

National Assembly Debates

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2007) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN [PART I OF II]

25th Sitting

14:00 H

Thursday, 7 June 2007

MEMBERS OF THE NATIONAL ASSEMBLY (71)

Speaker (1)

The Hon Hari N Ramkarran SC, MP

Members of the Government (42)

People's Progressive Party/Civic (41) and The United Force (1)

The Hon Samuel A A Hinds MP

(R# 10 - U Demerara/U Berbice)

Prime Minister and Minister of Public Works and Communications

The Hon Clement J Rohee MP

Minister of Home Affairs

The Hon Shaik K Z Baksh MP

Minister of Education

The Hon Dr Henry B Jeffrey MP - *(Absent)*

Minister of Foreign Trade and International Cooperation

The Hon Dr Leslie S Ramsammy MP

(R# 6 - E Berbice/Corentyne)

Minister of Health

The Hon Carolyn Rodrigues-Birkett MP

(R# 9 - U Takutu/U Esseq)

Minister of Amerindian Affairs

¹The Hon Dr Ashni Singh MP

¹ Non-elected Minister

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Minister of Finance

¹The Hon S Rudolph Insanally OR, CCH, MP - (AOL)

Minister of Foreign Affairs

The Hon Harry Narine Nawbatt MP

Minister of Housing and Water

The Hon Robert M Persaud MP

(R# 6 - E Berbice/Corentyne)

Minister of Agriculture

The Hon Dr Jennifer R A Westford MP

(R#7 - Cuyuni/Mazaruni)

Minister of the Public Service

The Hon Kellawan Lall MP

- (Abs)

Minister of Local Government and Regional Development

¹The Hon Doodnauth Singh SC, MP

Attorney General and Minister of Legal Affairs

The Hon Dr Frank C S Anthony MP

Minister of Culture, Youth and Sport

The Hon B H Robeson Benn MP

Minister of Transport and Hydraulics

²The Hon Manzoor Nadir MP

- (AOL)

Minister of Labour

The Hon Priya D Manickchand MP

(R# 5 - Mahaica/Berbice)

Minister of Human Services and Social Security

The Hon Dr Desrey Fox MP

Minister in the Ministry of Education

The Hon Bheri S Ramsaran MD, MP

Minister in the Ministry of Health

The Hon Jennifer I Webster MP

Minister in the Ministry of Finance

The Hon Manniram Prashad MP

² Elected Member from TUF

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Minister of Tourism, Industry and Commerce

Mr Donald Ramotar MP

Ms Gail Teixeira MP

Mr Harripersaud Nokta MP

Mrs Indranie Chandarpal MP - (AOL)

Ms Bibi S Shadick MP

(R# 3 - Essequibo Is/W Demerara)

Mr Mohamed Irfaan Ali MP

Mr Albert Atkinson JP, MP

(R# 8 - Potaro/Siparuni)

Mr Komal Chand CCH, JP, MP

(R# 3 - Essequibo Is/W Demerara)

Mr Bernard C DeSantos SC, MP

(R# 4 - Demerara/Mahaica)

Mrs Shirley V Edwards JP, MP

(R# 4 - Demerara/Mahaica)

Mr Mohamed F Khan JP, MP

(R# 2 - Pomeroon/Supenaam)

Mr Odinga N Lumumba MP

Mr Moses V Nagamootoo JP, MP - (AOL)

Mr Mohabir A Nandlall MP

Mr Neendkumar JP, MP

(R# 4 - Demerara/Mahaica)

³Mr Steve P Ninvalle MP

Parliamentary Secretary

Mr Parmanand P Persaud JP, MP

(R# 2 - Pomeroon/Supenaam)

Mrs Philomena Sahoye-Shury CCH, JP, MP

Parliamentary Secretary

³Mrs Pauline R Sukhai MP

³ Non-elected Member

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Parliamentary Secretary

Mr Dharamkumar Seeraj MP

Mr Norman A Whittaker MP

(R# 1 - Barima/Waini)

Members of the Opposition (28)

(i) People's National Congress Reform 1-Guyana (22)

Mr Robert HO Corbin - *(AOL)*

Leader of the Opposition

Mr Winston S Murray CCH, MP

Mrs Clarissa S Riehl MP

Deputy Speaker of the National Assembly

Mr E Lance Carberry MP

Chief Whip

Mrs. Deborah J. Backer MP

Mr Anthony Vieira

Mr Basil Williams MP

Dr George A Norton MP

Mrs Volda A Lawrence MP

Mr Keith Scott MP

Miss Amna Ally MP

Mr James K McAllister MP

Mr Dave Danny MP

(R# 4 - Demerara/Mahaica)

Mr Aubrey C Norton MP

(R# 4 - Demerara/Mahaica)

Mr Ernest B Elliot MP - *(AOL)*

(R# 4 - Demerara/Mahaica)

Miss Judith David-Blair MP

(R# 7 - Cuyuni/Mazaruni)

Mr Mervyn Williams MP

(Re# 3 - Essequibo Is/W Demerara)

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Ms Africo Selman MP

Dr John Austin MP

(R# 6 - East Berbice/Corentyne)

Ms Jennifer Wade MP

(R# 5 - Mahaica/Berbice)

Ms Vanessa Kissoon MP

(R# 10 - U Demerara/U Berbice)

Mr Desmond Fernandes MP

(Region No 1 – Barima/Waini)

(ii) Alliance For Change (5)

Mr Raphael G Trotman MP

Mr Khemraj Ramjattan MP

Mrs Sheila VA Holder MP

Ms Chantalle L Smith MP

(R# 4 - Demerara/Mahaica)

Mr David Patterson MP

(iii) Guyana Action Party/Rise Organise and Rebuild (1)

Mr Overall N Franklin MP

OFFICERS

Mr Sherlock E Isaacs

Clerk of the National Assembly

Mrs Lilawatie Coonjah

Deputy Clerk of the National Assembly

PRAYERS

The Clerk reads Prayer

ANNOUNCEMENTS BY THE SPEAKER

Repairs to the Mezzanine Floor of Public Buildings

The Speaker: Honourable Members, I am pleased to announce that, repairs to the floor have been completed and you can resume occupation of it during the suspension period.

QUESTIONS AND NOTICE

The Speaker: Honourable Members, there are four questions on the Order Paper: Nos 1, 2 and 4 for oral replies from the Minister of Foreign Affairs.

Minister Rodrigues-Birkett, are you answering the questions?

Hon Carolyn Rodrigues-Birkett: Mr Speaker, I have been duly authorised by the Minister of Foreign Affairs.

1. CARICOM CHARTER OF CIVIL RIGHTS

Member Asking: *Mr Aubrey Norton MP*

- (i) Can the Honourable Minister say whether his Government has established the mechanism at the national level to monitor the

recommendations of the CARICOM Charter of Civil Rights?

- (ii) If such a mechanism has been established can the Honourable Minister inform this National Assembly what results have been obtained to date?
- (iii) If the mechanism has not been established can the Honourable Minister say when this mechanism will be established?

The Speaker: Proceed, Honourable Member!

Hon Carolyn Rodrigues-Birkett: With respect to Question No.49, from the Honourable Member, Mr Aubrey Norton, the answer:

It should be noted that the correct name of the document on the reference is 'The CARICOM Charter of Civil Society;' not 'rights'. The Government is in the process of establishing a specific mechanism, to monitor the implementation of the Charter's Provision, as provided for in Article 25. The Government is fully committed to implementing the Charter and has sought to provide for more inclusive and participatory form of governance, through the 1999 Constitutional Reform Act which

mandates consultation with civil society at large.

2. CONFERENCE /RETREAT OF HEADS OF OVERSEAS DIPLOMATIC MISSIONS

Member Asking: *Mr Aubrey Norton MP*

- (I) Can the Honourable Minister inform this National Assembly when last a conference/Retreat of Heads of Overseas Diplomatic Mission was convened?

- (II) Could the Honourable Minister say what is the date and venue for the next Heads of Overseas Diplomatic Missions Conference/Retreat

Oral Reply:

With respect to question No.50:

The last Conference of Heads of Mission was convened in August 2000. It is anticipated that one will be held later this year, after planned changes in our external representation have been made.

The venue will most likely be in Guyana.

3. HEAD OF A DIPLOMATIC MISSION

Member asking: *Mr Aubrey Norton MP*

- (i) Could the Honourable Minister indicate if the disadvantages of having the Head of a Diplomatic Mission for more than five (5) years in one post outweighs the advantages?
- (ii) Is such an approach useful in the present international situation?

Oral Reply:

The final question No. 51:

There is something to be said for both practices. Regular rotation of representatives help to avoid the risk of alienation from the domestic environment, that sometimes occurs from extended Missions. It can also provide fresh dynamism to our diplomacy. On the other hand, many countries, especially the small SIDS benefit from the long postings in certain situations, which allow representatives to use their experience and influence gained, for the national good. As a small country with limited human and financial resources, Guyana must constantly weigh its options to see which best serves our interest, at any given time.

Thank you.

Supplementary Questions:

Mr Aubrey C Norton: Could the Honourable Minister state this, in the Statement she would have made, having weighed the advantages and disadvantages, which one the Ministry sees as serving Guyana's best interest?

Hon. Carolyn Rodrigues-Birkett: I would prefer, Mr Speaker, if the Honourable Member can raise these questions, when the substantive Minister is back in the House.

Mr Winston S Murray: Mr Speaker, may I ask a follow up question in respect to Question No. 49. The Minister in her response said that, the Government is about to establish a specific mechanism. Could the Minister inform this National Assembly, whether such a mechanism would be in the context of the National Assembly and therefore, make provision for the involvement of the Opposition in this mechanism.

And secondly, the third part of the question was not answered and maybe the Minister might wish to address it. If the mechanism has not been established, which she agrees has not been the case, can the Honourable Minister say, when this mechanism will be established.

The Speaker: Honourable Member, I would recommend that, in the case of the question asked by Mr

Norton, and in the case of the question asked by Mr Murray, that you make a record of the questions asked and that the Foreign Minister should provide, if you are unable to answer them at this time, then the Foreign Minister should provide the answers at a later date, as convenient. Would that be the position in this matter? I cannot presume what you have to say in relation to Mr Murray. Do you have an answer to the question that Mr Murray has asked?

Hon Carolyn Rodrigues-Birkett: No, Mr Speaker, I was duly authorised to answer these three questions and the questions asked by the Honourable Members, would be relayed to the Minister of Foreign Affairs.

