, diminish the work that the Minister or Ministry is currently doing for special needs groups. It is not aimed at diminishing his work or the Ministry’s contribution because I do not think any Minister goes into that Ministry to do wrong or not to help children. It is really framed at providing suggestions to improve the situation in the interest of special needs and vulnerable groups in Trinidad and Tobago.

And I also want to add that it really builds on the work of the hon. Minister Garcia who, if I am to believe a newspaper report that I recently read, wants special needs to be part of his legacy and I appreciate that and I commend that, if that is accurate. And also his predecessors, including past Education Ministers: Dr. Gopeesingh, Mrs. Persad-Bissessar, Mrs. Hazel Manning, Overand Padmore and

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the late Clive Pantin and I do believe that Dr. Emmanuel Hosein may have been an Education Minister during his tenure.

The Motion is framed in five general areas: Why this is important? Context; secondly, the Student Support Services in Trinidad and Tobago as they presently stand; a brief history of the special needs movement in the US which is really analogous to the special needs movement in the UK and other First World countries; the desperate groups advocating for change separately in the 13 or so categories, and the proposals and opportunities for change in Trinidad and Tobago.

I would also like to thank because there are several sources through which I gleaned information for this presentation and several groups that have been working and advocating, sometimes in silos, but also, nonetheless, not in any way diminishing their work: The Collaborative Child Development Programmes, CCDP with Dr. David Bratt, Mrs. Ivis Gibson, Dr. Natalie Dick and their team; The International Journal of Special Education, 2015 through 2016; USC, the University of the Southern Caribbean; Andrews University, Faculty of Social Sciences and Education; UWI, UWI Faculty of Education; civil groups including the Down Syndrome Family Network, Autistic Society, TTUTA, the NPTA and Families in Action.

Mr. Vice-President, let me start from—already fundamental in my mind, our Constitution is our supreme law and there are several rights and freedoms protected by the Constitution, and the right to an individual to life, liberty and security of the person, enjoyment of property, et cetera, but the two areas I want to highlight are:

“the right...to equality of treatment...”—by—“public...”—bodies

And:

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“the right of a parent or guardian provide a school of his”—or her—“choice for the education of...”—a—“child or ward;”

And I singled out those two because, in Trinidad and Tobago, we have several types of learners and the State, in various incarnations, have stated an expressed inclusion approach and I will define “inclusion” later on. Those two fundamental rights really are at the heart of my Motion. The issue of equity in the education system, and equity, as we all know, is different from equality because equity means we recognize that some learners need more support. It is not about giving the same system to everyone because everyone has different aptitudes and capabilities and gifts and shortcomings. So does the State, in its education thrust, should provide for all types of learners of varying abilities to achieve their fullest potential and the potentials are different? It is really an issue of the fundamentality of treatment and in my mind, a human rights’ issue. With that said, we are to ask ourselves: Does our education system as presently configured provide for that? Equity equals support, equals support to achieve full potential and in my humble opinion, the answer is no.

The Education Act has powers as conferred in the Minister to be exercised as to ensure (a) in section 3:

- “(a) the promotion of the education of the people of Trinidad and Tobago, and the establishment of institutions devoted to that purpose by means of which he shall thereby contribute towards the development of the human resources, physical, mental, moral and spiritual of the student and community;
- (b) the establishment of a system of education designed to provide adequately...”

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And that is an important word.

“...for the planning and development of an educational service related to the changing needs of the community;”

And also in 4(2)(a):

“devising a system of education calculated as far as possible to ensure that educational and vocational abilities, aptitudes and interests of the children find adequate expression and opportunity for development;”

And these are very important provisions in my opinion, and it goes back to the question I asked earlier on as to if the education system, as presently configured, guarantees those provisions, those abilities to all learners and I do not think it does. And again, I am stating frankly, it is not because the Minister, in my opinion, does not want to or past Ministers do not want to. I think it is because of the way the system is presently constructed and more fundamentally so because there are no legally binding clauses or provisions for parents or families to act and demand the equality of treatment or the provisions, and this is where a lot of my thrust in this Motion will be directed. Because as I will outline later on in a brief history of the American special needs movement, it was really founded and grounded in equal rights starting with discrimination and moving on to equality of treatment for different types of learners and I think that is an important notation to make.

One may suggest it is an issue of limited funding and in my opinion, again, it is not an issue of limited funding. I did some simple calculation and budgetary allocations on education and training from 2015, \$10.12 billion; 2016, \$9.763 billion; 2017, \$7.22 billion; 2018, \$9.29 billion and 2019, \$7.392 billion; total \$41.766 billion; and that is from 2015 to 2019. In the cycle before that, the five years before that, it was actually more. So if we add up the total budgetary

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allocation in education and training, inclusive of tertiary education, for the last 10 years in this country or some eight and a half years in this country, we are almost getting to the \$90 billion mark and that is commendable. Because the last administration and this administration have shown that education usually receives the largest allocation and that is commendable from a philosophical point of view for any country. So in my opinion, the question may not necessarily be that of limited or inadequate funding, the question may be the framework within which we operate in and of course, how we are spending the money and if every type of learner in every category is really receiving their just due in terms of allocation through a different kind of framework and mindset towards all learners being equally treated in the system.

We also need to look at the issue of the inadequate legal protection for children at risk or vulnerable groups and I am going to quote here from a document which I will reference in a short while and I quote:

While identify it as a risk, your children of disabilities are currently not effectively protected legally as well.

In an online “2002 Country Reports on Human Rights Practices” in Trinidad and Tobago, the United States Department of State outlined there was no legislation that specifically enumerates or protects the rights of persons with disabilities or mandates provisions of access to buildings or services. Insufficient and inadequate access to transportation, buildings and sidewalks was a major obstacle for persons with disabilities. It could be noted, however, that the Equal Opportunity Act, No. 69 of 2000, enacted through, at that time, was not fully proclaimed, offers some provisions for persons with disabilities but of course, all the aspects have not been actually materialized.

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The Convention on the Rights of the Child 1989 also states, quote:

All children, including children with disabilities, have a right to special care, education and training that will help him or her attain a full and decent life of dignity and achieve the greatest of self-reliance and social integration possible.

That is the Convention on the Rights of the Child and we have to ask ourselves if our education system is really facilitating this: for a child to achieve a decent life of dignity, achieve the greatest level of self-reliance—it may not be full self-reliance certainly, the greatest degree available to that child—and as socially integrated as possible, and I do not think as presently constituted, our education system does that.

In the *International Journal of Special Education Volume 31, No. 1 of 2016*, the title of the article is: “Effective Practice In Inclusive And Special Needs Education”:

Best practices in education mandates specific legislative provisions for identification, assessment, categorization, forms of provision, integration, curriculum and pedagogy, resourcing administration, duties of school and district authorities, monitoring arrangements, teacher training and parental rights.

That is best practice in education, special education. Seventy per cent, Mr. Vice-President, of developed countries have such legislation but only 10 per cent of developing countries have specific legislation dealing with special education. Of the 48 countries supplying information in this survey, 33 reported having fewer than 1 per cent of pupils in special schools. Of these, six had less than 0.1 per cent.

The definition of “special needs” according to the World Health

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Organization. What is a special need? A condition of unexpected underachievement, academic performance significantly below what will be predicted based on individual's talents, assessment and potential display from all other areas. The category usually includes in developed countries 4 to 5 per cent of all students with disabilities serve through education and up to 8 per cent in developing countries. This means that for the approximately 126,000 primary school students and 100,000 secondary school students for Trinidad and Tobago, we are looking at approximately, if we go by that benchmark, 10,080 primary school students and 8,000 secondary school students who may have some sort of disability: intellectual, cognitive or physical. Combined, that is approximately just over 18,000 students who may have some level of disabilities and may not have been diagnosed or remediated in a specific programme.

Mr. Vice-President, why is this important? When we look for a benchmark, our SEA performance which has a 30 per cent benchmark for transition, for saying that, well, you have passed, you are able to be transferred or transferred to secondary level. As the present system is presently applied, we have approximately 2,500 students out of 19,139 which represents 7.7 of those who did not score the 30 per cent required as the benchmark pass and an unnamed percentage that scored below 40, 50 and 60 per cent which are all indicators of their level of competence in a particular subject matter or a range of subject matters.

I know that is what exists, the 30 per cent benchmark, but when you think about it, a 30 per cent pass benchmark really is a fundamental indication of how much that student understands of the subject matters and that is our national benchmark for "success". We are selling our young people short. We should

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expect more of them because they can do better and I understand it is a benchmark but when we have that as a benchmark, are we really preparing globally competitive students? Why not 40 per cent? It may not be politically expedient because you will have a higher rate of students in the present configuration scoring less than that but it is really not an indication of, to me, what our students can do, given the proper resources and the proper system in place.

Mr. Vice-President, with that said, we really have to assess ourselves of having done quite well but also having quite a bit of work to do. And as I indicated before, it may not be because the Minister is not trying or past Ministers are not trying, it may be, quite frankly, that we have to revise the system. We have to take a different approach philosophically and practically to our education system. What kind of student do we want to create, what kind of citizen we want to create and how is the present system facilitating or not facilitating that.

In terms of Trinidad and Tobago, we have a stated policy of inclusion. What is inclusion? Inclusion generally means ending all separate special education placement for students and full-time placement in general education settings with the appropriate special education support within that classroom or situation. So says Lipsky and Gartner in 1996. There are some individuals who by virtue of their physical, cognitive and other abilities require more relevant and appropriate instruction and it is usually available within formal or informal educational settings.

This domain of education has been constructed to satisfy their particular and specific learning requirements. This domain has been classified as special education or special needs education and it is a field of special needs education encompassing groups who demand varied services, including visually impaired,

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hearing impaired, mentally retarded—well that was the old phrase—cognitively impaired, orthopaedic, handicapped, children with behavioural and emotional disorders, and it also includes giftedness because very often when we think of special needs, we only think of students who are falling short, But a comprehensive special needs system also accommodates for students who are gifted in various areas. So they, too, achieve their potential which is generally, usually it is 3 per cent of the population. They can actually do more if given more support. So it is not only for students who have challenges, it is also for students who have special gifts, and I am not only talking about academic gifts, I am talking sporting gifts, I am talking cultural and art gifts, et cetera. So our system must also accommodate for them.

An inclusive system also provides for services to students with disabilities including those with severe impairments. In neighbourhood schools, as I indicated earlier on, our rights, as enshrined in the Constitution, mandate that parents have the right to place their child in whatever school of their choice but can all schools really accommodate all children if a parent with a child with a disability says: “I want my child in this school”. Not necessarily so.

Mr. Vice-President, in terms of children or learners with disabilities in Trinidad and Tobago, while the World Health Organization estimates that 16 to 20 per cent of children internationally suffer from some sort of disabilities, in 2000, UNDP National Human Development Report conveys information that the prevalence of disabled children in Trinidad and Tobago was 16.3 per cent. This report uses information that was regarded as still applicable even today. The general breakdowns are as follows: physical disabilities, moderate to severe, 1.7 per cent; mental retardation, 1 per cent; emotionally disturbed, 2 per cent; learning

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disabilities, 2 to 3 per cent; hearing disabilities, 4.6 per cent; speech and language disabilities, moderate or severe, 4.1 per cent; and visual disabilities severe, 0.7 per cent; making for the total of 16.1 per cent.

There is another report also compiled by the Ministry of Education to identify the prevalence of disabilities in children in Trinidad and Tobago, it is information on the estimated percentage of children with disabilities cited from 2003. The *Trinidad and Tobago's Second Periodic Report under the Conventions on the Rights of the Child* is produced and the report more than 20 years ago states that 16.1 per cent of all children in the representative survey, a population of 5,040 children, ages three to 16 years, had some form or degree of disability with most being hearing, speech or other language disabilities.

A 2000 population in housing census of the Central Statistical Office reveals that between 5,250 to 6,137 persons below the age of 19 confirmed having a disability either related to seeing, hearing, speaking, mobility movement, gripping, learning behaviour or some other form of disability. These statistics mean that out of 383,408 persons, zero to 18 years of age, making up approximately at that time 35 per cent of the national population of Trinidad and Tobago, 1.4 to 1.6 of all youths in Trinidad and Tobago or about 0.5 per cent of all Trinbagonians reported a disability.

Further to that, the Pan American Health Organization, PAHO, surveyed 7,892 persons between the ages of eight to 18 and uncovered that 2 per cent had disabilities. The zero to four years age group accounted for 16 per cent of those with disabilities; five to nine year-olds, 39 per cent; 10 to 14 year-olds, 29 per cent, and 15 to 18 year-olds, 16 per cent. Disabilities were related to learning 25 per cent; sight, 24 per cent, and speech and hearing, 18 per cent. It should be noted

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that the study did not identify children with emotional disabilities.

Mr. Vice-President, if I could just give you an example of the difference identification, diagnosis and remediation can make. I met a young group cohort of aspirant DJs about 12 years ago. They entered a DJ competition of which I was one of the judges and one of the young men, he was about 14 years old, was very good. Shown great aptitude for music, DJ-ing and stuff, but one of the components was, of course, teaching them to read, read news because “yuh wanna be on de air”. We all talk about the abhorrence of people on the air these days and so we gave them scripts to read. And while he was great in every other area, he struggled in the reading; 14 years old in Form 3 at the time. So I kept looking at him reading the script and he kept moving his script forward and backward to his face. So I pulled him aside quietly and I said “Are you having problems reading?” He got very quiet and insecure about it. He said, “I cannot read very well”. I said, “Have you ever had your eyes tested?” He said, “No”. I said, “Okay, when next you come, come with your mother or your guardian”. He came with his mother and I asked his mother, “Have you ever had him tested for vision issues?” She said, “No, she did not have the money”. And how was he doing in school? He was not doing very well, that is why he entered the DJ competition. Not a good indication for DJs but what can I say.

Fortunately, I knew someone and I know we are not supposed to call organizations' names, but they have been so kind to him, I think it is worth giving them credit. Optometrists Today took him in, gave him an eye test, got tested spectacles for him and he went through the process and it improved his reading. One year after, his mother called me. His grades had skyrocketed. He was doing better in school [*Desk thumping*] and he was not doing good in school because his

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vision issue was not identified and remediated. Think of how many other thousands of young people could be going through that same issue with vision issues, with hearing issues. And this is not to say that the Education Ministry is not providing for that presently but I am suggesting it is not providing adequately and I will go through a protocol called “response to intervention” that is applied in the UK and the US very successfully but it is federally funding and we just have to, in my opinion, find the funding for it in Trinidad and Tobago.

According to the *Caribbean Medical Journal 2016*, it is a multi-disciplinary needs for children with autism spectrum disorder which was done by the South-West Regional Health Authority in Trinidad and Tobago and that is why I say there so much data and so many groups doing good work of research in Trinidad and Tobago about special needs and about the prevalence and services provided that can inform policy decisions and the national framework for better applications. School placement in a special needs, in autism specifically, was 41.6 per cent in private schools and 16.6 per cent in public schools and 8.3 per cent home-schooled and 31.6 per cent, no schooling. Those students are being left out of the system; 31.6 per cent. Seventeen per cent of children access the Ministry of Education Student Support Services and 5 per cent had a psychoeducational assessment. Seven per cent of those students had the support of a teacher’s aide.

The recent data shows that the lifetime cost of caring for a person with autism in the US stands at between US \$1.4 million and \$2.3 million. It works out to be approximately TT \$10,000 to \$16,000 per month. How many families can afford that? And when you go back to the figure of those who are not receiving schooling and those who are home-schooled, you see 36 plus 17 per cent. There is a whole cohort, despite the best efforts of the Student Support Services, not being

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provided with the support as is guaranteed under our Constitution and something has to be done about that, and I am saying this, again, through you, Mr. Vice-President, to the Minister, that I do not think it is your fault. So I am really hoping that we could come together and provide a different kind of framework of support for these students.

Mr. Vice-President, the Student Support Services as presently exists in Trinidad and Tobago, the Special Education Unit was incorporated as a part of the Student Support Division upon its establishment in 2004. The Special Education Unit supports for students with special education needs at the early childhood, primary, secondary levels of school as part of a referral-based multidisciplinary service. The Special Education Unit offers the following services to support early identification and intervention for students with special education needs:

- Schoolwide needs assessment.
- Initial observation and screening.
- Diagnostic and standard assessment.
- Training and intervention via school-based team approach.
- Referral for a comprehensive psycho-educational assessment.
- Design and implementation of individualized education programmes, known in Special Ed as IEPs.
- Curricula accommodations and special concessions for all local examinations.

So if you have a special needs, you are given special accommodations for writing the exam. The exam can be given in different formats. You can get extra times in terms of accommodation so that it facilitates success. It is not prohibitive.

The Special Education Unit currently provides services to students with

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special needs which may have resulted in one or more of the following:

- Sensory impairments.
- Visual and hearing or physical impairments.
- Specific learning disabilities.
- Emotional behavioural difficulties.
- Attention deficit hyperactivity disorder.
- Mental health disorder.
- Developmental and intellectual disabilities.
- Autism spectrum disorder, ASD.
- Speech and language disorders.
- Physical and health impairments.

And as I said before:

- Giftedness.

Currently, according to this information I have, approximately 350 to 450 applications for special concessions are processed annually and administered by the Student Support Services Division, Special Ed Units, and we see how the great variance in terms of the application to the obvious numbers of students who need services in Trinidad and Tobago that exist in this country. We also have special schools as authorized by the hon. Minister: School for the Deaf; School for the Blind; Happy Venture, Tobago; Princess Elizabeth School, Lady Hochoy Homes—Cocorite, Penal, Gasparillo—Eshe's Learning Centre and several other private sector organizations.

Mr. Vice-President, can you tell me how much more time I have? I would hate to run out of time.

Mr. Vice-President: Up to 3.08.

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Sen. P. Richards: To 3.08? Oh, well let me move faster then. A brief history of the special needs movement in the US. It really had a grassroots beginning. The first advocacy groups to fight for equality or equality special education were made up of parents whose children were marginalized as far back as 1933. The majority of these family associations began making waves in the 1950s when their lobbying encouraged the passage of laws or legal grounded that provided training for teachers who worked with deaf, hard of hearing or intellectually disabled students. The Civil Rights Movement of 1950s and 1960s had a major impact on the treatment of individuals with disabilities and its ripple took hold through a series of court cases, one of the most significant and cited being *Brown v Board of Education* which forever changed the treatment of all students in education because of the change in educational law and procedure which had a tremendous effect on school policy procedures and the rights of differently-abled students and their family's access to education as mandated by the law. It was not about a supervisor or somebody saying, well yes or no. The parents had legal grounds upon which to ask or demand for their children's special education needs. The Brown case put desegregation—because it was a segregation issue of black students in white schools and that stopped that and started a ripple effect into the other aspects of special needs in the US.

In 1973, another important Act was passed, the Rehabilitation Act, section 504 as is often referenced that stated that any agency or activity receiving federal funding could not discriminate against or deny benefits or support to students or individuals with disabilities. The Rehabilitation Act of 1973 also guaranteed civil rights to all disabled people and required accommodations for disabled students in schools. Then came IDEA, the Individuals with Disabilities Education Act which

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was a landmark bit of legislation in 1997 which emphasized the use of individual education plans. We apply those to some extent in Trinidad and Tobago or IEPs.

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It also initiated the use of individualized transition plans for students of different age groups. So three to five, six to nine, 10 to 15, 16 and even transitioning out of school to ensure that these persons, in some cases, had the requisite support to lead dignified lives and full lives. But again, it was based in law. It was not nebulous at all. It was very specific, in terms what parents could demand and what funding could be demanded under federal guidelines.

And then came 2001 and 2004, “no child left behind” or NCLB, not NLCB, [*Laughter*] NCLB which provided further accountability to schools and added technological assistance and loan programmes to help schools acquire needed Special Ed resources. Now that the basic rights have been set in place, advocacy groups, similar to those that we see in Trinidad and Tobago like the Down Syndrome Family Network and Autism Today, had legal remit. They had the teeth of the law on their side. They could actually go and say, “Listen, we want to ensure that this learner or this group of learners has the requisite support”. There are entire educational districts in Trinidad and Tobago, to my knowledge, that are scoring below benchmark. It cannot be the students. It has to be the system and we have to do something about that.

According to a World Health Organization report, about 15 per cent of the world's population lives with some form of disability of whom 2 to 4 per cent experience significant difficulties in functioning. The global disability problem is higher than previous WHO estimates, which date back to the 1970s. Currently, it is estimated that 10 per cent of the world's population or roughly 615 million

people live with a disability; most in OECD or developing countries and females have higher rates of disabilities than males, and as the population ages this figure is expected to increase.

To underscore again, because I think examples, real-life examples, really are what best underscores the need for some kind of comprehensive legislative change and legal grounding for special needs groups.

There is a family member of mine, whose name I shall not call, who struggled in primary school. I mean struggled; struggled in secondary school, and I remember a situation where, there is a story told where his father had him reading and he kept reading W-A-S as S-A-W. “Licks, read it again, S-A-W, read it again. But that is what I am seeing.” Two years after that he was taken to a specialist, because he struggled through primary and secondary school, low grades because, of course, we now know that he suffered from dyslexia, and dyslexia is a group of conditions not necessarily one condition. It was identified, diagnosed and remediated. His grades soared. He is now a successful civil engineer. What would have happened to him if that family did not have the resources to take him for private remediation?

What is happening to scores of families right now, who do not have the means? We know that Student Support Services, though well intentioned, is overburdened. Why are we allowing this cohort of our population not to access what everybody else is doing? Do those parents love their children or want any less for their children? Our system has to support them, has to.

I have eight minutes left and I have a lot to get through. Response to intervention is one of the ways or protocols we can introduce in Trinidad and Tobago, which is a three-tiered assessment programme. No student should go

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from Standard 1 to Standard 5 to score 20 per cent in an exam. This system is a system of assessment where the entire classroom goes through tier one. Those who do not score the benchmark go back and the curriculum is differentiated, different teaching methods. If they still do not score, respond to that, they go to tier three where they are referenced or referred for a special needs assessment.

This does not only apply to academic benchmarks. It also applies for behavioural/emotional benchmarks. It can be used to identify students who may end up truant or violently inclined. And we know we have had in the past—it seems to be on the decline in Trinidad and Tobago—problems with student behaviours. And this response to intervention methodology can certainly play a role, if it is funded properly and applied properly, in identifying and diagnosing and remediating and monitoring students who are falling below benchmarks so we do not have to get to 2,400 students not scoring 30 per cent in an SEA examination. That is not on them; that is on us.

We should have recognized, after three semesters that this student has an issue. We should have put things in place to identify and provide remediation for those 2,400 students. And ironically, if you do the calculation for gang population in Trinidad and Tobago, we realize we are basically handing some of these students to gangs, because they are going to find validation somewhere else, if not in the schools, somewhere else. And we see the problem we have with gangs in Trinidad and Tobago.

Response to intervention mandates high-quality, scientifically and empirically based classroom instruction, ongoing student assessment, tiered instruction, teacher collaboration, student and teacher collaboration, student collaboration between peers, support in terms of the general teacher's role, special

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education teachers in almost every classroom. And I know it is a funding issue also, but we have to change our philosophy to education. Long gone are the days, in terms of best practice, where one student is managing a class of 40. That is not necessarily a recipe for success, although we have had success with that.

It continues, students participating in the learning community, adaptation processes including mastery of learning, classroom facilities and environmental classroom management protocols, learning materials, technological and otherwise and different kinds of instructional modalities.

Mr. Vice-President, as I indicated before, this Motion is not aimed—and I keep stressing that because I know sometimes Motions can seem aimed at denigrating the work of the Minister in question or the Government in question. It is not in any way intended to do that. It is intended to just raise some points, hopefully, so that we can come to some kind of “consensus-ship” and hopefully form a committee is my hope to ensure that we can review what is there, what we have working for us, what is not working and provide solutions for particularly these vulnerable groups.

I work with the Down Syndrome Family Network. I work with the Autumn Society and other groups regularly, and the cries of parents who—there is a particular father who broke my heart, who came to one of the seminars two years ago and he has two sons, two children who have been diagnosed with Down syndrome. And he actually was asked to go back every year to prove his children had Down syndrome. So, it is not a Ministry thing. It is an education and awareness and an evolution of thinking thing. And he said he has not had a holiday in 15 years because his second son is 12 and his first son is 14. So every bit of his resources goes towards supporting and he accesses services from the

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Student Support Services, Ministry of Education. But it is simply not enough, as presently configured. So he has the same aspirations for his sons, but he just needs more support.

Martin Luther King, Mr. Vice-President, said that the function of education is to teach everyone to think intensively and think critically. Intelligence plus character; that is the goal of true education. And character, for me, for a person or a nation, means justice, equality and equality of treatment for all. This is, to me, I hope, taken as part of the—earnestly and sincerely as part of what I suggest could be a great reform process to change in attitudes, values and belief systems about persons with different types of abilities and disabilities. Because very often we hear—because we have to change ourselves as a nation—someone say “a Down syndromes child”. No, it is a child with Down syndrome, because the child is first. The Down syndrome does not define the child, and language is important, because that is a person who needs our support.

We need a nationwide re-education programme aimed at changing perceptions about persons with disabilities and different abilities and how we treat as a nation, support and provide for persons with disabilities and special needs. State, private sector have a role, civil society, we must all work together.

Mr. Vice President, in a very diverse nation, our education system is the one socializing agency that can ensure that every citizen feels valued. The education system is the one opportunity for all students to be able to move past their birth circumstance and become, believe and begin to change their life for the better. Our education system is the one common socializing agency that ensures that we inculcate the values and practices that we can all cling to as a nation. Equality, justice, kindness, caring cannot be taken for granted, but the education system must

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be guided and grounded in law that gives families rights, rights to equality of treatment as enshrined in our Constitution. This equality that mandates being provided with the resources so that every type and category of learner, of student can learn and achieve their fullest potential.

If this education system is not providing this kind of protection equally for citizens then we are propagating inequality and injustice, even if it is not overt. And that is not the goal of a progressive education system. I am hoping that we can together add new layers of protection that can ensure equality of treatment and the legal redress to ensure that those opportunities and all citizens can sing—to me, what is one of the most important lines in our Anthem—“every creed and race finds an equal place”, and actually believe it.

I end by underscoring the creed of my alma mater, Hillview College, and its song, which says that all things concerning human kin are ours to champion, particularly for vulnerable groups. Mr. Vice-President, with those few words, I thank you and I beg to move. [*Desk thumping*]

Sen. Seepersad: Thank you, Mr. Vice-President. I beg to second the Motion and reserve my right to speak at a later stage.

Mr. Vice-President: The Motion has been seconded by Sen. Seepersad.

Question proposed.

The Minister of Education (Hon. Anthony Garcia): Thank you very much, Mr. Vice-President. It is instructive that Sen. Richards ended his presentation by quoting the anthem of his alma mater. Sen. Richards knows that Hillview College is the school that I attended also. So we share, at least we share something in common.

Mr. Vice-President, I was at pains really to get an idea of the direction in

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which Sen. Richards was going. Because if we look at the recitals and we examine them carefully, his presentation was totally different from what has been said in the recitals. In the recitals he spoke about the Ministry of Education must provide special schools for students with physical and learning disabilities, as though the Ministry of Education has not provided such schools. He said the Ministry of Education has not provided students who suffer disabilities or learning needs and/or challenging behaviours with requisite support networks and equal opportunities needed to achieve their full potential and he went on to say that there is a lack of adequate funding, there is a lack of policies, there is a lack of specialist staff and that is reflected in the poor performance of students.

Mr. Vice-President, as I said before, when I listened carefully to Sen. Richards' presentation, it was totally different from what is here. It is simply because, from my estimation, that in the back of Sen. Richards' mind, he is fully aware of what this Ministry of Education and this Government is doing in the field of education for this country.

Let me begin with the first recital: that the Ministry of Education must provide special schools for students with physical and learning disabilities. Mr. Vice-President, the Ministry of Education has 13 Government and Government-assisted schools which, according to the Education Act, is referred to as “public schools”, and these schools offer a wide range of assistance to students. And I can call some of these schools: the Audrey Jeffers School for the Deaf; the Cascade School for the Deaf; the Princess Elizabeth Special School for the Physically Handicapped; the Pointe-a-Pierre Government Special School; the School for the Blind; the Wharton Patrick Special School; the Lady Hochoy School in Cocorite; the Lady Hochoy School in Gasparillo; the Lady Hochoy School in Penal; the

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Lady Hochoy School in Arima; the Interdisciplinary Child Development Centre in Couva; in Tobago, the Tobago School for the Deaf Speech and Language Impaired; and the Happy Haven Special School. These are 13 schools that the Government provides assistance, in terms of payment of teachers, payment of principals, and so on, and therefore these schools are regarded as public schools.

There are 14 private schools in Trinidad and Tobago, to which the Government gives assistance. Sen. Richards mentioned some. I will mention others. Eshe's Learning Centre; Goodwill Industries of the West Indies; Emami's Learning Centre; Servol Special School; Palmyra's Learning Centre; Immortelle Children Centre for Special Education; New Beginnings; Happy Venture Special Schools; the Rio Claro Learning and Development Centre for Special Children.

Where these schools are concerned, Mr. Vice-President, the Government offers assistance in the areas of special education needs. There are student grants of \$2,000 per student; additional financial assistance grants up to \$1,000 per student, depending on the level of that student's disabilities; the provision of specialized services grants for the provision of funding for specialized assessment and therapy; staffing grants, with respect to salaries of qualifying staff; funding for running costs, for example utility bills, where we pay 100 per cent of the utility bills, telephone bills, WASA, electricity bills, and so on; and upkeep of grounds.

Mr. Vice-President, this tells us quite clearly that this Ministry and this Government is cognizant of our responsibility where children who are afflicted with special needs are concerned, and we are doing everything possible to ensure that their needs are taken care of adequately.

Mr. Vice-President, again Sen. Richards began his presentation by stating that he would want to focus on two fundamental rights that are enshrined in our

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Constitution, section 4 of the Constitution of Trinidad and Tobago, and he named them: the right to equality of treatment by public bodies, and the other, the right of a parent to a school of choice for his child. I listened quite attentively to hear Sen. Richards speak on this, or to expand on this. I did not hear any mention at all.

You see, Mr. Vice-President, I do not know anywhere in the education system, which is a public body, that students are deprived of equal treatment. I do not know. This Ministry of Education is built of four important planks. One is equity and the other one is access. And equity and access working together will ensure that there is no discrimination in terms of equal treatment of our students who suffer disabilities.

In terms of the right of a parent to a school of choice for his child, again, I was listening quite carefully to see exactly where he was going. Let me just say Mr. Vice-President, that no right is unfettered. No right is absolute. There are always circumstances that will affect whatever right is enshrined in the Constitution. In many instances, in many cases persons do not quite understand this provision in the Constitution which talks about the right of a parent of choice for his child. It does not mean—and I listened carefully and I heard Sen. Richards say that—that a parent has the right to decide which school his child is going to be sent to. That is not what it says you know. It simply says the parent has a right of choice. That is the operative word, but that choice depends on so many other variables, for example, location at the level of the primary school. If a child lives outside of the catchment area it is very—the chances of that child being admitted to that school would be very slim because there might be others who live in the catchment area and they will have first options.