[Interruption: 'You are making a mockery of the Minister.]

Mr Winston S Murray: Mr Speaker, the Standing Orders made provision for follow-up questions and therefore, it is better if the answers to the questions were themselves deferred. If not, come prepared to answer the questions and the follow-up, would be my recommendation, Sir. *[Applause]* That would be reasonable.

Mr Aubrey C Norton: Mr Speaker, in addition, I wanted to ask ... we have been told the advantage of keeping one High Commissioner in one post for over ten years. What

have been the advantages to Guyana and what are the disadvantages?

The Speaker: Honourable Member Mrs Rodrigues-Birkett

Hon. Carolyn Rodrigues-Birkett: Mr Speaker, I think that question has been answered. Maybe it is not the answer Mr Norton is looking for, but this is the answer provided by the Minister of Foreign Affairs.

4. HOSTING OF CRICKET WORLD CUP SUPER EIGHT GAMES

The Speaker: Honourable Members, question No.4 is for a written reply and is in the name of the Honourable Member, Mr Raphael Trotman. The answer to Question 4, is therefore in accordance to our Standing Orders being circulated.

- (i) Can the Honourable Minister provide a breakdown of the total sum spent by the Government of Guyana for the hosting of Cricket World Cup Super Eight Games?

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- (ii) How much of the amount spent is recoverable and how much has to date been recovered?
- (iii) Will the government be preparing and publishing a comprehensive report on all matters pertaining to the hosting of Cricket World Cup Super Eight Games.

Written reply submitted by the Minister of Culture, Youth and Sport

- (i) The funds expended by the Ministry of Culture, Youth and Sport in hosting of ICC World Cup 2007 Super Eight Matches related primarily to overlay, that is -
 - The staffing and running cost as outlined in Section 10(3)(1) of the HVA;
 - Match operations costs as outlined in Section 10(4) of the HVA;
 - Miscellaneous Costs as outlined in Section 10(5) of the HVA.

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The cost breakdowns are currently being audited by the Auditor General and his report would be made available upon completion.

- (ii) It is estimated that the amount recoverable would be \$976,209,120 Guyana dollars (nine hundred and seventy six million, two hundred and nine thousand, one hundred and twenty dollars.

To date we have recovered \$207,235,750 Guyana dollars (two hundred and seven million, two hundred and thirty five thousand, seven hundred and fifty dollars)

These sums are also currently being audited by the Auditor General and the final numbers made available in his report.

- (iii) The LOC in collaboration with CWC and other stakeholders is preparing a comprehensive report. This report when completed would be laid in Parliament.

**REQUEST FOR LEAVE TO MOVE THE
ADJOURNMENT OF THE NATIONAL
ASSEMBLY, ON DEFINITE MATTERS OF
URGENT PUBLIC IMPORTANCE**

**Allegation of Terrorist Plot targeting the facilities of
the John F. Kennedy Airport in New York, United
States of America**

The Speaker: Mr Trotman.

Mr Raphael GC Trotman: If it pleases you Mr Speaker, I rise to move the House on a matter, which I consider and my colleagues do as well, a matter of urgent public importance. I had written to you in accordance with Provisions, I believe Order 12 of the Standing Orders, yesterday and I would ask Mr Speaker that, I be allowed to move for the Adjournment, as it pertains to the issue which was revealed to us on Saturday afternoon, that is, of a plot of terrorism, ostensibly an ...
[Interruption]

The Speaker: ... alleged plot ...

Mr Raphael GC Trotman: Pardon me!

The Speaker: An alleged plot

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Mr Raphael GC Trotman: I said ostensibly and allegedly, targeting the John F Kennedy Airport in New York, United States of America. Mr, Speaker, I bring this matter to your attention, because; we consider it to be a grave situation facing the people of Guyana, following these allegations of a terrorist plot. Since seeing the international news on Saturday 2 June, 2007, not a day has gone by, without myself and colleagues being inundated by Guyanese and foreigners alike, for explanations and clarifications, or simply to express concern for our dear nation and its people, dispersed throughout the world.

To us in Guyana, Mr Speaker, particularly in the National Assembly, we know that the likelihood of mainstream Guyanese opinions becoming anti-American, is so infinitesimal, as not even to be considered rear, yet there are views and opinion to the contrary being formed, which if left unchecked, can develop the indelible impression that, the small nation of Guyana is a bedrock for extremism and religious and ethnic fanaticism.

Mr Speaker, Guyana suffers from many as the afflictions of other poor nations the world over, such as lack of opportunities, discrimination, marginalisation, unemployment, poverty, high crime and pervasive hopelessness. Where we differ from many, however, is that ninety percent of Guyanese see the opportunity to alleviate their perilous conditions, by migrating to North America or benefiting from the largesse of those residents

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there. In essence, therefore, we see the United States, not as a source of our problems, but the provider of our wants and therefore to harm it Mr Speaker, we consider would be nonsensical and suicidal.

On yet, on another occasion, Guyana faces an international credibility crisis, so that the Government, despite its best intentions, I may be bold to say, will alone be unable to manage. In our short life as an independent nation, we have gained the ignominious reputation of being a place where there were, rigged elections, the Jonestown tragedy, death squads, narco-trafficking and now, terrorism. This is another label that we can very well do without and this, when coupled with the fact that three of the accused are Guyanese by birth and moreover, that Mr Abdul Kadir once served as a Member of this still very august Assembly, we Mr Speaker, in the AFC are firmly of the view that, as an Assembly, we have to play our part in correcting any misconceptions that may already have arisen and are likely to arise, with respect to our work as the people's representatives. Whilst these remain only allegations and therefore, presume the accused persons to be innocent until or unless proven guilty, nevertheless Mr Speaker, the consequences of saying or doing nothing, are already dire for Guyanese, whether resident in Guyana or scattered throughout the Diaspora. *[Interruption]*

The Speaker: I will allow you to at the next paragraph. The document is too long for you to read.

Mr Raphael GC Trotman: I agree.

Mr Speaker, we believe that terrorism in any shape or form is violent, despicable and abhorrent and should be condemned. We, however, urge that, the Government ensure that those who have been accused are given a free and fair hearing.

Mr Speaker, I move that the House be adjourned, to discuss this matter which we consider to be a matter of public and urgent importance. Thank you.

The Speaker: Thank you very much Hon Member. As I had indicated to you that, I did not think the issue qualify, on the ground that for a matter of urgent public importance to qualify, there must be some fault in the Government administration and some relating to the breaching of some law, and I pointed out to you the provision which states so. I regret to say that I'm unable to approve your application. Thank you!

[Disallowed]

INTRODUCTION OF BILLS

Presentation and First Reading

**ANTI-MONEY LAUNDERING AND COUNTERING
THE FINANCING OF TERRORISM BILL 2007 -
Bill No 18/2007**

A Bill intituled, an Act to provide for the establishment and management of a Financial Intelligence Unit; to provide for unlawful proceeds of all serious offences to be identified, traced, frozen, seized and eventually forfeited; to provide for comprehensive powers for the persecution of money laundering, terrorist financing and other financial crimes; and the forfeiture of the proceeds of crime and terrorist property; to require reporting entities to take preventative measures to help combat money laundering and terrorist financing; to provide for civil forfeiture of asserts and for matters connected therewith

The Speaker: The Hon Attorney General and Minister of Legal Affairs.

Hon Doodnauth Singh: May it please you, Mr Speaker. About two years ago, the Chambers provided a Draft Anti-Money Laundering and Conquering the Financing of Terrorism Bill. That Draft was circulated to the relevant stakeholders and the views were sought. In addition, Legislations that existed in the Caribbean and elsewhere were compared with the Draft that we had produced and parts which dealt with some of the provisions in this Bill, were also considered. That Bill provided for:

- The establishment and management of a Financial Intelligence Unit;
- To provide for unlawful proceeds of all serious offences to be identified, traced, frozen, seized and eventually forfeited;
- To provide for comprehensive powers, for the prosecution of money laundering, terrorists financing and other financial crimes and the forfeiture of the proceeds of crime and terrorist property.
- To require reporting entities to take preventative measures to help combat money laundering and terrorist financing;
- To provide for civil forfeiture of assets and for matters connected therewith.

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Mr Speaker, as you will appreciate, this is an exhaustive Bill and some provisions of it might be considered, for instance, the provision dealing with civil forfeiture, which is an instance which has caused both the Government and those who were consulted, much concern. Despite that fact, however, there is provision in the Bill for civil forfeiture.

I wish to move that this Bill be read for the First time and in accordance with Standing Orders 54(1)(c), be referred to a Special Select Committee. I thank you, Mr Speaker!

The Speaker: Thank you, Honourable Member. Let the Bill be read a First time please

Bill read the First time.

The Speaker: Honourable Members, the Bill is referred to a Special Select Committee and as requested, under the appropriate Standing Order. *[Pause]*

Mr Winston S Murray: Mr Speaker, on a point of order, Sir, my understanding is that the Bill, and I do stand corrected here, because I am not one hundred sure of my grounds on this occasion, but I believe, Sir, that it is necessary that the Bill be read a Second time, before it goes to a Special Select Committee, that it may go directly to a Special Select Committee without debate on a Motion made and question put and agreed to proceed with the Bill at an earlier date, or send it (and I am reading Standing Order No. 54) to Select Committee, Sir.

I would like to receive your guidance, respectfully and humbly, Sir.

The Speaker: The Standing Order was amended, Mr Murray, if you look at Standing Order No. 54...

Mr Winston S Murray: Did the Attorney General move a Motion, Sir?

The Speaker: Yes he did.

Mr Winston S Murray: Oh! If he did, then I understand. I thought he just read and said he send it to a Special Select Committee, that is what he did.

The Speaker: This is what the Honourable Attorney General said:

Mr Speaker, I also wish to move that the Bill be read for the First time and thereafter in accordance with Standing Order No54(i(c), [I do not think he said (c), he said Oder 54(i)] be referred to a Special Select Committee for consideration.

Honourable Members, technically speaking, these Motions are supposed, are required to be put and voted upon, but just as much as a Motion for an extension of fifteen minutes to speak, it is required to be put and voted upon and then a ruling given. But, these procedures we

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normally cut short, but if Members want to follow the technicality to the letter, I can do so.

Honourable Members, the Attorney General has moved that the Bill be referred to a Special Select Committee.

Question put and agreed to.

Motion carried

[Bill committed to a Special Select Committee]

PUBLIC BUSINESS

(i) GOVERNMENT BUSINESS

MOTION

1. THE PARLIAMENT OF GUYANA MANUAL OF RULES OF PROCEDURE AND OPERATIONS COMMITTEES

WHEREAS ON THE 10TH May, 2007 the Parliament of Guyana Manual of Rules of Procedure and Operations of Committees was laid in the National Assembly;

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AND WHEREAS the said Manual contains the rules, procedures and operations of Committees functioning in the National Assembly;

BE IT RESOLVED:

That the National Assembly accepts in general the rules, procedures and operations of the said Manual;

BE IT FURTHER RESOLVED:

That a Special Select Committee be appointed to make recommendations to the National Assembly on the adoption of the said rules, procedure and operations.

Honourable Members, we will now resume consideration of the Motion, relating to the reference of the Manual of Rules and Procedure of Operations of Committees, to a Special Select Committee.

Honourable Members, I now rule that having considered Standing Order No. 88(2), I am of the opinion it is not

obligatory that the Manual be referred to the Standing Order Committee; it may be referred to a Special Select Committee.

Question put and agreed.

Motion carried

[Motion committed to Special Select Committee]

(ii) PRIVATE MEMBERS BUSINESS

MOTIONS

2. AFRICAN SLAVE TRADE AND SLAVERY

WHEREAS the 25th day of March marked the bicentenary of the abolition of the Slave Trade Act between Africa and the British Empire;

AND WHEREAS scholars estimate that between 50 and 100 million Africans were either killed or abducted during the existence of European slavery and the slave trade.

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AND WHEREAS it is universally accepted that slavery and the transatlantic slave trade were the most inhumane tragedies in the history of mankind.

AND WHEREAS our African fore parents, first as slaves and then as free men and women build the infrastructure of modern Guyana and made unparalleled contributions to the development of Guyana.

BE IT RESOLVED:

That this National Assembly unequivocally acknowledges the immense debt that all Guyanese owe to our African ancestors and recognises the outstanding contribution they have made to the development of Guyana;

BE IT FURTHER RESOLVED:

That an African Land Commission be established similar in

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status to the Rights Commission established under Article 212G of the Constitution of the Co-operative Republic of Guyana, to determine the issue of ancestral land rights of African Guyanese;

BE IT FURTHER RESOLVED:

That this National Assembly urges the British Government to enact measures to effect reparation to the descendants of the victims of the African Slave Trade and slavery.

The Speaker: Honourable Members, Mrs Deborah Backer will now move the Motion, relating to the African Slave Trade and Slavery.

Mrs Deborah J Backer: Mr Speaker, I rise once again, (I think this is for the third occasion) to respectfully ask that, the Motion standing in my name be deferred. The consultations that I indicated to the House, Sir, are still ongoing; we have made progress.

The Speaker: Very well, Honourable Member.

[Motion deferred.]

3. CRICKET WORLD CUP

The Assembly resumed the debate on the following Motion;

WHEREAS Guyana played host to Cricket World Cup Super Eight matches in March and April, 2007, and the overall hosting of the event can be categorised as successful;

AND WHEREAS notwithstanding the overall success of the event, there are the issues of the future viability of the National Stadium including the means of recovering the financial outlay, and the servicing of the loan agreements and other facilities which were entered into to ensure the construction of the National Stadium and apparent facilities such as bridges, roads and car parks;

BE IT RESOLVED:

That this National Assembly express its appreciation and extends congratulations to all the

organisations and persons which were instrumental in making preparations for the successful hosting of the event including the Local Organising Committee, the Disciplined Forces and Private Security firms, the Private Sector, the Georgetown and other Local Government Organs, the Guyana Scouts Association, volunteers and others; and

That this National Assembly directs the Economic Services Committee to conduct a review of all processes and aspects of the preparation and hosting of the games and to make recommendations thereafter for future events and for the viability of the stadium.

Honourable Members, the Assembly will now resume consideration; resume Debate, in relation to the Motion relating to the World Cup Cricket.

Mr Trotman, on the last occasion, you were supposed to conclude.

Mr Raphael G.C. Trotman: Mr Speaker, if it pleases you again, I believe that I made a mistake when I conferred with you this afternoon. When we took the adjournment on the last occasion Mr Patterson, my colleague, was to have spoken and I would yield my wrapping up to him; and I would just move the Motion at the appropriate stage. Mr Speaker ... with your leave.

Mr Patterson ...

Thank you.

The Speaker: Mr Patterson ...

Mr David Patterson: Mr Speaker, I would like to join with my colleagues in offering my congratulations to the Local Organising Committee and in particular, the hundreds of volunteers, for the effort that they contributed, to ensure the hosting of the Guyana leg of the Cricket World Cup Super Eight Matches, were staged.

A lot of hard work and long tireless hours were devoted by these groups, to ensure that our cricket matches were played with as little hitches as possible. I think it was a job well done and they deserve the congratulations of this Assembly.

Mr Speaker, even up to the morning of 28th March , even before the very first ball was bowled, there were doubts as to whether Guyana would have been able to successfully host these games.

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The International Press commented on the lack of readiness of the Stadium; questioned the reasoning for staging the matches in Guyana; and of course, we had the infamous blow-up by Mr Martin Gough, on the state of the country as a whole. Mr Speaker, I am pleased that all these doubts were proven unfounded. The nation via our Print Media, told Mr Gough what we thought about his blow-up and all our cricket matches were played and completed in daylight. Most importantly, Mr Speaker, all our visitors, players, coaches, team officials, and even the ICC Members, who by this stage were public enemy No. 1, were able to leave Guyana alive and well and much better off for their experiences during this World Cup. *[Applause]*

Mr Speaker, having this Motion before this Assembly is not a coroner's inquest; rather, it is a Motion that sets what we have accomplished, learned from any mistakes and, most importantly, to offer proposals and recommendations, to continue the sustainability of the prominent Cricket Stadium. In assessing what we have accomplished, we must first examine two key areas: the cricket facilities and cricket operations.

The actual cricket facilities proved to be more than adequate for cricketing purposes. There were only minor mishaps with regard to physical infrastructure in place in the Stadium, during the matches. However, it is my opinion, that we could have done better in the following areas:

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The Stadium design, in particular, the amount of covered seating available to fans. The current designs amply suit our cricketing tourists from further North who, not only come for the game of cricket but, also come for a bit of sun. However, it has never been the Guyanese nor the Caribbean persons' experiences or preferences, for sitting in the sun or rain, for the entire period of a five-day test match.

While I would acknowledge, it is costly and difficult to design a fully covered Stadium, especially for countries that enjoy our high level of sunshine, the designers could have given more thought into covering the stands, by say for example, Mr Speaker, extending the current roofing canopy backward and forward. [*Interruption: That is a retracting roof*] That would work as well

Mr Speaker, was consideration given to the amount of sunshine and rainfall experienced in Guyana, when the plastic seating for the stands were procured? It is apparent that these seats were designed for a fully covered Stadium, (as Mr Ramotar has just opposed) with no exposures to the elements. That would explain, Mr Speaker, why these seats came with no drain-holes, for the outlet of rain water. These holes for drainage actually had to be done manually, after they were procured and installed; then the Organising Committee realised that when it rained, the seats became reservoirs and containers for rainfall.

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Mr Speaker, the areas surrounding the Stadium were inadequate: the car parking, walkways, access roads, drainage and all other external works were incomplete. And it was cause for much comment, among our visitors. I hope the Government and the Local Organising Committee will continue to work to have these areas completed, before our next scheduled international fixture.

Mr Speaker, it is most appalling that, even though Guyana knew that they were awarded the Super Eight Matches more than three years ago and that we, as part of our presentation, proposed to build a new Stadium, that the Government and the LOC could not have seen it fit to solicit public opinion, and have our newly constructed Stadium named after one or two of our great cricketers, thus acknowledging them appropriately, during this grand event. Instead, we were faced with the totally unimaginative names such as, the North Stand, the South-East Stand and the North Mound. It would not have taken the LOC one month to ask the public for suggestions and implementing these suggestions. Mr Speaker, I hope that this wrong will be remedied immediately.

Mr Speaker, the aesthetics of the landscape surrounding the Stadium could obviously not have been completed in time, but we hope that trees will be planted, even Palm trees I am, advised, to relieve the sterile outlook. And may we suggest Mr Speaker, that we hold a competition for the design of a mural to go outside on the under

surface of the Media Centre, particularly when the plastic IDC covers and signage has disintegrated; that we would have a media that would cover up the coat covers that the Media Centre is painted in. Maybe we can get something more Guyanese and more Caribbean.

Mr Speaker, the late procurement of the covers for the pitches, was another great concern. In the end, the LOC was forced to air-freight covers from St Vincent, after completion of the warm-up matches in St Vincent, at a great cost to the country and the LOC. A bit of forward planning would have resolved that.

Finally, on the design of the Stadium, I think we missed a golden opportunity to design a Stadium, which would have incorporated more architectural details and characteristics, to add a unique Caribbean touch to our Stadium. However, having hadn't the opportunity to visit three other venues, I will acknowledge that even with the lack of local inputs, our Stadium has far more character, far more character than some others in the Caribbean. I will admit that, because it is an opportunity lost.

Mr Speaker, our cricket volunteers' performance was on par, if not superior, to those in other host territories. The hospitality of the Guyanese people to the few visitors that came was of a legendary high standard.

Mr Speaker, the CMC Cricket Club, a Company that covered audio internet coverage for the Cricket World

Cup, conducted an unofficial email poll for listeners, and it was noted and from the unofficial poll, when asked where were their best cricketing experiences, Guyana came third out of the nine countries, behind Grenada and St Lucia, and we should congratulate ourselves for that. *[Applause]* Mr Speaker, (I have just been passed a note saying I have only a few more minutes). I would like to point out

The Speaker: That was from your colleagues?

Mr David Patterson: Yes,

The Speaker: Who wishes to close you down? I want to make it plain the note is not from me. *[Laughter]*

Mr David Patterson: Sir, which means I can proceed at my own pace, thank you.

Mr Speaker, we also had some negative feedback on the tournament in general, and in Guyana in particular. Locally, the ticket pricing was a hotly debated issue. The ICC is on record as stating that, the level of pricing was set by the Local Organising Committees themselves. It is my hope that, after we would have completed the review, that the Honourable Minister of Sport, as indicated that it is currently being conducted, that the record would show that, the Guyana LOC objected strenuously to these pricing levels, since they would have been well aware of economic circumstances of the Guyanese cricketing

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public. So, I hope the records will show that we did not blindly agree to those high prices.