But in terms of the SEA exams, where you know, lots of people talk about

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this because people come to me and they say, “Well, you know, this is against my constitutional rights”. “I have a right of choice and my child has a right to attend X, Y and Z school.” That right will depend on the performance of the child at the exam. So I make it clear that no right is absolute and we have to understand that. But still in Sen. Richards' presentation, I did not hear him elaborate where this was concerned.

Again, there was a bit of contradiction in what Sen. Richards said, because he said quite clearly, he quoted over the last 10 years, that almost \$90 billion was spent on education, and his own words, he said that this, perhaps, was adequate. This was a lot of money. But still in his recital he said there is not adequate funding. There will never be adequate funding for education. Education is most dynamic, and we will always need additional resources, additional financial resources, additional physical resources, because of the nature of education. But to say that we are not adequately funding education is not totally correct. This Government has placed a number of resources, financial and otherwise, to ensure that our students in this country are able to benefit from the quality education that we are determined to provide; a quality education that will see children from early childhood right on to tertiary education levels and also students of all different classes, students who are afflicted with disabilities, we do everything to ensure that those students are taken into consideration.

Another point that Sen. Richards spoke about was a 30 per cent benchmark for SEA. Sen. Richards, there is no benchmark for the SEA. There is no benchmark. The SEA is a placement exam. I wish to repeat that. The SEA is a placement exam. We would like all our students to score at least 50 per cent in all the subjects, but to say that there is a benchmark of 30 per cent, that is not correct.

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It is simply because the SEA is a placement exam. I hope I have corrected that. So that deals with the first recital that is contained in this resolution, with respect to schools being provided or not being provided by this Government, and I have just shown that there are 13 public schools and 14 private schools that Government has invested a lot where this is concerned.

The other recital talks about the lack of support networks and equal opportunities for our students. As I said just now, our education system is based on four major pillars. I recounted two, access and equity. Quality education is another and the parental involvement is also another.

I already spoke about access and access to the special schools that we are having, 14 and 13. I also spoke about equity. But let me state, again Sen. Richards quoted some figures, in 2015/2016, that academic year, we did a survey involving 308 primary and secondary schools, and as a result of this survey, 1,689 students were diagnosed with disabilities, 1,689. In addition to this, our Student Support Services Division, in going out to our schools, have identified 1,850 students who might be suffering from some mild disability. And also in 2017/2018, approximately 3,500 of our students are suspected to be impacted with one or more disabilities.

With this information at hand, Mr. Vice-President, officers of the Student Support Services Division have been visiting our schools regularly. In the case of primary schools, we have distributed our personnel in such a way that every primary school will have an opportunity of accessing the professional expertise of these persons. In the case of the secondary schools, we have a number of those persons who are physically implanted in those schools, and therefore students have access to the assistance that could be given in these areas.

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In addition to this, there is a multi-disciplinary approach with respect to our SSSD, Student Support Services Division, and this cuts across all seven education districts in Trinidad and Tobago and services are provided by our trained personnel, trained psychologists, behavioural psychologists, and so on, in areas of special education and, more importantly, the provision of special education aids in schools, mostly in the primary schools where students need that assistance.

3.25 p.m.

We also try our best to provide sign language interpreters in our primary schools, and in some instances in our secondary schools. Because, as you know, they have integrated to a large extent students who are blind, in some cases, students who are deaf and who are dumb. So we have sign language interpreters assistants who are also present in many of our schools. And we do everything to ensure that those students who suffer some disability when they have to write the exams, all national exams, they are provided with assistance. Sen. Richards spoke about that, we have provided assistance in terms of time. In some cases, we have somebody who would sit next to them and assist them. So in other words, what we are saying is we are catering for the needs of all our students. So it is not true to say that there is not the provision of support and equal opportunities for these students.

Let us look at recital No. 3. Sen. Richards speaks about the lack of adequate funding, the lack of policies and the lack of specialized staff. Well, we already dealt with adequate funding and as I stated before, we will always have the need for more and more funding. Education is dynamic, and it will need as much money as possible. But in terms of policies, right now before our Cabinet there is a draft paper on education, and this draft paper came into being because of

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consultations that we had.

The consultation started in 2016, and there were three such consultations; one in north, one in south and one in Tobago. And as a result of those consultations and the views expressed by those persons who participated, the Ministry of Education technical officers compiled a document that was taken to Cabinet with recommendations. Cabinet decided that we should go out again and seek some more information, and embark on another consultation which we did. And again, that consultation was held at three venues; north Trinidad, South Trinidad, and Tobago. And as a result all of these consultations, and all of the opinions expressed, and the advice given, remember we had given every person in Trinidad and Tobago the opportunity to comment on the education system. So everybody including the good Senator had an opportunity to comment on the education system. And as a result of these consultations, a draft paper was presented to Cabinet. Cabinet approved the paper and asked us again to look at it because we want to bring it to Parliament as a White Paper.

We did some examinations, some tweaking of it, some of the areas that we felt needed some more information. We provided the additional information and right now, it is before Cabinet and we are hoping that in a week or two, Cabinet will take a decision on that White Paper on Education. That White Paper covers all aspects of education including education of the special child. And all of the things that are being called upon, that are being asked of, all of those things are included in that document. So when it is presented to Parliament you will see exactly what we have been doing in the area of special education but in particular, in the area of general education.

Mr. Vice-President, this Ministry of Education has been working

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assiduously to ensure that not one of our children is disadvantaged. We are working assiduously to ensure that we provide the necessary supports for our students at every level of the education system. But today, as we talk about special education just let me reveal some further information that will be relevant.

In our education system, we have a section that is referred to as the Student Support Services Division and within that division there are approximately 550 persons. That division has been established, again as Sen. Richards said, in 2004 to look at the needs in particular of special children. At present, there are in excess—or let me put it another way. The number of established positions in the special education section of the Student Support Services Division is in excess of 500 positions. That tells you that we have so many persons who are on board to ensure that our students are adequately taken care of. And therefore it is not accurate to say that we do have the requisite staffing. Mr. Vice-President, in that section at present there are 61 special education instructors who have been trained so that they can ensure that even those teachers' aides who sit in the classrooms next to the students, will be able to provide adequate and proper information and proper guidance.

Also, Mr. Vice-President, the University of the West Indies and the University of the Southern Caribbean over the last five years have included in their programme training of teachers in the area of special education. In other words, Mr. Vice-President, at UWI, teachers, persons with that interest can avail themselves of opportunities where they can be trained at the tertiary level and come back to the schools. At the level of the University of the Southern Caribbean, the same thing happens.

We at the Ministry of Education are looking at every opportunity where we

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can enhance the performance of our teachers through training and therefore, adequate training opportunities are being provided to ensure that our teachers are adequately trained. Sen. Richards also spoke about policies and he said that there are those policies—in the recitals, he said that there are no policies. I spoke just now, about the draft—or the White Paper that is before Cabinet and it is really a policy document. But attached to that are also documents that will tell us how we are going to roll out these policies. But let me share some information with respect to policies for the benefit of Members of this House.

The Ministry of Education proposes as policy, to increase the resource allocation for students at public special schools currently under the direct supervision of the Ministry of Education's Special Education Unit. The Ministry of Education proposes to initiate the planned upgrade of three schools in each education district at each level, at the level of the ECC, at the level of primary, and at the level of secondary to accommodate students with physical and sensory disabilities. At these three levels we have identified three schools in each district where we are going to provide the adequate resources. The Ministry of Education will provide adequately equipped resource rooms in one out of every three to five primary schools for the provision of special education assessment and intervention services to students with special education needs.

I continue: the Ministry of Education will refurbish and expand the existing braille unit—yes, there is a braille unit—to alternative multi-media resource centre, we are going to expand the braille unit. The Ministry of Education will engage in an aggressive recruitment and training programme to ensure increased capacity of the Student Support Services Division to address the identified special education needs of all of our students.

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In spite of the fact that the Student Support Services Division is at present staffed by approximately 500, we are going to aggressively pursue the increase in those establishments so that more teachers will have every opportunity to interface with students with special needs. The Ministry of Education will facilitate the provision of comprehensive diagnostic assessment and therapeutic intervention services through allocation of funding for specialized services. Where we do not have the services in-house, we will go outside.

And as you know, this Government has embarked on a whole government approach, so we have been working closely with the Ministry of Health so that our students will have the benefit of intervention at that level that cannot be provided in the schools. And the Ministry of Education will facilitate the provision and maintenance of educational material, equipment, and instructional resources to support special education intervention by way of annual budgetary allocation. These are some of the policy areas, the policy directives that we are going to embark on as soon as possible.

Mr. Vice-President, a point was made by Sen. Richards in which he identified a case where a student was afflicted with dyslexia and it was not recognized and he asked the question, "How many persons in Trinidad and Tobago are undergoing such problems"? One of the pillars on which we are building this education system is parental support, parental intervention, or parental assistance. And we have been working hard again through our Student Support Services Division in going outside the schools, meeting our parents, to ensure that our parents play an important part in the education of their children.

Because we recognize, as every educator would recognize, that you cannot do it alone, the school system cannot do it alone. We will need the active support

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of the parents. Where students are afflicted with such challenges that have been identified by the good Senator, we are training our parents first of all, in how to identify the affliction. I want to make it clear what I am saying, we are not telling them how to solve the problem, but the first intervention must be on the part of the parent. And we are training our parents how to identify some of these afflictions.

The second area of identification would be the teacher in the primary school or the early childhood centres; it is the class teacher who is being trained to identify and have discussions with the parents. So we will not wait until the situation reaches proportions where the child is doing very badly. That intervention must come from very early, and that is one of the things that we are doing. And then when that happens, the teacher, the class teacher, will be able to get in contact with the professionals in the field. Persons from the Student Support Services Division who will visit the school and prescribe another type of intervention, depending on the severity of the ailment, and we will go up further and further. If it requires the intervention of the Ministry of Health, then the person will be referred to the Ministry of Health. In other words, we are doing everything possible to ensure that every child in our system has an equal opportunity to access the quality of education that we are determined to provide.

Mr. Vice-President, I understand Sen. Richards' concern, I truly understand his concern. And in fact, I appreciate his sentiments because as an educator, a person who has spent 39 of my working years in the field of education, I understand some of the problems that parents and others will undergo and would experience. And therefore, I am happy to join hands with Sen. Richards in ensuring that whatever we can do to assist our children can be done. Because as I keep repeating, no one can do it alone. The Ministry of Education cannot do it

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alone. We need the active support of all the stakeholders and once we get that support, then our children will be well on the way to achieving their full potential. However, I just want to caution, we have to be careful in making the type of remarks that are contained in the recitals that will give the impression that this Ministry of Education is doing nothing or doing very little while and when we are doing so much to assist our students with disabilities. I thank you very much.
[*Desk thumping*]

Sen. Anita Haynes: [*Desk thumping*] Thank you, Mr. Vice-President. I would just like to start by thanking Sen. Richards for bringing this very, very important Motion. The Minister of Education's response reflected the urgency, I think, for this Motion. Because as I pondered the Motion brought by Sen. Richards, I saw that it called for us as a Parliament—in its essence—as parliamentarians and as a nation actually, to evaluate how we think about learning, how we think about education, how we think about abilities, those with challenges, equity within our system, accessibility in the greater context, greater than physical accessibility. And it invited us to think critically about where we are now and where we need to be as a country with our education system, and that is how I viewed the Motion.

The Minister of Education, however, chose to take a defensive approach in his response to the Motion brought by Sen. Richards, where defensiveness was not necessary in my opinion. You see, defensiveness is a barrier to communication and it is a barrier to progress, because what Sen. Richards sought to do was highlight that we are not where we should be when it comes to equity in our education system looking specifically at children with special needs. [*Desk thumping*]

In that context, I think we can all agree, and I will get to a policy document,

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the National Policy on Persons with Disabilities where the fact that we are not where we want to be has been admitted by this very same Government. And therefore, I did not understand the defensiveness coming from the Minister of Education today. I had hoped that the Minister would have taken the opportunity to listen to the very thorough presentation put forward by Sen. Richards, and say “Trinidad and Tobago, yes, we can do better and let us all come together to do better”. Unfortunately, that is not what we got. We got the defence in a space where Sen. Richards did not even seek to attack the Ministry and he made that very clear throughout his presentation. [*Desk thumping*]

But defensiveness comes from a space that does not allow for an honest assessment of the situation as it stands. And I can understand in the context of our political system and elections and campaigns, that there may not be any space right now for the Government to honestly assess the situation as it stands. But, how the Minister sought to present today, it also appeared—he appeared to be remarkably out of touch with the situation faced by the many citizens who have children with special needs, or who have special needs and are a part of our education system as it stands.

And I thought as I reflected on the Minister’s contribution in terms of all of the things that had been done and all the programmes that are put in place, where is our honest evaluation on whether or not these programs are working for the benefit of those it is intended to work for? Before I get into the substance of my contribution, I attended St. Joseph’s Covent, San Fernando, and as part of our preparation for university we had extra-curricular activities, co-curricular activities. You got to choose from a spectrum in terms of how you would serve your community. They offered going into the hospitals and, you know, playing

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with and teaching children who are abandoned in the hospital system. But there is also a space for you to tutor young children in primary school who would not have been able to afford extra lessons or access to tutors. I opted to tutor students in Marabella Anglican Primary School.

So, as Form 6 students we went into the schools; now, what we were going to do was—most of the children who were part of that programme, their parents could not pick them up from school at 3.00 p.m. So they needed supervision and Convent and the primary school kind of worked out so we were in effect babysitters, but you would go over their homework, you would help them go through some of the work. When we arrived at that school there were students there who were—now, we had all age groups from First Year to Standard 5. There were students there who were about to write the SEA examination, who could not read, right? So they were in Standard 5 and they could not read. And you think about it, you think about what that means and our reflexive action may be to blame the teachers and blame—there is a lot of blame going around.

But how do we think about learning ability in Trinidad and Tobago. Would you watch a child who is in Standard 5, who may not be able to read, and say this may be a child with special needs? Or, is this just a difficult child, put this child in the back of the classroom, “get rid ah dem, they harden, they can’t learn”. What is the true context in Trinidad and Tobago culture for treatment with children? Do we even have a current system of students going into schools where you are assessed properly to see if you have a learning disability, or in cases if you are special needs on the other end of the spectrum? Is that system currently in place for assessment of all students? So, therefore, how are you putting things into place, right?

All of the things that the Minister spoke about are being put into place to

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deal with students when the fundamental question is whether or not we have an effective, equitable, overall assessment of all students going into our school system to say where they ought to be placed and what is their learning ability as it stands, that we are then tailoring these interventions to the problem that we actually have. Or is it that we are just calling out things on a list, it is a laundry list, “Look, we did this, we did that, we did the next thing” and be satisfied with that.

The Minister also mounted a defence in terms of the money spent. Sen. Richards was very clear, the question is not how much, it is how is the money being spent? Is it being allocated in a sensible fashion, is it being allocated to solve the problems that we actually have or are you just throwing money into a system with no care for how it is being used within the system? [*Desk thumping*]

As it stands, Mr. Vice-President, we are looking at an education system as Sen. Richards point out, as the Minister of Education pointed out, that has benefited from significant amounts of budgetary allocations. Most years it is either first or second probably just below national security. Every—for the past two budget responses, I have asked the question, the question is not how much money is going into it, or what is the allocation. But are you addressing specific concerns; are you trying to create better citizens, are you trying to create a better education system, or are you pumping money into an essentially flawed system?