Actually, Mr Speaker, Dr Ali Bakker, the South African in charge of Cricket World Cup 2003 in South Africa, is on record, and I quote from the Guyana Chronicle of April 26:

In South Africa we kept the prices low because we said we wanted the majority of people watching, to be South Africans, not overseas persons. That allowed us to have an average capacity, over fifty four matches, of between seventy-five and eighty percent.

I think the organisers here definitely set their prices too high; these prices here are a lot of money. Mr Speaker, I would like to endorse that, because the recently completed Cricket World Cup, especially the one in Guyana, was probably a Guyanese one and only opportunity, to be able to see a cricket match. Unfortunately, not all of us were able to afford the high prices. [I said not all of us; I am speaking as a Guyanese person.]

Mr Speaker, the Government took the decision to distribute unsold tickets, free to school children and other deserving persons. This in itself is a worthy gesture,

however, concerns were raised on its implementation. Complaints came mainly from patrons who had purchased their tickets, months before the start of the games and when they were assigned seats, they discovered they were located in the Mound. Some felt it was unfair that, after having paid for their tickets, they were restricted to the Mound while free tickets were distributed for better locations. A review may reveal that a more equitable process would have been, to upgrade the existing paying patrons and then provide access to the unused sections for free distributions.

Another area of concern was accommodation. The question of marketing available accommodation by the LOC, needed to be addressed. Persons were under the impression that, the Local Organising Committee would have been handling the marketing of their accommodation namely, those persons who were supposed to provide beds and breakfast services. However, at the very last minute, they were informed that the marketing of rooms was the responsibility of the individual owners. This, coupled with the poor influx of visitors meant that, most individuals were left holding the short end of the stick. In fact, of the over fifty persons that received small loans from IPED toward upgrading their houses to the LOC's bread and breakfast standard, only two out of those fifty persons actually accommodated visitors. [*Interruption: 'That is not true.'*] It is in writing that is why you have

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not seen it, Neil. Mr Speaker, the Government has to actively examine ways to assist these persons in settling their indebtedness.

Mr Speaker, on the matter of indebtedness, of course, this nation should therefore be informed of the agreed methodology in place, for the repayment of monies advanced to Buddy's International Hotel and Cacique Palace.

Mr Speaker, I would like to close by offering a few suggestions on the viability of the Providence Cricket Stadium, now.

My very first suggestion is that, a cricketing club has to be formed, operating out of the Stadium. If not, the existing cricket pitch will deteriorate, if it is not played on actively and regularly, and we will once again, when there is international cricket, have to spend an exorbitant amount of money, to get it back up to scratch.

Mr Speaker, I would also like to recommend that, we move ahead to install floodlights in the Stadium, thus allowing us an extra opportunity, to want to accommodate playing the 20/20 cricket in the evenings, concerts and other sporting events.

Finally, Mr Speaker, the State of Florida makes hundreds of millions of dollars every year, by hosting what is called, '*Spring Training*'. Primarily, '*Spring Training*' is the official start of the baseball and American football

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season; this is when the athletes return from their holidays; they usually walk with their families and they go to Miami or to Arizona and they start their fitness regime. I would like to suggest that maybe Guyana combined with one of our sister territories can offer such a package. I am sure that, after all these years, cricketing and American football athletes would gladly be able to spend a week in Guyana, during their training sessions, because we have all the facilities and hotels; and we have to pay somehow for hotels, we have to pay back the monies they have borrowed. So, I would like to suggest that we can put forward a proposal to have sporting tourism incorporated with one of our sister countries.

Mr Speaker, the Motion before the Assembly seeks to direct the Economic Services Committee, to conduct a review of the preparation and hosting of these games and make recommendations for its suitability. Mr Speaker, I would like it to go on record, for supporting this Motion and I hope my colleagues shall also lend in their support. Thank you, Mr Speaker! *[Applause]*

The Speaker: Thank you, Honourable Member.

The Hon. Member, Mr Trotman.

Mr Raphael G.C. Trotman: Mr Speaker, I rise to move that the Motion standing in my name be presented for approval by the House.

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There is in circulation an amendment proposed by the Honourable Minister of Sport, and I believe at the appropriate time, he will move it. We have no difficulty in principle with that amendment; we would have liked it to be strong but unfortunately, we will accept what we have, rather than try to push and end in disagreement.

Mr Speaker, I commend the Motion, I thank you and the Members of the House. I believe if I may, one indulgence, I am told that, after I spoke on the last occasion that I omitted to mention several names and I, with your permission, would like to mention names of persons who I believe played a part. The first name, Mr Speaker, is former Minister of Home Affairs, Ms Gail Teixeira, who I am told that, in her capacity as Minister of Sports and Culture, started the ball rolling.

The second person I would like to mention, Mr Speaker, is His Excellency the President himself, who I am told, even though he is not mentioned, played a great part.

Lastly, I am told, Mr Robert Corbin as Leader of the Opposition, also played a part in ensuring the success of the 2007 cricket games.

So with that, Mr Speaker, I thank you and commend the Motion. *[Applause]*

The Speaker: Thank you, Honourable Member.
[Pause]

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Honourable Members, just one moment please, we are trying to get the amendment that Dr Anthony proposed.
[Pause]

Thank you Hon. Members. Honourable Members, I will put the amendment first. It reads:

Amendment -

Second BE IT RESOLVED Clause second paragraph:

Deletion of the words:

“to conduct a review of all processes and aspects of preparation and hosting of the games and to make recommendations thereafter”

Substitution of the words:

“consider the government’s report on the hosting of the ICC CWC WI 2007 in Guyana and its recommendations and to consider these and””

So, I will put the amendment first.

Question put and agreed to

Amendment carried.

I will now put the Motion as amended.

Question put and agreed to.

Amended Motion carried

The Speaker: Thank you very much.

**4. THE UNITED NATIONS CONVENTION ON
THE RIGHTS OF THE CHILD**

WHEREAS in 1991 Guyana signed and ratified the United Nations Convention on the Rights of the Child;

AND WHEREAS Article 19 of the Convention of the Rights of the Child states that "Parties shall take all appropriate legislative, administrative, social and educational measure to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s),

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legal guardian (s) or any other person who has the care of the child”;

AND WHEREAS the Committee on the Convention on the Rights of the Child has consistently proposed the abolition of corporal punishment, when the reporting process under the Convention has revealed the continued existence of school corporal punishment;

AND WHEREAS the Government of Guyana’s report to the Committee of the Convention of the Rights of the Child of July 29, 2002 further states “The Constitutional Reform Commission acknowledged that the provisions of the Convention on the Rights of the Child should inform constitutional provisions to protect children’s rights. The Oversight Select Committee of the Revised Guyana Constitution subsequently accepted the above recommendations and in 2001 these rights were accorded the status of fundamental and human rights in the amended Constitution”;

BE IT RESOLVED:

That this National Assembly declares the continued use of corporal punishment in schools in

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Guyana a violation of Article 19 of the United Nations Convention of the Rights of the Child;

BE IT FURTHER RESOLVED:

That this National Assembly declared the continued use of corporal punishment in schools in Guyana a violation of the Constitution;

BE IT FURTHER RESOLVED:

That this National Assembly recommends the abolition of corporal punishment under the new Education Act.

Honourable Members, we can now proceed with the Motion in the name of the Honourable Member Ms Chantalle L Smith.

Honourable Member, you may proceed.

Ms Chantalle L Smith: Mr Speaker, I rise to propose an Amendment to the Motion on Corporal Punishment, standing in my name. The Amendment, Mr Speaker, was arrived at after much discussion... *[Interruption]*

The Speaker: Have you circulated it, Honourable Member?

Ms Chantalle L Smith: It has not been circulated.

The Speaker: Alright, we can leave the Amendment at a later stage. You can proceed with the Motion.

Ms Chantalle L Smith: Yes. I just wish to say that it was arrived at, in an attempt to reach consensus in the House. Mr Speaker, it is both unfortunate and in my mind illogical, that this is an issue that we are forced to debate; that we considered acceptable to discuss, whether the powerful should have a right to inflict physical punishment on the most vulnerable, and further that, we should discuss how these beatings should be administered, simply defies logic. The idea of adults beating children should horrify us, in the same way that it horrifies us, when we hear of men beating women or strangers attacking one another on the streets, or when we think back to where the legacy of corporal punishment began: to the days of slavery and indentureship when we learned that violence was an acceptable way to gain control of others. Unfortunately, Mr Speaker, it does horrify us and so, here we are.

Let me say, that this is an issue that is critical, not only to the development of our children and our system of education but, also to the development of our country. As we debate this topic, which is highly emotional on both sides of the argument Mr Speaker, I ask my colleagues to consider the issue rationally and with an open mind.

Most importantly, I urge that we consider the interest of our children above all else.

This issue is not a new one. Many individuals and organisations have been agitating for an end to corporal punishment in schools for decades. Red Thread, Help and Shelter and other organisations, have worked tirelessly on ending violence against children. In 1971 Andaiye was the first Head Mistress in Guyana, to ban corporal punishment in her school. Mr Vanda Radzic was Head Mistress of the Ministry of Education Interior Pioneer School in the late 1970s. At that time, nursery education was introduced with early childhood development in principles and practices as important elements and there was a no corporal punishment policy, in place.

We know that the country has been divided on this issue. We also know that the religious community has been divided under this issue. Some have spoken out in favour of retaining corporal punishment in schools and some are on record, as calling for its removal.

In April, 2006, at a Meeting of the 8th World Assembly on Religion for Peace held in Japan, eight hundred religious groups, including a representative from Guyana Inter-Religious Organisation, signed and adopted a Declaration on Violence Against Children. The Declaration reads in part: I quote,

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We will create greater awareness in our communities about the impact of all forms of violence against children and work actively to change attitudes and practices that perpetuate violence at homes, families, institutions and communities, including corporal punishment, emotional and sexual violence.

The Bahai religious teachings prohibit corporal punishment and I will read just one line from the writings of Abdul Baha that states:

It is not however, permissible to strike a child or vilify him, for the child's character would be totally perverted, if he is subject to blows or verbal abuse.