And the Minister in his response did not really give us any context in terms of how the programmes that he listed were being monitored and evaluated for effectiveness and efficiency, there was none of that. So it is really a question of, this is what we are doing, you should be happy about it. But, I want to just go into the Government’s policy on the National Policy on Persons with Disabilities. This was updated in 2018, and I felt that it would be a useful starting point given what

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Sen. Richards' Motion asked for. And I started with the glossary of terms where they looked at "Inclusive Education":

An—"Inclusive education refers to persons with and without disabilities learning together in pre-school provision, schools, colleges and universities, with the appropriate networks of support."

Let us again now think about what currently obtains. But before we go there, Sen. Richards gave a definition for "special needs" from WHO, and when I was thinking in terms of what "special needs" means and as I looked at the National Policy on Persons with Disabilities, a lot of it focused heavily on physical disabilities, fixing the spaces, et cetera. Very important work, this is not in any way to diminish that work, that is critical and as far as possible as we can move forward in that regard, I am all for it.

However, it excludes a significant number of persons with what—a term that I learnt today which would be "invisible disabilities", and there is a campaign on invisible disabilities, as things that you cannot see. We cannot see it. So the term "special needs" is a catch-all phrase, which refers to a vast array of diagnoses and disabilities, including things like Down syndrome, terminal illness, profound cognitive impairment from serious psychiatric problems. So you are talking learning abilities, you are talking developmental delays, you are talking about a wide spectrum of persons, and people can fall anywhere along this spectrum and it be considered special needs, which is why I started off by saying when the Minister chose to respond there was a very important space, because there is a silence in terms of how we assess persons going into our education system.

And the Motion brought by Sen. Richards called for us to commit for the allocation of adequate funding, and to reform appropriate legislation and the

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revision of policies. A very useful starting point, I think, for the revision of policies when it comes to persons with special needs would be our assessment function. Now, given that the Minister was unable to say, and I think it is because there was a difficulty in hearing where there were spaces for improvement. So, instead of coming to say this is what we will be doing, we got the defence.

3.55 p.m.

At a Monday Night Forum last year, mid last year, the United National Congress via our political leader, Mrs. Kamla Persad-Bissessar, began rolling out our policies for national development, the education policy being a central tenet for our developmental thrust—Mrs. Persad-Bissessar being a former Minister of Education—and a big part of what was rolled out on that day—and I would put it into the record—is that the United National Congress on becoming the Government of Trinidad and Tobago, will introduce free psychological assessment for preschool students in nine categories. You are looking at academic, behavioural, social, emotional, adaptive functioning, fine or gross motor, speech and language, for example, autism and dyslexia and, therefore, we are can adjust teaching to suit the children and preventing problems from occurring later on in their school life.

So we looked at the problem. We have opened our consultations and coming from our consultations in the education sector that was one of the policies that we put in place. It directly answered some of the questions raised by Sen. Richards, which is, how do you intend to improve the system? We intend to start from the very beginning. We intend to say, listen, you are coming into the school system, how can we create better students, better citizens? How can we make our education system more inclusive? And this is how we will do it.

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Coming from that, another policy that was listed that we will implement, would be ongoing yearly psychological testing for students. So that is how you evaluate whether or not your systems, the systems that you put in place are working. Added to that was skills training for students—sorry for teachers—to be able to treat with the students with varying abilities on the spectrum.

So, Mr. Vice-President, what we have done is taken into consideration that our education system is not as inclusive as it ought to be, and it comes from how we as a nation think about abilities and disabilities and learning abilities, et cetera. And, again, now this is not to lay blame at any—but as you evolve as a society, as you evolve as an individual, you must recognize that one, you were not born knowing everything, so you are not born with an infinite amount of knowledge. So your initial reaction to a person with a learning disability, or a person that is just different from you, because it does not even need to amount to a learning ability. It could amount to just differences in ways that you learn.

For example, I can absorb information quickly, but if I write something down I will remember it. There are people who learn by doing, kinetic leaning, and all of these things. And whether or not our system is tailored for all of these things is something that we can assess and it is a conversation that Sen. Richards would have opened by starting at this point looking at children with special needs, but an overall consideration of whether or not our education system is working to create better citizens. And, in that space, again, I would say, I did not understand the Minister's defensiveness.

I will go to what the National Policy on Persons with Disabilities prepared by the Ministry of Social Development and Family Services, again, revised in 2018, said specifically about the education system. It said:

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“In order for persons with disabilities to participate fully in their environment, there must be equal opportunity for education, training of equal standards to peers, and the promotion of inclusion in schools.”

Precisely what Sen. Richards was talking about. Now, while the Minister again spoke about the schools—that we have schools for the hearing impaired et cetera—you see, there is also a concept of separate, but equal, and if your policy as stated by the Government—and we are talking about the all-of-Government approach—I do not know that the Minister read this particular policy document, but it spoke very specifically to the promotion of inclusion in schools. And the document goes on to say:

“...access to education, from primary level, for persons with disabilities, must be inclusive and should cater to the varied requirements of persons with disabilities. The Ministry of Social Development and Family Services, the Ministry of Education and other relevant Ministries and stakeholders...”

—are supposed to be working together to implement this. Now, again, I left this as is and I left a section for notes, because I assumed the checklist, as put forward by the Ministry of Social Development and Family Services was so thorough that the Minister of Education would have tailored his response by looking at this checklist presented in this National Policy for Persons with Disabilities and say, “Okay, this is where we have gotten to.”

There are two things: there is the education segment and there is an action plan; and I will get to the action plan as well, because the Minister could have used that to say, this is what we have done, this is what we have attained by our own policy. That was not done. Again, what we saw was a defence, and I assume the defence comes from just wanting to find a way to pat yourself on the back for a

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laundry list of things that you seem to be doing whether or not it works.

Sen. Ameen: Manufacturing achievements.

Sen. A. Haynes: Yes. So, they talked about appropriate legislation for inclusiveness in the education system. But this is where I think the Minister had an opportunity to tell us where they had gotten to.

It speaks about:

- “Reviewing and ensuring adequate allocation of the appropriate resources for physical and informational accessibility, funding and delivery of inclusive education”

When you talk about the funding, the Ministry of Education in conjunction with the Ministry of Social Development and Family Services, according to a document they produced in 2018, is in the process of reviewing and ensuring adequate allocation. Now, this comes to a very important part of Sen. Richards’ Motion.

So, what I thought the Minister was coming here to do was to take this document and say: “This is where we are at with the review. We have allocated X amount of money last year or fiscal 2017. In our estimation, this was done well, this could have been done better. In the next fiscal year, we would look to reallocate, X, Y and Z.” That was not done, because I assume now that that level of thinking and rationale is not how this Ministry is run. It is just a matter of well, look, we are going and put this money here and tell them, well, look we do this, be cool with that. Right? Going on. There is supposed to be:

- “Reviewing and restructuring of delivery of the national curriculum to ensure that it is inclusive for persons with disabilities”

Critical, critical. If you are talking inclusion, if you are talking equity, you have to

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be talking the national curriculum. You have to be talking about it. As it stands, our system benefits test takers. I am a test taker, excellent test taker, really well. So the system benefitted me throughout, but I know people who were better at continuous assessment. [*Crosstalk*] And, by the way, test taking is largely memory. Right. It is memory and it is how you work under pressure; two things. But our system—and this is going beyond persons with special needs—is just looking at an education system catering to all citizens, an equitable education system, which is what I thought we were coming here to discuss. No word from the Minister, none, about the review and restructuring of the delivery of the national curriculum. None.

- “Reviewing of training programmes to ensure required skills in early identification, and intervention strategies for students”

Now, I gave you what the UNC and Kamla Persad-Bissessar approach will be once we return to Government. [*Desk thumping*] The Minister brings [*Desk thumping*] no, no, no point on early identification because that did not even factor in to his response.

- “Review and modification of the process for access to scholarships to ensure equality of opportunities for persons with disabilities”

Very good point. Nothing from the Minister, nothing, which again leads me to believe nothing is being done here.

And so while, in terms of looking at persons who have access to scholarships, you are looking at persons with special needs—and I thought, you know, the Minister was talking about training opportunities—and if you want to improve a system, there is a lot of things that you can do. So when you are talking

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personnel—and I wrote this down as the Minister was speaking—a very simple measure in terms of how you can get more persons with specialized training for dealing with children with special needs into our school system using your much touted all-of-Government approach would be to take the Ministry of Public Administration—you look at your scholarship offerings, you look at your financial aid offerings or students loans, and you say to students—because we do have a problem of persons going into tertiary education, graduating and cannot find employment—we are now here recognizing that there is a space for persons who have specialized training in dealing with children with special needs in the education system.

While the Minister seems to be satisfied with the numbers as is, I will like to premise that we can do better, and one way we can do better is by saying we can offer scholarships for persons who are going into those areas or you can offer student loan forgiveness programmes. For example, so you did not qualify for a scholarship on the academic merit, you go into school—and the university I went to did this for students who were studying speech pathology—but you can take any level of specialization and say, okay, you have taken student loans to get this degree, you come into our public education system and if you got student loans, I think there is help offered by the Government. I am not sure what our student loan system is. But you took a student loan offered through the Government, there is debt forgiveness as you work through. So you work within the public. This allows you to fill gaps in the public education system, then when you are finished working there, you have the requisite experience where you can then open specialist schools. There is a space for entrepreneurship. There is a space for you to grow in a career path.

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Again, if you really want to seek solutions, if you really wanted solutions, these things are not impossible to enact. The systems are there. All it needs is some creativity and for people to take an honest look at what is going on—an honest look at what the system is as it stands and act in accordance with that instead of coming here and being defensive and saying this is what we did, look how great it is. “Doh come here and tell us we are not doing anything” which was not what Sen. Richards was trying to do. It might be what I am saying, but it is not what Sen. Richards was trying to do. Right?

It goes on to say the:

- “Implementation of adequate measures to ensure children with disabilities who require education in special schools are provided with the appropriate staff, equipment and trained personnel”

So this is where the Minister’s point about specialist schools came in. And, again, I think that particular bullet point is where we are at, where we seem to be focused on which goes against what we are looking at which is more inclusive education system.

- “Incorporation of life and development skills, peer support, and individualised support measures to facilitate the holistic needs of students with disabilities”

Again, very important point, and I think a lot of room for how we think about abilities within our society.

My cousin, we are the same age, she was grew up in Austin, Texas. She was born with a severe learning disability. So she is 32 years old, but developmentally she is at about between 11—like around that 11 to 13 age group. She was able in

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Austin to go to middle school, go to junior high, go to high school—the same high school, the same middle school, the same junior high—but they were aware of her condition. And so, you know, in Trinidad, we have this concept of being held back, right? You are in post-primary and there is a lot of stigma attached to a lot of ridicule by your peer group. But what they have managed to do in that system is sensitize students.

So while she did not progress in the same manner—so you were not just funnelled through the system, she was able to participate and be part of the group, and be part of education system and take part in extracurricular activities because the programmes that they were implementing and the manner in which they implemented it were geared specifically towards inclusion. And I saw that happened and then I reflected on our school system here, and what would have happened to my cousin had she been born in Trinidad instead of the United States, instead of Austin, Texas? What would have been her lived experience? Are we really going to say—if we are honest about what is happening in Trinidad and Tobago—it is about the same? She would be included in the system? You could go to any school you want, you could pick your school. I mean the Minister took great umbrage to whether or not your right is to pick a school, missing the point totally. Completely and totally missing the point that Sen. Richards was trying to make. When you look at the education system, are we as a Parliament, are we as a nation, honestly saying that my cousin would have had the exact same experience or at least felt included in our school system? Never happened. Not in the system as it is designed now. There is no way.

As a matter of fact, in my primary school, they organize—and I do not know that they still do it. I hope that it is still not done—but it was organized in such a

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way that there was an A class, a B class and a C class. Literally what the classes were called, as in students who got As, students who got Bs and students who got Cs. The attention paid to the A-class students vastly different—and we were told you are the A-class students, you cannot go and spend recess “liming” with them. “Dem eh going nowhere, what all yuh doing?” [*Crosstalk*] That is the system.

Sen. Gopee-Scoon: I never heard of that.

Sen. A. Haynes: You never heard of that. It is real. It is real. I mean, even when you think about secondary school, in secondary schools, you group together scholarship students. You say, all right, these are the people most likely to win scholarships, therefore, these are the people most deserving of attention. That is what you get. That is our school system and our cultural understanding of learning as it stands, again, if you take a very honest reflection of our system as it is today. And the only way it can be fixed—I am not saying that that is an education system problem. That is more than likely a cultural problem and our understanding of how we group ourselves in society but, again, it requires honesty, it requires discourse and that is the only way you can change it, but not by sweeping it under the carpet and pretending it does not exist.

So, if that is the system for students with varying learning abilities, for want of a better term, the normal spectrum in terms of a medical understanding of it— [*Crosstalk*] Yes, at that end of the spectrum—are we again then saying that this very same system is designed to be inclusive of students with special needs? That this system that could separate students based on what is your chance of achievement, our own understanding of what achievement means within the school system, that this system is designed to be inclusive of students with varying learning disabilities? Again, that cannot be an honest response to what Sen.

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Richards is asking.

The national policy goes on to talk about:

- “Provision of adequate and appropriate professional support staff, assessment services and use of Individualised Educational Plans for all students with disabilities at primary and secondary level”

Now, again, the individualized educational plans was not mentioned by the Minister. I am assuming right now it is not being done, and I can safely assume that because there was no discussion of assessment. So if there was no assessment, there is no individualized educational plans. Half of these things are just pie in the sky, because we did not start with the basics of assessing students.

- “Ensuring that the recruitment process for employment in education is fair and provides opportunities for persons with disabilities to become educators and administrators”

That point was important to me, because we, again, in the UNC speak constantly about being more inclusive in decision-making spaces and inclusivity and diversity in decision-making spaces are important because then you get a varied amount of ideas. Persons will bring their lived experiences to the table and, therefore by:

- “Ensuring that the recruitment process for employment in education is fair and provides opportunities for persons with disabilities to become educators and administrators”

—then that helps with our understanding of the needs of person who fall on that end of the spectrum, because you see it is different for me to say, looking on, that this is what is needed.

I have my own ideas. They are from my experiences, they are from the

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things that I would have read and from the research that I would have studied. But someone who has lived with dyslexia, lived with ADHD, gone through the system with these kinds of challenges would have a different perspective, a unique perspective, and more insight and, therefore, again I thought this would have been a useful thing for the Minister of Education to highlight and tell us where they are at specifically. No word on that. Again, I assume it is not being done.

- “Provision of accessible vocational training of same standard as delivered to other students”

Again, talking about inclusivity and looking specifically at vocational training. Now, I go back to my cousin who lives in Austin, Texas. What they did is, understanding that most students with her particular learning challenges would not go on to tertiary education, et cetera, they equipped most of them with specific skill sets that would allow them to live as normal a life as possible. And so my cousin was placed as a cashier in Goodwill, so she had that experience of being able to go to work and have a job, and it was a supervised system. So you were not just letting people—leaving people to fend for themselves, but the system allowed for dignity and that you were not felt—and the policy speaks to it you know. The policy speaks to not treating people with disabilities as charity cases, et cetera, but giving them a space for dignity and to earn, and all of these things can be done in Trinidad and Tobago, but I will say it again, it requires—

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

Sen. A. Haynes: Thank you—an honest assessment of where we are at.