Others faiths debate the issue internally, even when the official policy condones corporal punishment. However, notwithstanding these divisions, there are some fundamental issues that need to be taken into account. There have been many times in history when law makers have been faced with controversial issues and, notwithstanding public opinion, have had to take the lead on those issues, in the best interest of the nation. We have done so here in Guyana and during this 9th Parliament, as Monday's Editorial in the Chronicle pointed out, and we will do so on this issue, in order to represent the best interest of our children.

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Mr Speaker, I would like to speak for a moment about Human Rights, as this is most definitely a Human Rights issue. Human Rights, as you know, are rights that every person possesses simply by virtue of being a human being. These rights exist to protect individuals and groups, their societal norms and standards of behaviour, that are derived from customary international law and treaty law.

Those rights that are derived from customary international law, developed out of consistent practices by faith, and over time, have come to be seen as a way things ought to be done. These practices and behaviours are eventually recognised as principles of international law by which faith are bound, even though they might not be contained in any written legal document. For example, while the Universal Declaration on Human Rights, is not in itself legally binding, States are expected to form a certain provision of Declaration, of correct standards of behaviour.

Treaty law, on the other hand Mr Speaker, includes the law of Human Rights and set out in many international agreements called, Treaties, Covenants or Conventions. These Laws are usually developed collectively by UN Members States, which are then urged to sign and ratify them. These agreements which include the Convention on the Rights of the Child, are legally binding and the stakes which are parties to them. As I am sure you are aware Mr Speaker, Guyana became a party to the

Convention on the Rights of the Child, when it signed and ratified that Convention in 1991. Guyana then, is legally bound by the Provisions of the Convention on the Rights of the Child; when we signed onto the Convention, we made a legal commitment to that Convention by which we are now bound, leaving us with no choice but to adhere to its Provision, whatever the opinions of individuals or groups may honour this matter.

The Convention on the Rights of the Child exists for the protection of children and youths. The Convention sets universal legal standards for the protection of children against neglect, abuse and exploitation, and guarantees children their basic human rights, including survival, development, and full participation in social, cultural, educational and other endeavours, necessary for the individual growth and well-being.

Mr Speaker, Article 19 of the Convention on the Rights of the Child states that: I quote.

Parties should take all appropriate legislative, administrative, social and economic measures, to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment; nor treatment or exploitation, including sexual abuse while in the care of parents, legal guardian, or

any other persons who have the care of the child.

Mr Speaker, the Committee on the Convention on the Rights of the Child, is an International Body established to monitor the implementation of the Convention. It has consistently proposed the abolition of corporal punishment, when reports have revealed the continued existence of school corporal punishment. The Government of Guyana appeared to have supported this position when, in its report to the Committee, dated 29 July 2001, it stated:

The Constitutional Reform Commission acknowledged that the Provisions of the Convention on the Rights of the Child should inform Constitutional provision to protect children's rights. The Oversight Select Committee, of the Revised Guyana Constitution, subsequently accepted the above recommendations and in 2001, these rights were accorded the status of Fundamental and Human Rights in the amended Constitution.

It was therefore surprising Mr Speaker, that in its Report dated August, 2003, the Committee was forced to express its concern at the fact that, corporal punishment is still widely practiced in Guyana and the Domestic Legislation did not prohibit its use. It was a further embarrassment

when, it was reported in the Stabroek News on 6 February 2004, that at its 35th Session held in the Geneva, the Committee again admonished that Guyana should prohibit corporal punishment by law.

It is on this basis that we assert that it is time for Guyana, to act on our country's legal obligations to hold our commitment to The Convention on the Rights of the Child and take the position:

- that continuing to permit to use of corporal punishment in the schools in Guyana, is a violation of Article 19 of the United Nations Convention on the Rights of the Child; and
- that corporal punishment should be removed from our schools.

Mr Speaker, despite the fact that Guyana signed and ratified the Convention on the Rights of the Child, the Ministry of Education made the unfortunate decision to continue to allow corporal punishment in schools, when it developed its disciplinary policy in 2002. This, despite the fact, in the Stabroek News, 28 November, 2000, reported that President Jagdeo, publicly come out against corporal punishment in schools, at a national forum on child abuse, held on 27 November 2000.

This also, despite the fact that in the Chronicle on 19 October of 2000, then Education Minister Dr Dale

Bisnauth, made an impassioned plea to teachers, on behalf of children in the school system. Dr Bisnauth expressed outrage in two of the cases brought to his attention, within a two-week period. One was the case of a Prep A student, who was systematically boxed by his teacher and he told Dr Bisnauth that he no longer wished to attend school.

The other was a case of a five-year old, who was savagely beaten by a teacher. Dr Bisnauth said, and I quote:

A new child in a new primary school just leaving nursery and she beat him. If you see his back, covered with welts, raw and still bleeding. I cannot understand for the likes of me, what a five-year child could have done, to provoke such wrath, for this child to be beaten so severely and savagely.

In the same Article, Dr Bisnauth recalls his own boyhood days, saying that corporal punishment is the reason that so many boys hated school and admitting that to this day he still has very unpleasant memories of those days.

Mr Speaker, the Ministry chose to maintain corporal punishment in schools, despite the fact the Chief Education Officer, Mr Ed Caesar, announced publicly in June, 2001, that the Ministry has appeared, a thirty-point paper with the attention of working towards a complete

elimination of corporal punishment in schools. This was reported in Stabroek News, on 15th. June, 2001.

The President and the Ministry of Education have publicly acknowledged, the administration of corporal punishment in schools is not working and calls for its removal.

Why are we debating this issue six years later?

Mr Speaker, in 2005, the Ministry of Labour, Human Services and Social Security and UNICEF, in collaboration with Red Thread, produced a Report entitled, *Voices of Children: Experiences with Violence*. The Report indicated that many teachers support maintaining corporal punishment in schools, saying that they know no other way of maintaining order in their classrooms. It is not that these teachers felt some sort of a cultural attachment to corporal punishment; simply that they knew no other way of maintaining order. In fact, there are many, much more effective ways, of maintaining discipline in the classroom that can be made available to teachers, and teachers that we have met with are opened to learning alternative forms of discipline.

The study also shows that, although teachers were aware of the Ministry's disciplinary policy which states that, corporal punishment must only be administered by Head Teachers, Deputy Head Teachers or Senior Teachers, in the presence of Head Teachers many teachers keep a

small whip on their desks, to threaten students and to use to administer corporal punishment. The study revealed that despite Ministry policy, teachers often gave children lashes on their arms, or the backs of their heads, as they move about the classroom, to maintain order.

Mr Speaker, children and teachers reported that corporal punishment was routinely used for minor infractions in the classroom and for such infractions as; not writing fast enough, spelling words incorrectly, and not doing work because it was not understood. This practice not only penalises children that might have learning difficulties or disabilities, but also creates a negative association between learning and punishment, which contributes to high drop-out rates and levels of truancy.

Children in the study reported being physically and emotionally damaged by corporal punishment and describe it as having a negative impact on their learning.

Unfortunately, Mr Speaker, this study and numerous incidences that have been reported in the media, clearly demonstrates that maintaining corporal punishment, even with restrictions, simply is not working. Here I would list only a few of the cases that have been publicised in the media, after the Ministry's disciplinary guidelines were put in place in 2002:

- *Eight-year Joel Punch had his arm broken in November 2003. The teacher used a*

piece of wood to beat him, after he chased a classmate who had taken his pencil.

- *Early in 2004, six year old Anwar Hussein was repeatedly beaten by a teacher. It was revealed following an investigation that the teacher also beat other students in the class. The teacher received only a stern warning, after months of efforts by Dr Hussein, the father of the six year old, to get the Ministry to take action.*
- *In May, 2006, a junior teacher beat at least one student in her class. After a physical confrontation between her and the parent the teacher was eventually transferred to another school.*
- *In September, 2006, eleven year old Sandy Persaud was forced to kneel for six hours until she suffered bruises and cuts to her knees, a punishment for not doing homework. After the incident was publicised, several other parents indicated that, their children had suffered the same faith.*
- *As recently as November 11, 2006, a male fifth form student was verbally and physically abused by a senior teacher, who*

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had a history of violence against staff and students.

These are only some of the examples that have been publicised. There are many cases that have not been publicised, because parents are afraid to complain when their children are beaten, for fear that the child will be further victimised or neglected by their teachers.

Fairly, the schools are incapable of enforcing the disciplinary policy, as it stands. It is therefore essential that we take the lead on this issue and ensure that not one more child is harmed, by working toward the abolition of corporal punishment in schools, and training for teachers in preventative strategies and alternative forms of discipline.

Mr Speaker, I returned to the Ministry of Education with disciplinary guidelines. It is ironic that the Ministry's own guidelines acknowledge the need to create and develop a warm and caring school environment and states that:

it would be appropriate to have our children so trained that they will, in the course of their lives, help in the development of an orderly and disciplined society.

Despite this acknowledgement, they go on to give the schools the right to administer corporal punishment. This

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is only one of the series of contradiction inherent in the document. The document lists the following as benefits to be derived from the disciplinary policy:

- A prevalence of desired or acceptable behaviours;
- A safe school environment;
- A child friendly school environment;
- A sense of security, acceptance and belonging by parents, teachers and learners;
- Opportunity for the acquisition and application of coping, decision-making and conflict resolution skills, on the part of learners and teachers; and
- improve inter-personal relationship between teacher and parent, teachers and learners, and among learners.

Mr Speaker, while these are all desirable goals, research have consistently shown that these admirable benefits and behaviour do not flourish in an environment that allows corporal punishment.

And here, I must make an important distinction between punishment and discipline and point out that the effects on children vary depending on which method is used.

The literal meaning of punishment is to cause to undergo pain. The dictionary definition includes the following under punishment;

- rough handling or severe mistreatment;
- suffering pain or loss that serves as retribution; and
- severe rough or disastrous treatment.

Not something I would wish for my child or any other. Punishment is intended to stop the offending behaviour immediately; it requires compliance with the law for the law's own sake, or more simply put, it requires blind obedience. It is important to note here, Mr Speaker, that corporal punishment is most often inflicted on poor children, children with disabilities, minority children and boys.

Mr Speaker, a 2002 Colombian University study, by Elizabeth Thompson Gerschoff, confirmed that corporal punishment is effective in ensuring immediate compliance by children. However, the study goes on to say that the use of corporal punishment broke the relationship between the punisher and the punished and therefore makes the child less likely to internalise parental and societal values. In other words, it stops bad behaviour does not teach the child positive alternative behaviour.