So, as I have five more minutes, I want to look at the action plan, again, by their same policy, because the Government is really good at writing things down

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and announcing things and saying they will do things—not so good at implementing, not so good at actually achieving anything. So, I would look at what they listed as their short-term plans. Short-term plans from 2018, I assume means it will be implemented by the end of this year. Somebody on that side could clarify.

“The incorporation of life and developmental skills, peer support, individualized support measures at all levels of the education system.”

Mr. Vice-President, I cannot fathom how they intend to do this. The Minister did not give us any clarification, but given the system as we have it, given the complaints of teachers as it stands, given how we think about education in Trinidad and Tobago right now:

“The incorporation of life and developmental skills, peer support, and individualized support measures at all levels of the education system.”

—is listed as a short-term measure. I hope at some point the Ministry can tell us where they are at with the implementation of this for students with special needs and for students in general, because I think that is a good plan. It is supposed to be done in the short-term, I have my doubts.

“Allocation of the appropriate resources for physical and informational accessibility, funding and delivery of inclusive education”

The nexus of Sen. Richards’ Motion is listed as short-term on the action plan, which I highlighted and assumed the Minister was going to say, this is what we are doing, this is how much we have done and this is where we are at. Nothing. So going through the action plan, I will not bother to get to medium-term because what was achieved in the short-term is nothing so, therefore, the medium-term seems to be in the distance future.

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But, Mr. Vice-President, having gone through all of that, the reason I listed what our plans were for looking—because that promise as listed by the Political Leader of the United National Congress in terms of assessing students for their learning abilities and looking at making the education system work for all students and the creation of better citizens is so important to me, because as I stand here, I am aware that I am representing a political organization that has always put education as a fundamental pillar of development, and not just in theory but in practise, and given that, Mr. Vice-President, the United National Congress, again, wishes to commend Sen. Richards on the Motion, but also say that we understand the problem and we intend to walk the talk. I thank you, Mr. Vice-President.
[Desk thumping]

Sen. Charisse Seepersad: Thank you, Mr. Vice-President, for the opportunity to contribute to the debate on the Motion calling on the Government to commit to providing adequate funding, reforming legislation and revising policies to ensure that children with special needs are provided with equal opportunities as other students, and that the Ministry of Education immediately initiative and implement a comprehensive strategy to assist all children with disabilities, additional learning needs and/or challenging behaviours.

Mr. Vice-President, I have been associated with the Dyslexia Association for the past 25 years and my contribution to the debate will therefore focus on children who are afflicted with dyslexia. However, the methods and principles employed are applicable to other disabilities and learning needs.

In passing, I would like to endorse the need for a comprehensive approach for the education system to consider, not only for speciality learning centres but for all schools. Slow learners and other differently-abled children should not be

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stigmatized and placed in the slow section of the class. If we consider world-class learning systems we should benchmark our schools to countries with world-class education systems like Finland, Canada and Singapore. Our education system, as it now stands, does not prepare any of our children, those with special needs or otherwise, for a digital world.

Mr. Vice-President, dyslexia should not be a disabling condition. If dyslexic children receive an education that meets their needs, they will grow into fully literate adults. I can personally attest to this. Therefore, the challenge is to provide these educational opportunities while students are in primary school, therefore ensuring inclusion in a literate world.

Every month the Dyslexia Association receives around 30 requests from parents for assessment and tutoring of their children who are failing to acquire literacy skills. The Dyslexia Association is a small volunteer-run group and cannot hope to meet the needs of all dyslexic students in the public and private schools. The Government must do its part.

4.25 p.m.

At this time there are three ways for parents to have their children assessed: privately at the cost of about \$6,000 to \$8,000; through the Student Support Services in the Ministry of Education. This is a referral process through the school system but most parents seem to be unaware of the facility. In other words, even though their child has continued to fail to learn to read, and this has happened over many years, they have not been referred to assessment through the SSS. If referred, a long waiting period is reported. In fact, principals report that students often finish the primary school system and have not been assessed. The third method is teacher-based screening by teachers trained by the Dyslexia Association, but

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because of financial concerns, teachers often conduct the screening tests on a pro bono basis. This is just a screening measure and cannot be used as a diagnosis of a learning disability.

Mr. Vice-President, while there are no official figures for the incidents of dyslexia in Trinidad and Tobago, internationally recognized figures are that between 15 to 20 per cent of any population will have a reading delay and other literacy challenges. This extrapolates to 150,000 to 200,000 people in Trinidad and Tobago, or around six to seven students in each classroom and about 50 to 70 students in a school of 350 students who need reading support using special methods for teaching literacy, not just extra lessons. Additionally, a prerequisite for literacy acquisition, a phonological awareness, is compromised by poverty as in many disadvantaged homes there is a paucity of language stimulation. This is the probable underlying reason for the high incidents of reading failure among students from disadvantaged areas.

A quick look at young people in the prisons show a preponderance of young men and women with poor literacy skills. Because of a lack of awareness and possibly a tendency to blame the child for a lack of effort or the parents for a lack of support, teachers are often unaware of why the seemingly competent children are not learning to read. Parents also blame the children because for a lack of effort and often do not seek help until the trauma of the SEA looms. These students are being tutored by dyslexia-trained teachers are only the “tip of the iceberg”. Those who are not helped, plunge into a spiral of failure and oftentimes end up in a life of crime. Many dyslexics spend long hours having extra lessons where they are not taught by the same methods, that while they are taught by the same methods that have failed in the classroom, while these methods may be acceptable for most

students, dyslexic students need more targeted help if they are to succeed in school.

There are also the attending problems of language processing, speech, handwriting, understanding arithmetic and attention difficulties. The children do not see letters and numbers the way people who do not have dyslexia see it, and the fact that dyslexia often co-occurs with other learning difficulties, therefore a range of therapies are required, the cost of which few parents can manage. The Association has been training teachers in specific methods for teaching dyslexic children since 1990. There are about 600 teachers in the public and private schools having received this training. These teachers are spread all over Trinidad and Tobago, and we put parents in touch with these teachers so their children can receive tutoring that they desperately need. There is bursary fund as well but this is not enough. This is really not enough. There is more that can be done.

Mr. Vice-President, I have some suggestions for providing education that meets the needs of students with learning disabilities to ensure inclusion:

- (1) Increase the number of educational school psychologists in the Student Support Services so that there are at least two in each district.
- (2) Regularize and publicize the requirements for applying for concessions for SEA and other examinations, ensuring that children from families who cannot afford to pay for private assessments are not penalized.
- (3) So as not to penalize low-income families who cannot afford expensive private-sector assessments, the Ministry of Education needs to accept assessments from recognized NGOs such as the Dyslexia Association.
- (4) Place greater emphasis on oral work, language stimulation,

phonological awareness and pre-reading skills in preschool and Infants 1 and 2. Failing readers have poor awareness of the sequence of sounds of words and there are over 86 teachers trained in this programme in the primary schools and Student Support Services. These teachers should be used as remedial teachers or be allowed to use the programme as a whole class intervention in schools where there is a great number of failing students.

- (5) Structured teaching of all elements of reading from Infants 1 to Standard 3. These elements include, but are not limited to, phonological awareness and all representations of phonics of the English language. The Ministry of Education should also revisit the use of Jolly Phonics.
- (6) Provision of a teacher trained in specific methods for teaching failing readers in every primary school. Students should remain in their classrooms for most subjects and be given two to three hours per week of specialist literacy tutoring during the school day. Two excellent models are St. Andrew's school in Maraval and Fifth Company Baptist School in Moruga.
- (7) The Ministry of Education should use teachers trained by the Dyslexic Association as resource teachers in specialist resource rooms. Classroom teachers should also be trained in ways to support dyslexics in the classroom.

Mr. Vice- President: Senator, might I ask just how long you think you have again?

Sen. C. Seepersad: Maybe three or four minutes.

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Mr. Vice- President: Okay.

Sen. C. Seepersad:

- (8) Provision of specialist schools in each region based on Eshe's Learning Centre model for students who have reading delays of more than two years.
- (9) Schools seem largely unaware of the Student Support Services and the provision of educational assessments. This needs to be recognized so that when schools refer students, there is not an inordinate delay in getting on to the waiting list so that they can get assessed.
- (10) Increase the number of educational psychologists so that there are at least two per district.
- (11) The Ministry of Health needs to ensure that there are speech therapists available to the public in every district in both Trinidad and Tobago.
- (12) The Ministry of Health needs to source paediatric occupational therapists for therapy for students with growth and fine motor delays. They would probably need about two therapists per district.

Mr. Vice-President, these are all relatively inexpensive and easily implemented solutions which will remove the barrier of illiteracy and which will ensure the success of thousands of failing students in our schools. Many disabling conditions are preventable with early intervention. Literacy failure is certainly not one of them. In closing, Mr. Vice-President, I would like to pay tribute to Ms. Stephanie Shurland, the Principal of Bishop Anstey High School from 1963—1981, who passed away on March 05, 2019. Ms. Shurland was an educator par excellence who positively moulded the lives of thousands of women. She taught us to be bold, strong and courageous while always being respectful to others. We were

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encouraged to think freely and be adventurous. She taught us to be feminists. Ms. Shurland, we will always be grateful to you. Thank you, Mr. Vice-President.
[*Desk thumping*]

Mr. Vice- President: Hon. Members, I think now is a good time to take the tea break. As such, this House will now stand suspended until 5.05.

4.32 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

Mr. Vice-President: Sen. Thompson-Ahye. [*Desk thumping*]

Sen. Hazel Thompson-Ahye: Thank you, Mr. Vice-President.

We are all duty-bearers and our vulnerable are certainly rights-holders, and the glue that unites us is the principle of respect.

I quote here my newfound friend, Rona Jualla van Oudenhoven, who is a visiting lecturer at UWI and the editor of a book, *Diversity Dialogue: an Exercise in Inclusion*. Mr. Vice- President, I thank you for the opportunity to contribute to this debate which stirs my passion for the human rights of children. I thank Sen. Richards for his foresight in bringing this important Motion, and I thank Sen. Mark for affording it precedence above his own. I always knew there was some hope for him. [*Laughter*] He was hurt when I disowned him, but Lent is a time for penance, I have vowed to have a good Lenten season. I had ashes on Ash Wednesday, although I spent the entire Carnival weekend working in my study. I went to church last Friday for Way of the Cross, a popular Catholic Lenten ritual.

My mother used to have us doing Calvary on San Juan Hill where we were born and also up Mount Saint Benedict. Maybe she thought when children learnt Stations of the Cross, they do not end up in the police station. The second Station of the Cross is Jesus takes up his cross. In my church there is a booklet with

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reflections on each station, and the particular reflection spoke about parents and the crosses they have to bear. I became very upset when I read that one of the crosses that parents had to bear was retarded children. I take great exception to that word “retarded” when used with reference to children with disabilities. Indeed, I had to write a letter to the press in 2017 and complained to the editor when I saw a bus in Port of Spain with children inside and emblazoned on the side were the words, Trinidad and Tobago Association for Retarded Children. It would be a great irony if they were the ones responsible for the beautiful advertisement also in the press, “Open Your Mind - Discover the Ability in Disability”. So, I must say, I engage with Sen. Richards when he talked about the importance of language in dealing with children with disabilities.

So after the Stations of the Cross, I relayed my concerns to a church leader who promised that next week we would have another set of booklets which did not include the offensive word. We must be sensitive about how we name and shame people with special needs in our society. Now, the 3rd of March was not only Carnival Sunday, it was a special day for people with disability. It was World Birth Defects Day. I had not heard about that day before until I was invited by a lady who is “big in the dance” of disabilities, Dr. Dick, and she asked if I would participate in a webinar today, but it is going on today and I am here. In researching the matter, I learnt that birth defects were congenital anomalies and were classified as structural or functional defects. Structural defects being congenital malformation such as cleft lip or cleft palates, spina bifida, limb deficiency, club foot, Down syndrome and Zika syndrome, et cetera, while functional defects were metabolic diseases as hyperthyroidism, sickle cell, cerebral palsy, muscular dystrophy—is it?—deafness, autism, ADHD, and so on.

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I was born with a structural defect so I know what it is to suffer through being a curiosity, being a subject of old wives' tales; it is unkind remarks and teasing now called bullying, rather than being properly diagnosed. I had other congenital defects, you know, God had to put special attention to me, and when I delivered the feature address at the AGM of the Midwives Association some years ago, I shared with them that the umbilical cord was wrapped so tightly around my body that my midwife asked my mother, "Yuh think this one will live?", and my mother said, "Dais God's will." When my father returned home with my older siblings who had gone by my aunt, until the plane bringing me had passed, he said, "Another girl again?", but as luck would have it, I resembled him the most. But because of my experiences, I have a special interest with children with disabilities.

Trinidad and Tobago ratified the United Nations Convention on the Rights of the Child, the CRC, in December 1991, and we vowed then that we would give children all their rights without discrimination of any kind, including on the grounds of disability. Article 23 of the CRC speaks to the right of a mentally or physically disabled child to enjoy a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. Article 28 speaks to the right of the child to education, and Article 29 states that education of the child shall be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential. And we heard Sen. Richards and the hon. Minister talk about the Constitution, but the right to education is proclaimed in the Universal Declaration of Human Rights and reaffirmed in the World Declaration on Education for All. So having ratified the CRC, Caribbean governments met together in a session in a very important conference, the Caribbean Conference on the Rights of the Child in Belize City in

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1996. At that conference, at which we were represented by Minister Manohar Ramsaran, as he was at the time, they formulated, the Ministers, a commitment to action for the Rights of the Child. Among those commitments was to generate and sustain the necessary political will to protect child rights, to reduce disparities, violence and discrimination among our people and to promote better social integration.

We promised to review and revise the relevant laws, policies and programmes to fully comply with the letter and the spirit of the CRC, and sometimes you forget the spirit and we remember only the letter. We promised to establish effective mechanisms to enhance these laws and to implement these policies and programmes to ensure that the best interests of the child are afforded the primary consideration and their rights are enjoyed without discrimination of any kind, irrespective of, inter alia, disability or other status. So, how are we doing? How are we doing with all these promises that we made to children? We have an obligation under the CRC, under Article 44, to submit reports periodically to the United Nations child rights committee, and I as said before when I first spoke in this Chamber, having submitted the reports, at the end of the day, we get a number of recommendations, we get—they tell us the good things first and then they tell us what we ought to do that we are not doing. The committee in its concluding observation stated its concerns about the high prevalence of mental and physical disabilities among children in Trinidad and Tobago. They noted with concern that service provision for children with disabilities was heavily reliant on NGOs. There were no state-run residential institution available for children with physical and mental disabilities, and there were no special education and assistance programmes currently available.

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The committee recommending, among other things, a study to be done on the causes of disabilities affecting children, the provision of adequate resources, including monetary assistance to families and training of professionals in the field. Now, when I heard the Minister spoke about how wonderful we were doing in terms of our education system and in terms of children with disabilities, I remembered an experience I had some years ago. Having had a very positive encounter with the passport office, I felt constrained and duty-bound to write a letter of the press in praise of the passport office. They had assisted me greatly after my daughter had lost her passport in Venezuela and she had to get back to the university. She had no visa, and all of that, so we had to really press, and I was very pleased with the response. The next day, Suren Capildeo, a blessed memory, my colleague, wrote a letter in the press too and say, "Are there two passport offices in Trinidad and Tobago?", because his experience was so different from mine. So when I hear what is happening from the Ministry's end and I hear what was happening from the end of the NGOs and other organizations, education organizations that deal with children and disabilities, and even concerns expressed about the education system by high Government officials and people who have been doing reports, I wonder: Are there two education systems in Trinidad and Tobago? Because the one that the Minister spoke of is not one that is easily recognizable by many people. [*Desk thumping*]

I am happy to report though, and I admit that there has been some progress, especially in the training of professionals. Mr. Vice-President, I entered Teachers College when I was in my teens. I was the beneficiary of the vision of our founding father, Dr. Eric Williams, who felt that people should not go into classrooms and practise to teach on children, they should first learn to teach and then go into the

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classroom. So I entered Mausica Teachers' Training College to learn to teach, not to be a good woodsman, to learn to teach children. My first class was a Standard 3 class. In that class I met a child who just stared at me with her beautiful eyes. She followed me around with her eyes, she refused to do any work, she would not even take the books out of her bag, and spoke to no one. The other children in the class said, "Miss, yuh know, we never hear her voice". I said, "What?" Four years they were together. She said, "Yes, Miss—[*Kissing action*] "muah, muah"—I tell yuh, Miss, we not lying". So I decided to investigate. I spoke to the principal, and he said, yes, he could not explain why this child had been promoted, what was the assessment used, but there she was in Standard 3 in front of me and I had never heard her voice, and nothing was happening. So I found out where she lived, I went to the home. To my surprise I saw this child busy doing homework in the house, nothing happening in school, so it became a battle of wills. Nothing was happening until you start to work, and every day we were at it until she came in and she started to work. Eventually she even passed Common Entrance.

I left the school not even understanding what was happening with her. Years after I went to the Bahamas to teach and Prime Minister Perry Christie, who has a special child, and he always takes the opportunity to speak about his special child, and he appointed me to a committee, the National Commission on Special Education. It was a tremendous learning experience. I was responsible for looking at laws on special education, not only in the region but around the world, and there it was that I learnt that that child had a special condition, an anxiety disorder called selective mutism. So she would talk in one place, at home, but at school nothing doing. Now, the University of Trinidad and Tobago is responsible for teacher education and has a programme of training for a degree called Bachelor of

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Education (Special Needs) and also primary school and it prepares graduates to go out there in the general primary education schools and special schools, but there is concern that the education system is geared towards academics which test all students by a written examination. Now, there is a document called the Framework for Action on Special Needs Education, that came out from the World Conference on Special Needs Education organized by the Government of Spain in cooperation with UNESCO, and held in 1994. It produced a Salamanca Statement on Principles, Policy and Practice in Special Needs Education, and the whole thrust of the standard is towards inclusivity in education, inclusion in education, and that principle of inclusion is what is guiding the education system insofar as special needs education is concerned.

So it forms the framework and it talks about accommodating all children, regardless of your physical, intellectual, social, emotional, linguistic, or other condition, and it also caters for gifted children, so the disabled and the gifted children. When you look at what is happening out of the University of Trinidad and Tobago, they are also talking about inclusion in education, because what the research is showing is that is the way to go. When I hear Beverly Beckles, and she is “Madam National Centre for Persons with Disabilities”, CEO; she has been in this field for many, many years. You cannot talk about disabilities and not know Dr. Beverly Beckles. At a meeting with Transparency International she talks about every single one of us, citizens of Trinidad and Tobago, having a part to play in this education system to include everybody. So we have a number of institutions which are looking at a number of world bodies, looking at inclusion in education. Now, the committee on the rights of the child put out a general comment on the rights of children with disabilities. So we have the Article in the CRC which deals

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with children with disabilities, and what the committee on the rights of the child would normally do, as it did in juvenile education, and as they did, as I said before, on the effect of multinationals and their work on children and their rights, they put out a document which is the general comment number nine, the rights of children with disabilities. And, again, the document talks about the movement towards inclusive education, and they say:

At its core inclusive education is a set of values, principles and practices that seeks meaningful, effective and quality education for all students that does justice to the diversity of learning conditions and requirements, not only of children with disabilities, but for all students.

So this is where the world is moving towards inclusion, because when you look at separating children, and I know the Motion talks about having separate schools, but the way to go—but you are seeing the trend towards in all parts of the world, and coming from the child rights committee, is look at inclusion, because when you separate the children you have a different standard most times. You have a stigma attached to children who are in special schools. They are marked, and you have most times lower expectations from them.

5.25 p.m.

When we were going to school, a number of us, there was a trend towards streaming. You have the A—somebody spoke earlier about the A stream, and the B stream and the C stream. But when you put children together in a similar environment and you put special ways of dealing with the disparity in learning, you get better results, and that is the way that we ought to be going.

Now, when you look at Government's national children's policy 2018—2028, you see that the Government is looking at a number of strategic objectives,

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and it talks also about enhancing access to quality education services including early childhood education and learning opportunities and providing support to family, environments and caregivers and all of these things.

So one wonders, how is it that the Government is recognizing that we need to do certain things with education? How is it that we have set up certain task forces and we have done so many things, and yet we are hearing that everything, more or less, is fine with our education system. It cannot be, there is a discord, you know, there is something, the two things cannot be right. So, what is really happening in our education system?

I have been hearing about early childhood centres that are closed. There has been a chat that I have been included in and there are people who have been in education for many years and they are worried about what is happening with early childhood education, because the research shows that early childhood education—and there is a big document on it—is really the equalizer. You take children early and work with them, they have a better chance in life than children who go to school late. And the thing about it is that even earlier than early childhood education, the assessment of children should start early. So what should be happening is that the Minister of Education should be working in tandem with the Minister of Health to make sure that the health visitors who go to the homes after the mothers have their babies and who know of specific problems even before birth, that these children are assessed.

A lot of exciting things are happening in the Ministry of Health; I have heard and I have seen with my own eyes. And you need to have a closer working relationship with the Ministry of Health in terms of children's health and assessment and the Ministry of Education.

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I have read time and time again in the newspaper, a cry from people engaged in early childhood education, and that cry is about the money that they are not being paid and when they are being paid, they are being paid a very small sum of money. And I cannot understand, if early childhood education is so vital, and this is in no doubt, why are we treating those people who deliver education in that way? So they go to the colleges or they go to some institution and they come out qualified as early childhood educators and we give them \$2,500 a month. Really? Maybe they should better go and work in one of the fast food outlets. We cannot be treating people who are delivering an education at a very vital level, you know, and expect that they will be happy with what they are doing.

Now, we are training teachers and we are giving them a bachelor's degree in special education and primary education, and when you look and you see what is happening with them when they go back out in their schools, they are still fighting with the CPO to be classed as "specialist teachers". So they have a more rigorous programme for the teachers who are in the general primary school level, and they have to do a lot of specialist subjects. They have to learn braille, they have to learn sign language and a number of things, and they go back, having gone through this programme and done specialist training and they are paid the same amount of money. What is the incentive?

So you have fewer numbers who are going into the programme and sometimes they might think it is better for them to emigrate than to stay in a system that is not giving them the appreciation that they deserve. [*Desk thumping*] So if we are serious about the importance of special education, we ought to treat our teachers who devote their lives because they have a special love for children, we have to treat them better if we want them to remain in the system.

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Now, we heard about a number of good things that are happening, we heard about people who are going into the system and they are interpreters and so on and they are able to deal with children with disabilities, but what we did not hear is that when the school year opened, some weeks passed before they were put into the school system. So for that period of time the interpreters were not there, and then when some of them went into the system, they left a few weeks after, and we need to probe, why did that happen? What was the level of dissatisfaction that they felt that they needed to move out of the system of education where they were well placed because of their qualifications?

Now, there are a number of risk factors attached to criminality, and one of these risk factors is the lack of educational attainment. Some years ago I was a member of a group, Alternatives to Custody Group, and we used to go into YTC. And I remember on one occasion sitting with the young men and the level of literacy and numeracy was mind-boggling. And I am saying all of these people are passing through the system and they leave not knowing how to read, not knowing how to count. Where is the assessment process going on? What is happening with them?

And I recall I was sitting in a conference and there was a report, a study done by one of my colleagues, and he said, you know—we were going through a number of investigations about why children were becoming delinquent. And he said, “You know, I dealt with the parents, I dealt with the children, I dealt with the teachers”, and he said, “You know, there is only one group that did not take any responsibility for the children failing; the teachers”. The parents is the thing, and he said, “You know what came out of it?”—it is that the children preferred to be thought of as bad than dumb and therefore, “I bad” was better than “I cannot read,

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I cannot write” and that is how they were reacting.

Learning is something I consider very exciting. I was taught to love your subject and love your subjects, but it does not always happen like that in the system. I remember when the junior secondary was changing over to senior secondary and I was asked to go in and assist these children; language and literature. The boys who were in the craft classes, they had no interest. When I went and I called the roll and I saw so few children, I said, “Where are these people”? “Miss, they downstairs.” I said, “Okay. You wait here”. And I went all between the lockers and I picked up a whole set of them and I brought them in the classroom.

And I spent most of that lesson explaining to them, even if you are a technician, whatever you are doing, people have a little more respect for you if you know that the sign outside your door, that it has spelt the words right. I said, “When you are going home this evening, just check along the East-West Corridor and see how many words you find on business places that are spelt incorrectly”.

And there was a young man who was resistant, and he swung around his chair to look at the playing field and was ignoring me. And I swung back the chair and he stood up and when he looked at me, I realized that he was way up there and he looked as though he wanted to “cuff me down”. But I always remember, when I was in Cave Hill and I had a problem with one of my colleagues and I opened my eyes, he said, “Girl, doh ever do that, you scare meh”. So I opened my eyes for him and he sat back down.

And we developed a relationship, and one day I am walking down Frederick Street and he says, “Miss”! Good friends now. But, you know, you had to show them that you cared. You have to try to develop the talents of the children because

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everyone has a talent and you need to nurture that talent and work with them.

Before I left Mucurapo Senior that summer, I decided to do a programme and I did it, an improvisation, I just gave them the scenario and they produced a skit. They were so enthusiastic they even—Hazel Brown lent me an heirloom and in the excitement they broke the lady's vase. She told me that I cannot replace it, forget it; but those children had talent.

So our children have talent in acting, we have talent in music, they have talent in so many things, and children who are perhaps autistic, they have even more talent sometimes than some children who are in regular school, and we ought to know what talents they have and what could be nurtured and, you know, how can we best develop them.

I remember a girl who right through school, I was supposed to prepare her for Common Entrance and the poor child could not read. And one day I took her, again, and we did an improvisation, and that was the only time she enjoyed the respect of her peers. Man, the girl acted so well you could not believe that she could not read anything, but she was able to create that scenario and act it out, and everybody was looking at her in wonder, and there were two of them like that, you know, trying. So I used to try to use drama with them and a number of things. I always remember when I enquired one day they told me that one of them had committed suicide, you know.

So there are so many children that we are losing, and when we are talking about nurturing our children, when we are talking about building children, we are talking about building a society, that is what we are looking at. We sing, "all we know that children are our future"; what are you talking about? We are talking about these children who, if we do not get them to realize their full potential, we

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are losing a segment of our population that is important to us, and we have to work to make things better for them.

The Autistic Society said they submitted a number of recommendations to a subcommittee of Parliament in 2016, and they are telling me that all of these recommendations, you know, they were received by Parliament and they are not seeing any results. A number of things—they were sent to the Joint Select Committee on Human Rights, Equality and Diversity—the Autistic Society—a disability register, public awareness programme, early expert diagnosis, multi-disciplinary team, technical personnel, administrative team support services and it goes on and on and on. What is happening?

So if we are really serious, we cannot only be talking, there is a lot that can be done even with our meagre resources, and we hear about a lot of resources that are being spent, but it is how and where these resources are being spent. It reminds me of when we talk about how much money we spend in the Ministry of National Security, and we know the prisoners are not well taken care of, we know that the prison officers do not get any big salary, and we know the money is going elsewhere. So where is the money in education going? When you hear about Student Support Services staff and they cannot get a new contract, they cannot, you know, they are suffering weeks, months and years, they are getting frustrated, and we boast about how many officers we have, and then we hear for primary school we have so few, and there are so many problems.

We learnt recently about this chap who was shot, the two boys who were shot in the bathroom. What was interesting to me about that is the mother saying, “He was a slow learner, easily influenced, so he was not quite normal”. So here he is, being led into criminality because his learning needs are not being addressed,

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and we have to attend to that.

Now, we heard a lot about two men coming into the school and assaulting the principal, and out of that story the part I looked at is this person, this child was being abusive to teachers, the child was misbehaving. And I asked myself, “Were those issues addressed at all before it reached to that stage where he was suspended”?

When are we going to start restorative practices in schools when we try to find out what happened?—and let the child talk so we could learn about some of the things that are going on in these children’s homes and their lives that make them angry, upset, want to attack others. What is the shame in their life, because when you are shamed because some “affect”, as we call it in restorative justice, is interrupted, there is no interest, no joy, no excitement in your life, then you attack others, you attack self or you have avoidance or other ways of dealing with shame. So, we need to understand what is happening with the children before things burst out.

And we need also to identify in a correct way children at risk. Children at risk are not only children who are poor, it is not only children who are perhaps in the ordinary way we look at children at risk, they do not have certain services and so on, but children at risk whom we do not refer to the Children’s Authority are sometimes children who are living with criminality.

And there was a young man who was killed in the Chaguanas area, and afterwards you were hearing about, his attendance record was dismal. And I asked myself, “Where are the truancy officers, where are they”? I understand we have them here, but where are they? Who is checking on children who are not coming to school?

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

Sen. H. Thompson-Ahye: Sorry?

Mr. Vice-President: You have five more minutes.

Sen. H. Thompson-Ahye: Thank you very much.

Hon. Senator: What kind of officer?

Sen. H. Thompson-Ahye: Truancy, truancy, T-R-U-A-N-C-Y, truancy officers. Yeah. [*Interruption*] Yes. That is exactly what I mean. Yeah. Sorry. Truancy officers. So we have to look at these systems before things happen. We are very good at dealing with things in the aftermath, but we need to deal with the preventative aspect.

And one of the young men who was killed, his father was a gang leader, and I heard after that he was in a gang since he was 10 years old. The teachers had no problem with him. When he was in school he was well behaved: “Yes, Sir, good morning, Sir”, but he was exposed to criminality, so when he was shot the teachers were not at all surprised. He was hardly ever in the school, but he never gave them problems. So you have all these sorts of things, you have all these kinds of hurts.

There was a girl who used to look at me in the school, and I said, “Stay after class, I want to talk to you because something is bothering me”. She said, “Miss, my father doh recognize me as his child, you know”. And, “Miss, he does treat me so bad, he does not bring anything for me, because I fair skin and everybody else dark, he say, I am not he child, Miss”, and “he doh bring nothing for me”. How can a child study in those circumstances?

So children are suffering hurt and teachers need to pay attention, social work people need to pay attention to not only the most obvious sometimes badly behaved children, but sometimes the ones who are silent, the ones who are

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withdrawn. Just read up on the Columbine murders and the Virginia Tech and see those children who were outside of the mainstream. We like to say, “this child nice and quiet”, we like them nice and quiet, but the quiet children are sometimes the ones who are suffering the most and we need to look at that, we need to examine our society and see where our values are, and we need also to understand the structural violence that is being done every day to our children. I thank you.

[Desk thumping]

Mr. Vice-President: The Minister Labour and Small Enterprise Development.

[Desk thumping]

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Thank you, Mr. Vice-President, for the opportunity to join this debate and to contribute to the discussion on the ongoing national efforts towards addressing the needs of students with physical and learning disabilities.