As a result, Mr Speaker, the study asserts that corporal punishment legitimises many types of violence for the victim, not just in childhood, but throughout the individual's life, resulting in an increased likelihood of violent behaviour both in childhood and adulthood. In fact, Mr Speaker, the study found that the use of corporal punishment in childhood was one of the strongest predictors of violent behaviour in later years.

Mr Speaker, the Gershoff study states that corporal punishment also appears to cause anti-social behaviours which are non-violent, such as stealing, and increases the likelihood of criminal activity generally, in both children and adults.

Corporal punishment has also been shown to negatively impact on children's mental health and is associated with depression, suicide and substance abuse.

It is no wonder, Mr Speaker, that the research from the US Centre for Effective Discipline and Control shows that schools which use corporal punishment often have;

- Poor academic achievement;
- More vandalism;
- Higher truancy rates,
- More pupil violence; and

- Higher dropout rates.

The Gershoff study which references dozens of supporting studies, dating back to the 1960s, would seem to support the argument that, the apparent increase of violence in our schools, including unfortunate incidences of which, teachers have been attacked by students, and the increase of violence in society in general, might at least be partially as a result of the continuing use of corporal punishment.

The next logical question is what then is the alternative to corporal punishment? I know that many teachers say that they did not like or wish to beat students, but find that corporal punishment is the only thing they have to keep their students compliant. I submit that there are many alternative forms of discipline that have been proven to be effective in the short-term and far more beneficial to the children, teachers and society in the long-term than corporal punishment. We need only ensure that these methods are integrated into schools so that, teachers are not abandoned with no alternative method of discipline at their disposal.

Mr Speaker, the Latin root of the word *discipline* means *student*. Discipline is concerned with teaching children what to do as an alternative to the offending behaviour. Discipline does not assume that the child that behaves badly is a bad child; it assumes that the child is ignorant of the appropriate or meaningful way to accomplish what

he needs to accomplish. Discipline gives children the tools to help them control their behaviour as children and throughout their lives.

It is clearly more desirable to have children learn skills that will help them to be self-disciplined throughout their lives rather than, co-operative only when they are fearful.

Mr Speaker, the Ministry's guidelines have some excellent suggestions, already enshrined in the document that can be included under an updated policies that exclude corporal punishment. Teachers are instructed to:

- Include Peace Education, self-confidence, conflict resolution and social skills in the regular instructional programme.
- To respond to learners in a caring and respectful manner; and
- To model the desirable/acceptable social and professional behaviours.

I can tell you that, there are programmes that already exist that can easily be shared with teachers and incorporated into the curriculum of the Teachers' Training Colleges, to help them do just that.

Educator Bonita Harris worked with nursery teachers in all ten Regions and with the Municipal Day-Care Programme conducting a series of one- week workshops,

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dealing with how violence affects children's ability to learn and providing alternatives to corporal punishment. She also worked with the Regional Educational Officers conducting similar programmes. She has developed manuals on the subject which the Ministry of Education has been provided with.

For the past three years, an organisation called *Every Child Guyana* has been working with teachers and parents in East La Penitence and Agricola, to teach them alternative methods of discipline. They have documented the success of their programmes and have that information available. School of the Nations has a no corporal punishment policy in place and can share their experiences. The Central Islamic Organisation of Guyana operate a school and while their rules allow for corporal punishment, I have been told by the Director of the school that, they have no need to use it, because of their commitment to working with challenging children, using alternative forms of discipline and soliciting support from other professionals to counsel challenging children and work with families.

UNICEF has prepared a manual specific to Guyana, to be used to train teachers in alternative forms of discipline, which has been made available to the Ministry.

There is a wealth of experience in organisations like Red Thread, Help and Shelter, Guyana Human Rights Association, Volunteer Youth Corps and the Guyana

Responsible Parenthood Association and others which could assist the Ministry in putting mechanisms in place, to support teachers in implementing strategies to prevent classroom violence and in dealing with children presenting challenges in the classroom. These resources include youth workers, volunteer counsellors and social workers, peer educators and peer counsellors and health professionals, to name a few.

If all teachers were provided with the skills and support, they will find that students are far more likely to treat others with respect and avoid conflict as the Ministry's current disciplinary policy requires.

Mr Speaker, I reiterate, that the abolition of corporal punishment cannot occur in a vacuum. Methods must be put in place to ensure that, teachers are given alternative means of discipline that parents and students understand their responsibilities and that schools are supported in meeting new challenges facing the system today, by professionals from other Ministries and organisations. Research prove that, change is most effective if all stakeholders are involved in the process and there are several programmes and activities that have been implemented here and in other countries, that have been identified as best practices. Therefore, an inclusive, multi-level approach to instituting changes is imperative.

Resources are always a challenge and therefore it will probably be necessary to seek technical and financial

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assistance from organisations like UNICEF, to assist with designing, communicating and implementing a plan and training teachers in alternative forms of discipline.

In addition, education professionals in the Diaspora have indicated their willingness to participate in Ministries initiatives to train teachers in alternative forms of discipline.

Best practices show that, forming committees that would include the Ministry of Education officials, officials from related Ministries, institutions and organisations, educators, parents and students, to develop a safe-schools plan to greatly improve the likelihood of success of the child, involving students in designing instructions and penalties for those infractions, have proven particularly successful in encouraging their compliance.

The Ministry of Education have continually liaise with related Ministries and organisations, to plan to give greater integration between schools and supported personalities such as, Social Workers, Youth Workers; Counsellors and other professionals and to access programmes already available to other organisations and Agencies. The Ministry of Education must engage in the programmes to inform educators, parents and students, about why the decision to abolish corporal punishment in schools has been taken and to communicate their plans and to provide educators about alternative forms of discipline. The programme that supports educators in

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meeting challenges in the school system and convey to parents and students their responsibilities under the new disciplinary policies.

And of course, it must be an absolute priority to provide ongoing training and professional development opportunities for educators, to help them deal with challenging situations and students.

Surely, with the wealth of expertise we have in the Ministry of Education and in other organisations, we should be able to develop and implement these and other strategies and programmes to prevent unacceptable behaviour in schools and to put in place alternatives to corporal punishment.

Mr Speaker, we have a legal obligation to live up to our commitment to the Convention on the Rights of the Child, by legislating against the continued use of corporal punishment in schools. We have abundant research that confirmed that corporal punishment harms children and increases the propensity for violence throughout their lives. We have access to the resources and expertise, to support teachers in learning and using alternative forms of discipline. We know that our country is divided on the issue; we know that the religious community is divided on the issue but as leaders, we must take the lead on this issue and do what is right and in so doing, we must put the mechanisms in place to support those that would be affected in making the necessary changes.

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Mr Speaker, let me close by again urging my colleagues, to approach this issue, logically and with an open mind; something is not working in our society. Violence in schools and in society in general, is spiralling out of control. Corporal punishment is surely not ensuring the maintenance of order in classroom. It is not working.

Let us agree that, even if one more child is injured by an over zealous adult, administering corporal punishment, it is one too many. But it does not happen to only one. The Voices of Children Report found that thirty-three percent of Guyanese children have received physical punishments that have drawn blood.

Mr Speaker, this is simply unacceptable that one-third of our country's children have been so severely beaten that the punishment had drawn blood. Let us think about those children whose limbs have been broken, whose skins have been bruised and whose emotional scars we cannot always see, and imagine that this has happened to our own children. What do we think about these incidents? Mr Speaker, I urge my colleagues to protect our children by voting in support of this Motion. Thank you! *[Applause]*

The Speaker: Thank you, Honourable Member.

The Honourable Member, Mr Khemraj Ramjattan

Mr Khemraj Ramjattan: Mr Speaker, let me first of all, before I read to the Parliament an open letter to Honourable Members of the Ninth Parliament. I made a point, that I am further realising that it is both an attribute again, the former Government and this one - the *former* meaning the PNC. They indicated in 1991 and ratified in 1991 that Convention that my learned colleague was talking about. What she just expressed, if that isn't learned, Mr Attorney General, well I do not know what is learned. But what she just expressed is absolutely telling us that the jury is in on this one: corporal punishment creates violent children and the science in it is almost final and conclusive, and it was so for a very long time. That is why all the international organisations dealing with children in 1991 and even before that were arguing for this Convention that is going to eliminate and abolish corporal punishment, and wanted countries of the world, especially Third World countries, to ensure the abolition of corporal punishment.

Of course in 1991, the Government of Guyana then, and I understand the support of the Opposition, supported that Convention being ratified. So, we had the PNC and the PPP thinking together on it and now, the AFC also. *[Laughter]* But what we have here and what is very striking coming from the PNCR-1G Ms Amna Ally, is a pretty much watered-down version of what our original Motion is seeking. That is why I am rather surprised

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that we have here, obligations that they want since in 1991, now being turned aside, deviated from to the extent that, look what they say here! Oh! We should put it to a task force to hold consultations. Did we hold consultations when we ratified the Treaty in 1991? Or is it not that you felt it was right? You have got to hold consultations now, go back to stakeholders, including the political Parties on all the issues. What is that? That is the retraction that is so well logged by Donald - recall; recall back the thing. And to also have a brand new Resolved Clause. Well, unlike the PNCR-1G and the PPP/C, I would like to say to Mr Murray that we would like the Resolved Clauses to be as we have amended it. But, to go further to literally water it down, to the extent that the PNCR-1G's Amendment has it here, I would like to state my not supporting that. It is not going to take the position further and it is going to be a big retraction and recall, from what the PNCR had supported in 1991.

Let me just go on now to state the point that it would appear that we just love, not to be bound by our International Contracts. I remember the same thing with the Optional Protocol with this PPP Government; I was then sitting in its Seat, *Rights to Life*. They went around claiming that we must sign the Optional Protocol. When they signed it and they proudly stood here signing it; the first decision of the United Nations Human Rights Commission, Thomas and Yasin,

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indicated that please do not hand those fellows, you could commute the sentence; they then went and withdrew the Optional Protocol to the Rights to Life. You know about that, Mr Speaker. All of them know about it. So, the minute they signed up agreements internationally, I am not so supportive of them saying they mean it, because it would appear they do not mean it ... the PNC here and then the Optional Protocol with the PPP.

Only recently too, the PPP/C went and sent some representatives to sign up Latimer House Principle and they want recall legislation now. So, they do not live their principles. That is the point I wish to make here.