Mr. Vice-President, well, I do not have much time, I just have about 13 minutes to contribute to this debate, but firstly, I want to remind that this Government has always been cognizant of the need to empower persons with disabilities, and to also provide them with the opportunity to exercise their freedoms and fundamental rights. However, Mr. Vice-President, in addressing this very important issue, we must also view it through the lens of human rights and treat it with utmost priority.

I want to speak a little on the international framework. The Sustainable Development Agenda 2030 establishes the importance of addressing the issues faced by persons with disabilities, with Goals 4 and 10. A specific reference, Mr. Vice-President, to the matter under discussion today, the importance of growth,

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full employment and equal education opportunities for persons with disabilities. This Government, Mr. Vice-President, is committed, is firmly enshrined as part of the international community's commitment in this area.

In addition, Mr. Vice-President, the Convention on the Rights of Persons with Disabilities which was ratified by this Government—by the Government of Trinidad and Tobago in 2015, represents a major step towards realizing the right of differently-abled persons to be treated as full and equal citizens.

Mr. Vice-President, this Government has been committed to ensuring that persons with disabilities are afforded and are able to enjoy such rights. We would have listened to the hon. Minister of Education earlier when he would have outlined all the supporting mechanisms that are in place including different grants to assist persons with disabilities in Trinidad and Tobago.

Mr. Vice-President, I wish to draw attention to the Draft National Policy on Persons with Disabilities which was developed in line with the United Nations Convention on the Rights of Persons with Disabilities, section 7.5 of the draft policy addresses work and employment for persons with disabilities. But, Mr. Vice-President, I would want to share with this honourable House the fact that the primary role of the Ministry of Labour and Small Enterprise Development, our ongoing work is in the area of improving decent work opportunities for all citizens including those who belong to the most vulnerable groups.

So that the Ministry in collaboration with the Ministry of Social Development and Family Services commissioned a survey in 2016 to assess the willingness of employers to hire persons living with disabilities. And, Mr. Vice-President, I would want to share with this House the results, the finding of that survey.

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Now, using the National Employment Service database of employers in 2016, the Ministry implemented this project to gather baseline data to inform us of the next steps. The specific objectives of this survey were:

1. To assess employers' attitudes/opinions on the hiring of persons with disabilities in their organizations.
2. To assess current employer practices and challenges by companies, size and industry sector.
3. To assess the existence of any perceived challenges and concerns in hiring and retaining employees with disabilities, as well as identify the current strategies utilized to overcome these challenges.
4. To determine the possible opportunities for partnerships with organizations to facilitate the hiring of persons with disabilities.

Mr. Vice-President, the survey also included a range of specific questions aimed at assessing the level of support in the form of training and development afforded to persons with disabilities who were already in employment.

Mr. Vice-President, as expected, the survey produced a range of unique and interesting findings which together with the views of varied stakeholders are being used to reshape Government's approach to expanding the range of opportunities available to persons living with disabilities.

Mr. Vice-President, I would just like to share some of the findings of this survey with this honourable House. For ease of understanding I have separated these findings into five subheadings namely: Hiring, Retention, Training and Development, Barriers to Hiring Persons with Disabilities and Partnerships.

Under Hiring, Mr. Vice-President, 39 per cent of the employers indicated that their organization recruits persons with disabilities, while 59 per cent indicated

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that they do not. Seventy-two per cent of the respondents stated, “no”, to being aware of employees with disabilities in their place of employment, while 17 per cent answered, “yes”, with the remainder unsure or simply do not know. Mr. Vice-President, approximately half of those above that responded, “yes”, indicated that the work of persons with disabilities was on par with other employees.

With regard to the area of Retention, the lack of legislation to encourage the employment of persons with disabilities, 42.6 per cent of the respondents indicated that this specific area was responsible for them not employing persons with disabilities. They also cited lack of information on how to help employees who have acquired a disability to stay in the job or return to work after a period of recovery.

Next, there was the perceived cost of accommodation, and in this context “accommodation” referred to providing assistance or making changes in the job or workplace that would enable the worker to do the job, for example, establishing ramps, refurbishing toilet and other facilities to accommodate persons with disabilities.

And lastly, lack of education and qualification of persons with disabilities. With regard to Training and Development, Mr. Vice-President, 73 per cent of employers conducted training and developmental programmes, 20 per cent of the 73 per cent indicated that persons with disabilities also participated in the training programmes. A key training area identified by employers is specific technical skills related to the job function.

Mr. Vice-President, Barriers to Hiring Persons with Disabilities, 77 per cent of the employers indicated health and safety issues, while 69 per cent of the employers noted costs associated with the provision of appropriate

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accommodations.

And with regard to Partnership, 90 per cent of the employers indicated that they were interested in collaborating with the Ministry and the National Employment Service.

So that, Mr. Vice-President, the question could be asked: What is next? At the policy level, the Ministry has conducted 22 national stakeholder consultations which would inform the amendment of our labour legislation framework with the aim of creating a modernized system under which all citizens including persons with disabilities would have their rights to execute responsibilities and to live a decent quality of life.

As part of this exercise, the Ministry of Labour and Small Enterprise Development has developed draft policy positions in respect of setting employment standards which will inform an employment standard Bill, Mr. Vice-President. The spirit and intent of this Bill is to protect employees from, amongst other things, discrimination in all forms at the workplace. One such protection is proposed in respect of preventing an employer from discriminating against a worker or an employee due to his or her gender, race, religion, age, ethnicity and disabilities.

At the strategic level, the Ministry is working in close collaboration with the Ministry of Social Development and Family Services to develop the appropriate strategies that would give effect to expanding the range of opportunities to persons with disabilities.

Naturally, Mr. Vice-President, this consultative process will result in the creation of new and improved range of programmes and projects that would further strengthen Government's commitment and support for persons with disability.

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5.55 p.m.

Mr. Vice-President, I would just like to share this real-life experience in my previous incarnation as the president of the Public Services Association several years ago, when there was a protest demonstration outside of National Flour Mills by persons with disabilities. We at the PSA, we did lend support to that association and its members. At that time the protest was against discrimination against persons with disabilities and the refusal to employ these persons. But you know, Mr. Vice-President, we would not have the problem in this country. If each employer—and that was a call I made many years ago—hires one person with disabilities, we would have no persons with disabilities unemployed.

As a matter of fact, at that point in time, being the president of the PSA and making such a call, we put our money where our mouths were by employing a differently abled person, and I could say it here, it was a decision we never regretted because that person became one of the most valuable employees of the Public Services Association, and he is still employed there today, and what we would have done was armed him with the necessary training. There is a cost attached to it, but we do have a social responsibility in this regard. So I repeat the call that I made several years ago. If each employer employs one person with a disability we would have no unemployment among persons with disabilities.

Finally, in closing, Mr. Vice-President, let us reflect on the inspiring words of Franklin D. Roosevelt, and I quote:

“We know that equality of individual ability has never existed, and never will, but we do insist that equality of opportunity still must be sought.”

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

Mr. Vice-President: The Acting Leader of Government Business.

UNREVISED

Adjournment
Sen. The Hon. C. Rambharat (cont'd)

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ADJOURNMENT

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Sorry, my apologies. Mr. Vice-President, I beg to move that this House do adjourn to Tuesday, March 19th at 1.30 p.m., at which time we would consider the Companies (Amdt.) Bill, 2019. Thank you.

Mr. Vice-President: Hon. Senators, before I put the question on the adjournment, leave has been granted for two matters to be raised on the Motion for the Adjournment of the Senate. Sen. Mark. [*Desk thumping*]

Registration, Recognition and Certification Board (Status of)

Sen. Wade Mark: Thank you very much, Mr. Vice-President. Mr. Vice-President, it is almost one year and a few months that the Registration, Recognition and Certification Board has been in a state of rigor mortis. Almost on its way to death. Its death. [*Laughter*]

Madam President, Mr. Vice-President, rather, the Registration, Recognition and Certification Board is one of the most, if not the most important institution in the industrial relations process with respect to collective bargaining at the trade union level. If you are familiar with the trade union movement you would recognize that a trade union must be registered and must gain recognition at the level of the RRCB if it is to bargain, or to bargain on behalf of its members in a recognized bargaining unit. This board determines who is a worker under the Act, and if one cannot determine who is a worker then, Mr. Vice-President, disputes will pile up, and that is what has been happening at the level of the RRCB. Disputes have been piling up. And the reason for this is because this Government that spoke in defence of workers for almost one year and two months has not been

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able under section 21 of the Industrial Relations Act to take steps to get the appointment going of the chairman of the RRCB. What that means, Mr. Vice-President, is that the board cannot meet. Certificates of recognition cannot be issued, and the Government like Rip Van “Wrinkle” is sleeping and snoring [*Desk thumping*] whilst the workers are suffering, trade disputes are mounting, certificates of recognition cannot be issued and the Government is snoring on the mountain, in the mountains.

So, Mr. Vice-President, this is a very, very serious matter. It can be disruptive. Mr. Vice-President, when the IRA was established in 1972 to replace the ISA of 1965, it was designed to promote to industrial peace and economic stability in our country, and what has been happening is that through no fault of the trade union movement, through no fault of the employers of this country, through no fault of civil society, the Government has refused to take action to appoint this RRCB. And, it is like if the Government has taken a decision to destroy, undermine, bury the entire trade union movement in this country. Mr. Vice-President, you would have seen recently where seven Industrial Court judges’ contracts have expired and they are working like DEWD, and on special works, 10 days, and their contracts are only being extended by a month, and half a month, and two months. Why, Mr. Vice-President? Because the Government again has refused to renew the contracts of these Industrial Court judges. [*Desk thumping*]

So, Mr. Vice-President, this is a very important matter. And, Mr. Vice-President, you know what is more alarming? I went to the PNM manifesto. This group of what I call, I “doh” know if this is proper [*Laughter*] but I was going to call them a bunch of, a collective group of morons.

Sen. Gopee-Scoon: No, no, no.

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Sen. W. Mark: But I will withdraw it.

[Mr. Vice-President stands]

I will withdraw it. I will withdraw it. I will withdraw it.

Mr. Vice-President: Sen. Mark, one second. Even if you withdraw it, it is not for you to say it and then say you withdraw it. That is not the correct and proper thing to do. So just be careful in the use of your words.

Sen. W. Mark: Vice-President, I advise you to join me and journey with me on page 68 of this outdated document of the PNM. *[Laughter]* Hear what they told the country when they mamaguy the nation to get their votes. *[Desk thumping]* Hear what they say, Mr. Vice-President, they shall:

“Review the Appointment Process for Judges to the Industrial Court to provide for greater security of tenure.”

Where is that? Where is that, Mr. Vice-President? That does not exist. But, Mr. Vice-President, I want to tell you something, when we were in office we brought two pieces of legislation: One, the Constitution (Amdt.) Bill of 2015, and the second one, a Bill to amend the Industrial Relations Act, 88:01. Both of these pieces of legislation enshrined and entrenched the role of the judges and provided them with security of tenure. These pieces of legislation, and the PNM, the PNM with the trade union movement, they riled up the trade union movement to oppose these pieces of legislation and they were tabled in the Parliament and we were never able to pass them, because we promised the workers that the Industrial Court judges must have security of tenure. Today, the judges of the court have no security of tenure. This legislation that we tabled here would have guaranteed them and enshrined that the Judicial and Legal Service Commission would have been the agency to appoint the Industrial Court judges in Trinidad and Tobago.

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[*Desk thumping*] So they would not have had to be begging this Government today.

Mr. Vice-President, trade unions are waiting to get their certificates of recognition. I got a correspondence in my mailbox from TTUTA, where they applied for an agency shop order to represent workers at the Ministry of Education at the supervisory level seven years ago, and they have now gotten their final way in February through a legal opinion to go forward at the level of the Recognition Board. But you know what has happened, Mr. Vice-President? The board has written to TTUTA indicating they cannot go forward, because you know why? This Government, this failure posing as a Government has refused for almost 14 months to appoint judges to the Industrial Court. They have refused to appoint members of the Board of the Registration, Recognition and Certification Board. They have refused to appoint a chairman of the board. Mr. Vice-President, this is a travesty of democracy. [*Desk thumping*]

Mr. Vice-President: Sen. Mark, you have one more minute.

Sen. W. Mark: This is a travesty of justice, and I call on the Government to take action immediately, and not only to reappoint the Industrial Court judges, but take immediate steps to bring into being the Registration, Recognition and Certification Board.

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

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): [*Desk thumping*] Thank you. Thank you kindly, Mr. Vice-President. You know, Mr. Vice-President, I sat here and observed my senatorial colleague, Wade Mark, full of theatrics, making certain demands, making certain reckless and incorrect statements of which it is my responsibility to

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correct the records. Sen. Wade Mark talks about the fact that there is no board in place at the Registration, Recognition and Certification Board, and it is a travesty of justice, and that TTUTA submitted its application seven years ago. Mr. Vice-President, TTUTA submitted its application under the United National Congress, and they did not attend to that application, so that it falls to this Government to address the application of TTUTA. That is number one.

Number two, Mr. Vice-President, there is an old saying, those who live in glass houses ought not to throw stones. And I want to remind Sen. Wade Mark and all the rest of them on that side that from the 12th of January, 2014, to the 24th of February, 2015, there was no RRCB board in place under a UNC Government for more than a year, but you want to come here and talk about travesty of justice. No, no, no, come now, Sen. Wade Mark.

Mr. Vice-President, I would turn now to responding to the question posed, because Sen. Wade Mark ended up calling for something that he did not ask for in the Motion. He is asking for two things, the RRCB plus the terms and conditions of judges. I would advise him to file a separate Motion with regard to the terms and conditions of judges at the Industrial Court, and we would oblige by providing him with the accurate information, and not perhaps the figment of anyone's imagination.

The Registration, Recognition and Certification Board plays a critical role in promoting the integrity and credibility of the industrial relations systems in Trinidad and Tobago. Through its determination of the appropriate and recognized majority trade union, the RRCB as it is popularly known, is important in promoting the fundamental principles and rights at work, specifically that of freedom of association and the right to collective bargaining in Trinidad and Tobago.

Mr. Vice-President, the RRCB was established under section 21 of the Industrial Relations Act of 1972 as amended. Section 21(3) and (4) of the IRA states as follows, and I quote, and this is section 21(3):

“Subject to this Part, the Minister shall appoint the Chairman and other members of the Board as follows:”

And I invite Sen. Wade Mark and all his colleagues to pay specific attention to what I am about to read.

“(a) in the case of the Chairman, a fit and proper person selected by the President of Trinidad and Tobago...”

Let me repeat that, Mr. Vice-President:

“In the case of the Chairman, a fit and proper person selected by the President”—Her Excellency—“of Trinidad and Tobago after consultation with such organisations or other bodies of persons as in his opinion are the most representative of workers and employers; and

(b) in the case of the other members of the Board—

(i) three members, being persons nominated by such organisations or other bodies of persons as in the opinion of the Minister are the most representative of workers;

(ii) three members, being persons nominated by such organisations or other bodies of persons as in the opinion of the Minister are the most representative of employers; and

(iii) two members, being persons jointly nominated by the organisations or other bodies of persons referred to in subparagraphs (i) and (ii).

(4) In respect of each member of the Board (other than the Chairman), the

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Minister shall in like manner appoint an alternate member, and any such alternate member may, with the approval of the Chairman, act in the stead of the respective member at any one or more meetings of the Board or in addition to such a member, where such a member is elected Chairman under section 26(2).”

Mr. Vice-President, I turn to the current status of the Registration, Recognition and Certification Board. The last term of the RRCB ended on February 24, 2018, and I assure you that the necessary steps with respect to obtaining nomination for the chairman and members of the board are following due course. I want to remind my senatorial colleague that the appointment of our first female President is of recent vintage, and therefore Her Excellency had to settle into office before attending to this matter, and which required her to engage in a process of consultation. Consultation, Mr. Vice-President, and my senatorial colleague Wade Mark should know that consultation is a time-consuming process, but it is necessary, and therefore recently I received the nomination of Her Excellency of the chairman for the board of the RRCB. The public officers under whose charge it is to communicate with organization is in the process of receiving nominees from the workers organizations, nominees from the employer organization, so that the process can be completed. And as the line Minister, I can take the necessary Note to the Cabinet of Trinidad and Tobago for approval.

So, Mr. Vice-President, in closing, once due course is followed and Cabinet’s approval of the membership of RRCB is obtained, the chairman and the members of the Registration, Recognition and Certification Board will be appointed, and the work of the board will continue. This is not a Government by “voops and vaps”. We follow the law, as laid down, and that is what as the line

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Minister I have been doing. I thank you, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Sen. Mark.

VMCOTT

(Status of)

Sen. Wade Mark: Thank you, Mr. Vice-President. Mr. Vice-President, I turn to VMCOTT. We have a rogue management and a rogue board and chairman in charge of a runaway organization in which there is abuse, mismanagement, “tiefing” taking place at a level and at a rate that is unprecedented, that requires police intervention and action to bring about some justice at that particular state-owned state enterprise.

Mr. Vice-President, I have some documents that I have received. The information is rather shocking, surprising and I dare say disturbing, and I do not want to believe that the Minister in charge, Works and Transport, is not aware of what is taking place there. Mr. Vice-President, this company through its acting CEO and chairman, who is like Calder Hart, always on the compound believing that he is an executive chairman. He is always there every day. Mr. Vice-President, they took a decision, and I do not even know if the Minister of Labour and Small Enterprise Development is aware of it—

Sen. Baptiste-Primus: “Don’t call my name in your kankatang.”

Sen. W. Mark:—to retrench 21 workers. Twenty-one workers who have been labouring in that place for 10, and 12, and 15 years. They have done that. And, Mr. Vice-President, I have a copy of a letter, I do not know workers could be eliminated? But look at the language, to tell you the state of play at that company called VMCOTT. They have eliminated 21 workers. They have forced five of them to resign, and they have dismissed two of them, and they operate like in the

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“badjohn” days of the movie Django. [*Laughter*] Djangos are in charge of a place called VMCOTT today. And you know an army officer is in charge of that place.

Hon. Senator: What?

Sen. W. Mark: A fella called Bennett, some Bennett fella. He is in charge, you know. A colonel too.

Mr. Vice-President, let me share with you a letter of termination that took place—I would not call the name of the individual. I have the names of the 21 workers. I can lay it bare here. I would not do that. Mr. Vice-President, hear what they said, and I quote one paragraph. This is addressed to a worker, I will tell you who it is signed by, because I believe this person should be facing criminal charges. It is signed by the Acting Chief Executive Officer. What is the name of the person? Natasha Prince. She signed this. “Hear what she tell the worker”, Mr. Vice-President:

Arising out of VMCOTT’s board of directors’ decision—
I want the Minister to tell this Parliament if he gave a direction and a directive to this board to do the following:

Arising out of VMCOTT’s board of directors’ decision to divest, the board takes a decision to divest VMCOTT and to reduce its current expenditure, we have concluded—the board—that 40 per cent of our workforce must be reduced. As such, it is with great regret that your position or service is one of several positions to be eliminated. [*Laughter*]

Mr. Vice-President, I want to repeat. I want to repeat.

As such, it is with great regret that your position as service adviser is one of several positions to be eliminated.

Yes, what I am saying is that they do not even understand IR. They do not

understand human relations so they used the word “eliminated”.

Mr. Vice-President, I want to tell you that what has happened at that company is that the chairman of the board and the managing director acting as CEO, they are running this company as if it is their own private home. They are running this company as if it is their own private property. And, Mr. Vice-President, you know what is taking place? They take decisions whimsically, arbitrarily. So, you know one of the decisions they took? NP is supplying them with oil, because they repair state vehicles, police vehicles, buses, and if you have your private car and you want to go and get it “mash up”, carry it there, because “it eh coming back out”.

Mr. Vice-President, you know what they did? They decided to stop using NP oil. So, you are taking police cars there, you are taking PTSC buses, you are taking state-owned vehicles, and you believe that they are using NP oil to repair your car. No, Mr. Vice-President. They took a decision, that is the chairman, and I am asking the hon. Minister to tell us if he is aware of this development? He must tell us whether he knows of a company that is now engaged—and the name of the oil company is Idemitsu. That is the name of the oil that they are using. Where is this coming from? Yeah, “I never hear about that oil in meh life; leh meh spell it for yuh, and leh meh puh it on the record”, I-D-E-M-I-T-S-U oil. And who is supplying that oil? A fella by the name of Mr. Salim Baksh. What company he has? Auto Planet. He has just taken over the supply of oil to supply. Because you know why? That company does its own thing. There is no supervision, there is no proper accountability at this company.

And, Mr. Vice-President, they curse workers, they disrespect workers, they discriminate against workers, they use racial slurs against workers, and there is no

accountability. We call for an independent enquiry and investigation into the operations of VMCOTT. [*Desk thumping*] And, Mr. Vice-President, I have a bundle of documents here that came in my mailbox about the corruption taking place at that place they call—and I call on the Minister to act, otherwise I will. I call on the Minister to take action on this matter [*Desk thumping*] because I have not come with a Private Member's Motion, yes, to deal with all of this information. I am giving the Minister enough time to get inside there and clean up that place, and bring a report to this Parliament on what is going on at that place they call VMCOTT.

Mr. Vice-President, there is an injustice taking place there, and it is time for the Minister to act and to take action. Too much abuse is taking place there. Too much looseness is taking place there. And, Mr. Vice-President, this lady who is now the Acting CEO, this company is losing money. They are running, as the Minister of Finance says, on fumes.

Mr. Vice-President: Senator, you have one more minute.

6.25 p.m.

Sen. W. Mark: Yes, Mr. Vice-President, and it is our taxpayers' money that is keeping up this company. This one buy a Mercedes-Benz; a new one. I want to know if the Minister gave her the all clear to buy a car when the company is losing money and the lady already has a car.

So, Mr. Vice-President, there is too much of abuse taking place, "tiefing" taking place and a lot of corruption taking place in that company and I call on the Minister to intervene, take action, call a proper forensic investigation into that company and take action once and for all. Mr. Vice-President, I thank you.

The Minister of Works and Transport (Sen. The Hon. Rohan Sinanan): Thank

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you, Mr. Vice-President. Mr. Vice-President, I really “doh” know where to start after listening to that very good play. Mr. Vice-President, the Senator said that the Chairman of VMCOTT spent a lot of time on the compound and he is like—he used the words “Calder Hart”. But I know Sen. Mark spends a lot of time on this compound here. [*Laughter*] I would not refer to him as Calder Hart.

Sen. Gopee-Scoon: Every day.

Sen. The Hon. R. Sinanan: He spends every day here.

Sen. Mark: “Doh” deal with me, deal with this.

Sen. The Hon. R. Sinanan: He also brought a Motion—“doh” worry, I am dealing with it. [*Crosstalk*] He also brought, Mr. Vice-President—[*Laughter*]

Mr. Vice-President: Minister. [*Laughter*]

Sen. The Hon. R. Sinanan: “What he saying?” [*Crosstalk*]

Mr. Vice-President: Sen. Mark, Sen. Mark. Sen. Mark—[*Crosstalk*]

Sen. Mark: Sorry, Sir. Answer the question.

Mr. Vice-President: Sen. Mark.

Sen. Mark: Sorry, Sir.

Mr. Vice-President: Sen. Mark, we are at the end of today’s proceedings. Allow the Minister to respond. You had yours to say, now the Minister is responding to what you have said, so let him speak. Minister of Works and Transport.

Sen. The Hon. R. Sinanan: Let me talk now. Thank you, Mr. Vice-President. Mr. Vice-President, thank you for the opportunity as I rise to speak on this Motion before us, which seeks to establish the need for the Government to explain the decision of the board of management of VMCOTT, not “VIMCOTT”, VMCOTT to retrench 23 workers, an implication of such action on the viability of the company.

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Mr. Vice-President, the Motion was really on the retrenchment of 23 workers and not on where the hon. Senator tried to take it about corruption and corruption. If you have corruption bring evidence and we will take action. This Government is about taking action on corruption, not encouraging it like the last regime. [*Desk thumping*]

Mr. Vice-President, if we want to talk about retrenchment, we can talk about—

Sen. Ameen: *The Galleons Passage.*

Sen. The Hon. R. Sinanan:—2010 VMCOTT had 183 employees. In 2011 the previous Government that Sen. Mark was a part of sent home 70 employees in 2011. They brought it down from 183 to 111.

Hon. Senators: “Noo.”

Sen. The Hon. R. Sinanan: But there was a reason for it. So I am not going to chastise the former regime for that, because when you are running a business and you are trying to make it profitable, from time to time you have to take certain decisions. But they reduced the staff by 70 without any sort of information. Maybe they thought that those 70 were PNM people and immediately—I “doh” know what was the reason but there were no reason for cutting it outside of the fact that there was some change in the business policies.

However, Mr. Vice-President, from the inception to current time, VMCOTT has accumulated losses of \$70,963,533. This figure is at July 31, 2018, and the company in subsequent months has shown no means of attaining profitability. Based on the issued mandate from the Cabinet, the Government of the Republic of Trinidad and Tobago, the overriding intention was VMCOTT maintain all vehicle fleets owned and operated by state enterprises, in particular, fleets belonging to the

protective service of the Ministry of National Security.

Mr. Vice-President, it is noteworthy that numerous Cabinet Notes outlined a clear mandate that the Trinidad and Tobago Police Service is required to utilize VMCOTT services. Contrary to Cabinet instructions though, to date the Vehicle Maintenance and Fleet Management Function has not been centralized. That is to say, state enterprises were not mandated to utilize VMCOTT service by the representative line Ministries and subsequent from this, have been sporadic at best.

In addition to the issues previously mentioned, VMCOTT has been affected with low subscriptions from the few state enterprises that choose to utilize its services. These subscriptions have severely and progressively declined over the years and are presently at an all-time low.

Mr. Vice-President, consequently VMCOTT has been subjected to low throughput, overcapitalization operations, as well as underutilization of its facilities, equipment and workshop staff for the reasons mentioned above.

Further, the few state entities, customers have repeatedly failed to pay for the services they received resulting in significant outstanding payment owed to the company amounting to millions. This has severely challenged VMCOTT's cash flow position and cripples its ability to recover debts. Accordingly, VMCOTT has had to rely heavily on Government subventions to sustain its operation including the payment of salaries to staff. To further exacerbate the situation due to the downturn in the economy, the Government significantly reduced the subvention distribution to state agencies including VMCOTT.

Now, this is the interesting part Sen. Mark. In January 2017 the Parliament Joint Select Committee on State Enterprise, the JSC, informed that they were conducting an enquiry into the operations and administration of VMCOTT and

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requested certain information. Having submitted the information requested on February 07, 2017, VMCOTT was interviewed by the JSC. The panel on the JSC included: Sen. David Small, MP Fazal Karim and Sen. Dr. Lester Henry and, of course, the hon. Sen. Wade Mark.

Mr. Vice-President, following the JSC review of the information submitted and as a result of the interview, the JSC submitted its Fourth Report, 2016/2017 Session, Eleventh Parliament on VMCOTT which was published on June 30, 2017. Now this is the Committee that Sen. Mark is very vocal on. The said report stated the following. Again, this is Sen. Mark's committee. Page 7, under the heading, "General Finding" Item 5:

"Based on the evidence provided, the Committee"—Sen. Mark's committee—"is concerned about the following"—and I quote:

"a. That VMCOTT's staff costs are unsustainable, and will erode attempts to achieve a state of profitability."

This is Sen. Mark in the report. [*Crosstalk*]

Page 1 under the heading, "Summary of Recommendations". Sen. Mark's committee, Item 6:

"vii. VMCOTT conduct a manpower audit with the objective"—to reduce—"staff costs to a level that is more in line with operational capacity."

Sen. Mark's committee. [*Crosstalk*]

Sen. Mark: Have they conducted the—

Sen. The Hon. R. Sinanan: Page 12—listen.

Mr. Vice-President: Minister, one second. Sen. Mark, please, you know fully well that there is a very short period of time for matters on the adjournment.

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Sen. The Hon. R. Sinanan: “Ah” need injury.

Mr. Vice-President: You, as in the person moving this Motion, had your 10 minutes and your opportunity to speak—

Sen. Mark: Thank you.

Mr. Vice-President:—upon which the Minister would have listened and is now responding. So what is happening is that you are interrupting the Minister when he is responding. Please “doh” let it happen again. Minister of Works and Transport.

Sen. The Hon. R. Sinanan: “Ah” know it hard, you know, “ah” know it hard, Sen. Mark. [*Laughter*] Page 12, under the heading, “Human Resource Capacity”. Item 22.9:

“2.2.9 Based on evidence provided, the Committee is concerned by the following”—Sen. Mark’s committee, again.

“a. That VMCOTT’s staff costs are unsustainable, and will erode attempts to achieve a state of profitability.

Having given the due consideration to the above, the board of directors at its meeting held on November 30, 2017, directed that a manpower audit be conducted as recommended by Sen. Mark’s committee. [*Crosstalk*] In the interim however, a revised organizational chart was requested to guide the “validity”—

Hon. Senators: Validity.

Sen. The Hon. R. Sinanan:—validity. This process which officially commenced on May 25, 2018. In keeping with the Revised Strat Plan 2016—2020, approved by the board of directors in April 2018, and on the recommendation of the JSC, Sen. Mark’s committee again, management restructured the company in an attempt to ensure synchronization with the operational capacity. Accordingly, a revised organizational chart which sought to reduce the workforce from approximately 83

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to 63 [*Laughter*] was developed be management—

Mr. Vice-President: Minister, you have one more minute.

Sen. The Hon. R. Sinanan:—and unanimously approved by the board of directors. [*Crosstalk*] I will take “ah” three minute just for the interruption.

Mr. Vice-President: There is no injury time.

Sen. The Hon. R. Sinanan: Because I have some more licks for him.

Hon. Senator: No, injury time here. Take it or come out.

Mr. Vice-President: Members, Members, Members. It is getting a little loud and there is no injury time for these procedures—

Sen. The Hon. R. Sinanan: Sen. Mark.

Mr. Vice-President:—which is why it is important when a Member is speaking to have silence. Minister continue.

Sen. The Hon. R. Sinanan: Sen. Mark—

Sen. Mark: You want a “cocoyea broom”?

Sen. The Hon. R. Sinanan: I think I give you enough licks on this Motion. Mr. Vice-President, let me just close, I give him enough there.

In summary, I wish to point out that the retrenchment of staff to downsize VMCOTT was followed through on one of the many recommendations made by the JSC, Sen. Mark’s committee, with a view to overcome the present challenges and emerge as a variable organization. The company is now refocusing itself to emerge as a variable state enterprise by increasing it shares of private customers and entering into new commercial partnership with state enterprises. Given the present trend, particularly as a result of a prudent management, the company is now poised to become a self-sustained state enterprise for the very first time in its—

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Sen. Mark: History.

Sen. The Hon. R. Sinanan:—history.

Sen. Baptiste-Primus: Thank him, thank the chairman. [*Crosstalk and laughter*]

Sen. The Hon. R. Sinanan: Mr. Vice-President, I thank you. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.38 p.m.