I want to say that this open letter made by a whole set of prominent citizens, including some very close to you, Mr Speaker and I will come to them stating the basic principles and the arguments as to why it is that we must have the abolition of corporal punishment. I can put it in no better words, because they have done it in rather brief terms, very courteously, very convincingly. To corroborate the evidence in a sense, I would wish to read it in its entirety, because I would wish to endorse and adopt this as my argument.

The undersigned ...

and I will come to those very important
undersigned

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... believe that, the beating of children in schools has no place in society and especially in our society and where we still have ... [Interruption]

The Speaker: If all MPs have the document and if they have read it, you can ask that the document be read into the records.

Mr Khemraj Ramjattan: Please, that was my main focus. Could it be read into the record so we can have this as part of Hansard?

The Speaker: Yes, as part of your presentation.

Hon. Mr Kehmraj Ramjattan: Yes, as part of my presentation. Thank you very much. I wish to just emphasize...

The Speaker: You can refer to it if you wish.

Hon. Mr Khemraj Ramjattan: Yes, Thank you very much. That would save time.

Letter on the Discussion on Corporal punishment in Guyana's School

We, the undersigned, believe that the beating of children in schools has not place in any society and especially in our society where we still have to overcome a history in

which institutional violence was used during slavery, indentureship and colonialism to force submission and to entrench relations of superiority and inferiority.

Corporal punishment attacks the child's body and not the problem itself. It is useless if the goal is the correct a particular behaviour.

We have only to look at the rising levels of violence in our society to understand that we are failing to resolve conflicts and anti-social behaviour at every level. We do not suggest that the physical abuse of children that masquerades as corporal punishment in our schools, homes and institutions is solely responsible for this rise in violence. It is, however, an important contribution factor as it teaches from a very young age that violence is an acceptable way to solve or correct problems and that people in authority have the right to impose their will or rules on those in their care through the use of violence.

Research indicates that the person administering obtains satisfaction from doing so while at the same time communicating fear, hatred and disrespect.

Ministry of Education guidelines on corporal punishment are not followed and are unlikely to be followed. A 2005 UNICEF/Ministry of Labour/Human Services and Social Security/Red Thread Report "Voices of Children: Experiences with Violence" says:

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The 2002 Ministry of Education guidelines state that corporal punishment of children should not be used by class teachers, but only by the Head Teacher in extreme cases. However, during this survey children reported that corporal punishment is administered more often by teachers in the classroom than by the heads in Schools.

Included in the list of the six most common reasons identified in the report for what behaviour provokes corporal punishment in schools identified is not doing school work well. Twenty percent of children interviewed said that they received corporal punishment for such things as not finishing work, not writing fast enough and spelling words incorrectly. This indicates that corporal punishment is not only being used as a means of imposing discipline, but to penalise children whose only 'crime' is performing below expectations in academic subjects. This group will include children who may be dyslexic, abused or have mild physical disabilities. The use of corporal punishment in this way is all the more intolerable, because by creating a psychological association between physical punishment and school work, it encourages children who are unable to satisfy their teachers to believe themselves failures and no doubt contributes significantly to the drop out rate.

The same Report also states that:

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Children often mentioned being physically and emotionally hurt by the use of corporal punishment and even described as being 'beaten bad' by their teachers [resulting in] swelling of hands so that it is difficult to write, leaving permanent marks on their skin, leaving them so humiliated that they could not concentrate on their work or leaving them too afraid to ask for help.

We all know of incidents reported in the media of school children being subjected to brutal physical violence in the classroom by their teachers. In some instances children have had their limbs broken while others have had to receive medical treatment for their injuries.

The problem is that in the context of school discipline, whatever the recommended corporal punishment or whoever administers it, it is still an act of violence against a child and open to being used both subjectively and arbitrarily.

The use of corporal punishment in schools in Guyana is a violation of Article 19 of the United Nations Convention on the Rights of the Child and is in contravention of the Constitution and we applaud and support AFC Parliamentarian Chantalle Smith's motion for the National Assembly to make a declaration to this effect and for Parliament to recommend the abolition of corporal punishment in the new Education Act.

The UN Secretary General's Study on Violence against Children suggests that there must be a turning point - an end to adult justification of violence against children, whatever accepted as 'tradition' or disguised as 'discipline'. There can be no compromise in challenging violence against children. Children's uniqueness - their potential and vulnerability, their dependence on adults - makes it imperative that they have more, not less, protection from violence.

Two remarks are usually made against those of us who oppose corporal punishment.

The first boils down to 'If beating was good enough for me, it is good enough for my child', sometimes expressed in the boast that the speaker is the fine citizen she/he is because she/he learned discipline through corporal punishment. But the indiscipline throughout our institutions and throughout our streets is the product of women and men who suffered corporal punishment. The failures of reason and the easy recourse to violence in every situation in Guyana come from women and men who suffered corporal punishment.

The second is that we must be people who have never raised or taught children. To this our answer is 'Not so.' Most of us are working class and middle class mothers and fathers and some of us were and are teachers - and we practice what we preach. We recognised that there is a greater demand on the teachers to provide the

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necessary resources to teachers to discipline by non-violent means of retaining abusive powers.

We further call upon the National Assembly not to use the support of maintaining corporal punishment in schools that still exists in the society as an excuse for abdicating its clear responsibility to abolish it once and for all and to live up to the national commitment as a signatory to the Convention on the Rights of the Child.

Names of Persons Endorsing Statement:

- 1. Andaiye - Red Thread, former Teacher and acting Head Teacher*
- 2. Karen De Souza - Red Thread*
- 3. Cora Belle Roberts, Red Thread, Mother, Grandmother*
- 4. Josephine Whitehead - Attorney-at-Law, Help and shelter*
- 5. Danuta Radzik - Help and Shelter, Women and Child Rights Advocate*
- 6. Denise Dias - Mothers in Black*
- 7. Beverly Harper - Alicea Foundation*
- 8. Jade Harper - Alicea Foundation and Mothers in Black*

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9. *Loekeshwari Ramnarace - Secondary School Student*
10. *Kala Seegopaul - Secretary of External Affairs National Spiritual Assembly of Baha'is*
11. *Evelyn Hamilton - Chairperson, National Spiritual Assembly of Baha'is*
12. *Terrence Simmons - Vice Chairperson, National Spiritual Assembly of Baha'is*
13. *Afna Garnett - Deputy Director for the Municipal Day Care Services*
14. *Rev Dale Bisnauth, Minister of Religion*
15. *Paul Hardy, Leader of Guyana Action Party (GAP)*
16. *Rashleigh Jackson - Parent, former Foreign Minister, Grandparent*
17. *Magda Pollard - Recipient of CARICOM Triennial Award for Women*
18. *Savitri Balbahadur - Teacher and Educator*
19. *Vic Insanally - Businessman*
20. *Dr Frank Williams - Physician (retired)*
21. *Dr Frank Bekcles - Psychiatrist*

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22. *Major General (retired) Joe Singh, Guyana Citizens Initiative*
23. *Mr Phillip Allsopp - Civil Engineer, former Ambassador to Brazil*
24. *Dr Clive Thomas - Distinguished Professor, University of Guyana*
25. *Rev Patricia Sheerattan-Bisnauth, Exec. Secretary, Church Renewal, Justice and Partnership, World Alliance of Reformed Churches*
26. *Krysta Bisnauth, University Student*
27. *Olga Bone - Educator, Head Teacher and Education Officer (retired)*
28. *Agnes Jones - Educator, Co-ordinator of Nursery Education Programme, Ministry of Education (retired)*
29. *Merlene Adams - Working Mother of 8, Grandmother of 31 and Great Grandmother of 5*
30. *Roxanne Myers - Peace Builders Network*
31. *Rolinda Kirton - Spirit of Guyana Movement*
32. *Phyllis Carter - Mother of five*

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33. *Sr Mary Noel Menezes, Historian, Sister of Mercy*
34. *Dr John Fredericks MD*
35. *Andrew and Nicky Memdes*
36. *Elfreida Bissember, Curator, Artist*
37. *Elaine Radzik - Mother and Grandmother*
38. *Cecil Singh - Gardener and Father*
39. *Jennifer Crevalle - Working mother or two*
40. *Bonita Harris - Parenting Educator*
41. *Leila Jagdeo - Guyana Book Foundation*
42. *Jean La Rose, Mother, Indigenous Peoples' Rights Advocate*
43. *Hamala Sharma - Child Rights Avocate*
44. *Kojo McPherson - Youth Leader and Human Rights Advocate*
45. *Joel Simpson, Stacey Gomes - SASOD*
46. *Rohan Sagar - Musician and Peace Builder*
47. *Bharat Kissoo - Grandfather*
48. *Abbas Mancey - Peace Builder*

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49. *Desmond Ali - Artist*
50. *Paul Mangal - Jardine, Mother of two*
51. *Treena Dundas - Conflict Transformation Lecturer, University of Guyana and Spirit of Guyana*
52. *Kenneth Daniels - Peace Builder and Science of Spirituality*
53. *Keeran Persaud, Vishal Seeraj - Society for Empowerment and Holistic Advancement*
54. *Dr Raquel Thomas - Mother and Forest Ecologist*
55. *Egbert Carter - Civil Engineer, Father*
56. *Vanda Radzik - Educator and Women's Rights Advocate*
57. *Mrs Indra Ramadhar - Domestic Worker, Mother*
58. *Lisa Thompson - Social Worker, Mother*
59. *Sharon Ousman - Arjoon, Natural Resources Manager*
60. *Roxroy Bollers, Simone Mangal - Citizens United Against Sexual Offenders and Predators*
61. *Cynthia Massay - Rehabilitation Officer, Prolemy Reid Centre*

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62. *Dr Suraiya Ismail - Mother, Nutritionist*
63. *Janet Bulkan, Mother, Teacher*
64. *Jocelyn Dow - Businesswoman*
65. *Anata Alva - Teacher and Mentor*
66. *Eusi Kwayana - Teacher, Father, Grandfather,
former Members of Parliament (WPA)*
67. *Hamila Khan - Mother, Women and Child Activist*
68. *Joycelyn Bacchus - Mother, Women and Child
Rights Activist*
69. *Deep Forde - Senior Economist, United Nations
FAO*
70. *Rachel Hibbin - Mother, Social Development
Administrator*
71. *Rodney Davis - Parent, Amerindian Leader,
Social Development and Environmental Advocate*
72. *Rupert Roonarine - Parent Writer, Politician,
former Member of Parliament (WPA)*

[Cont'd On Page 81 Part II]

National Assembly Debates

[Part II: continued from Page 81 of Part I]

PROCEEDINGS AND DEBATES OF THE NATIONAL ASSEMBLY OF THE FIRST SESSION (2006-2007) OF THE NINTH PARLIAMENT OF GUYANA UNDER THE CONSTITUTION OF THE CO-OPERATIVE REPUBLIC OF GUYANA HELD IN THE PARLIAMENT CHAMBER, PUBLIC BUILDINGS, BRICKDAM, GEORGETOWN.

25th Sitting

14:00h

Thursday 7 June 2007

73. *Shirley Melville - Mother, Indigenous Leader, former Member of Parliament (GAP)*
74. *Dr Ian Mc Donald - Father, Writer, Corporate Executive*
75. *Chelsea Fung - Secondary School Student*
Dominique Dias - Secondary School Student
Kayla Reece - Secondary School Student
76. *Nico Rodrigues - Secondary School Student*
77. *Javed Rahaman - Secondary School Student*
78. *Joshua Abdool - Secondary School Student*

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79. *Cary MacDonald - Secondary School Student*
80. *Nikhil Ramkarran - Father-to-be, Attorney-at-Law, Chairperson GASCI*
81. *Sandra Kurzious - Mother, Attorney-at-Law, Secretary to the Executive Council of the Lutheran Church of Guyana*
82. *Timothy Jonas - Father, Attorney-at-Law*
83. *Jaya Manickchand - Attorney-at-Law*
84. *Jordan Jeffrey - Secondary School Student*
85. *Patsy Gamid - Clerk, Mother of 2*
86. *Darlene Hawker - PA, Mother*
87. *Shaleza Saleem Josie - Typist Mother*
88. *Paula Gonsalves - Mother, Typist*
89. *Municka Sheoprashad - Mother, Typist*
90. *Donna Williams - Receptionist*
91. *Chandroutie Deonarine - Typist, Mother*
92. *Stanley Neblet - Clerk*
93. *Dianne Jardim - Mother of 2, Clerk*
94. *Savitri Kissoon - Mother of 2, Conveyancing Clerk*

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95. *Jairam Beepat - Father of 3, Legal Clerk*
96. *Mohendra Arjune - Father, Legal Officer*
97. *Anita Calorio - Accounts Clerk*
98. *Arlene Ross - Mother, Accounts Clerk*
99. *Deborah Vieira - Clerk, Mother*
100. *Kamal Ramkarran - Attorney-at-Law*
101. *Alison Craig - Legal Clerk*
102. *Andrea Rohlehr - Mc Adam - Daughter, Civil Rights Advocate*
103. *Alissa Trotz - Mother, University Lecturer*
104. *Khallell Mohamed PhD - Father and University Lecturer in Religion*
105. *Miles Fitzpartick - Father, Attorney-at-Law*
106. *Elizabeth Cox - Insurance Executive*
107. *Howeard Cox - Insurance Executive*
108. *Carol Doodnauth - Personal Assistant*
109. *Irshad Ali - Insurance- Sales Manager*
110. *Dianne Persaud - Insurance Manager*
111. *Sandy Basdeo - Insurance Manager*
112. *Tooladhari Singh - Secretary*

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113. *Hanraj Singh - Insurance Sales Representative*
114. *Ramesh Persaud - Insurance Sales Representative*
115. *Joyce Ramcharran - Insurance Sales Representative*
116. *Anant Ramcharan - Insurance Manager*
117. *Sherry Gopaul - Insurance Supervisor*
118. *Monica and Shawn Mc Grath*
119. *Dr David Singh*
120. *David Dabydeen*
121. *Ann Geer*

It is the kind of behaviour that I suppose Mr Neendkumar gets on with that we all want corporal punishment still to exist; [*Laughter*] so interruptive and in a very uninformed way and you learn nothing at the end of the day from his heckling.

I suppose, these persons that have endorsed this Statement include, the former Education Minister for the PPP/C Rev. Dale Bisnauth, now Minister of Religion.

We have one of their Ambassadors at large, David Dabydeen; he is another significant figure that is recognising the negatives of corporal punishment and the

positives for its abolition. We have also, the wife of one of our greatest Poet, now the greatest, Phyllis Carter; Dr Clive Thomas; Major General Joe Singh (retired) and two psychiatrists, I think it is Frank Beckles and Dr Williams and one of our finest writers who still does that lovely column that we look forward to every Sunday in Stabroek, Dr Ian McDonald; Vanda Radzik let me just end this in view of the fact that this will be part of the record, and all these names will be so stated, is one Nikhil Ramkarran, father-to-be, Attorney at Law and another one Kamal Ramkarran. My name will be here on the record, because I am supporting it. But it is so important that these prominent citizens, inclusive of the Ramkarrans that I mentioned here and even Ms Josephine Whitehead I notice is here too; it is important that we pay heed and attention to what they have to say. It is so important and for that reason, even if on the authority of the personality of these people, either/or we support the Motion and not amend it and further dilute it, as I noticed from the final proposed amendment. I ask all of you here, my colleagues to so support this Motion. Thank you very much. *[Applause]*

The Speaker: Thank you very much, Honourable Member. Honourable Members, I think there is another Honourable Member, Mr Baksh, who is next on the list, but I think that, rather than interrupt his presentation, this might be a good time to suspend and we will resume five

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minutes earlier than the usual time. Thank you very much.

15:51H - SUSPENSION OF SITTING

16:42H - RESUMPTION OF SITTING

The Speaker: Thank you, Honourable Members. Please be seated.

The Honourable Minister of Education.

Hon Shaik KZ Baksh: Mr Speaker, I rise to make my contribution on the debate, on the Motion by the Honourable Member, Ms Chantalle Smith. I have listened very attentively to her presentation which is tantamount to thesis against corporal punishment and she quoted elaborately in defence of her position.

Over the past year or two and also recently, we have had protagonists on both sides:

- those who have been calling for the prohibition of corporal punishment in schools; and
- those who feel that corporal punishment should be retained in the school system.

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The National Assembly has been presented only today, with a letter from some concerned Guyanese, who would like to see corporal punishment abolished in the school system. When I look at the many, many voluminous presentations in the media, there are many interesting things that have come out. We have large number of persons writing in support of corporal punishment. The point I want to make it that, on both sides, strong arguments have been put forward.

Only this week, I have noticed in The Chronicle, an Article, *Retain Corporal Punishment*, June 06, and I want to quote one small part of that Article which states:

Should you use the arguments that corporal punishment adds in any way to the rising violence in our community, this would be completely false. Think of the society today as compared to yesteryear, when teachers were allowed to punish children in schools and so on. When the society was stricter and parents had given teachers the right to punish their children in schools when they did wrong, they were fewer problems and so and so forth.

It just shows the letter that we got from concerned Guyanese, clearly links off the incidence of violence in society with the administering of corporal punishment in the school system, but there are other views on this.

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Another letter this week also *Removing Flogging Could Lead to Chaos* shows the deep seated fear if there is this removal of corporal punishment from the school system - this is Chronicle, 6 June 2006.

We have had several others. Kaieteur News: *Corporal Punishment Should Not Be Banned in Guyana* and there are some strong arguments here and it shows that not only in Guyana, but in other countries of the world.

For example, it states that in the USA, twenty-two States allow corporal punishment, while it is illegal in twenty-eight States. So, countries are in transition, so to speak.

In Canada, it is illegal in five Provinces and prohibited in eight and it goes on.

So, we could see that the views in support of corporal punishment are equally strong. Here now, we have against corporal punishment, that letter which is circulated at least three times to the Members of the National Assembly Please end corporal punishment in schools and the strongest argument here is that it contributes and I quote - that is corporal punishment:

It is, however, an important contributing factor as it teaches from a very young age that violence is an acceptable way to solve or correct problems and that people in authority have the right to impose their will

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or rules on those in their care, through the use of violence.

This is a main trust of this letter we have received and of course we have many, many others in support of the abolition of corporal punishment.

In December 07, Stabroek News, another letter: *I urge Members of Parliament to abolish corporal punishment.*

And then, again in Kaieteur News: *Licks like peas.* The writer wrote it under *Peeping Tom.*

The Honourable Member, Ms Chantalle Smith, has rightly stated that the country has been divided on the issue and the religious community has been divided on the issue.

So, what is the position of the Government in all of this? The Government has set up an Education Task Force, which is doing its work; we are a consultative Government; we believe in consultation with the people of the country. I would have thought that good sense would have prevailed as it did previously to defer the debate on this Motion. I made the point to the Honourable Member out of Parliament that we should await the report of the Task Force, because that is one of the major issues they are dealing with.

I have spoken to the Chairman of the Education Task Force on the new education legislation, and the Chairman

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has told me that they will complete by October of this year, so that, we can present to the National Assembly; it is about four months away and by the end of June of this year they should have the first draft out. I think, when I listened to the Honourable Member as well as Mr Ramjattan, we have to be very cautious and careful. We cannot be emotive about such a serious issue like corporal punishment and rush into decisions on our own.

As a Government which consults with the people, the broadest consultation is taking place through the Education Task Force. Over fifty consultations countrywide and in every Region of the country, has already been undertaken by the Task Force, so this one is a very wide consultation. As you know, the hallmark of this Government is to consult: witness our consultation through the PRSP - Poverty Reduction Strategy Paper; witness our Meetings, the Cabinet outreaches in all the Regions of this country. We went, we want to listen to the people and we responded even in crisis - moments of crisis like the floods and so on; we go to the various communities. In like manner, we do not want to rush into a position. We want to give this very broad based Task Force the opportunity to present their findings and to have it presented to the National Assembly, where it would be debated and we will decide; that is the National Assembly, on the way forward on this Matrix.

What strikes me, Mr Speaker, is that both Speakers have stated in very serious tones, the importance of corporal

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punishment and as a matter of fact, the Honourable Member, Ms Chantalle Smith has stated that the rights of the child is an integral part - fundamental part - of human rights and I agree, I fully support that position.

It strikes me that in the haste to have a debate on corporal punishment, that they should have taken into account, not only corporal punishment in the school system, because Article 19 is broad enough and as it states here, Article 19, and I reiterate again:

State Parties shall take all appropriate legislative, administrative, social and educational measures, to protect the child from all forms of physical and mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians, or any other persons who have the care of the child.

Quite rightly so and I would have thought that any Motion coming here, would have dealt with the wider issues of corporal punishment in the home.

The Honourable Member quoted extensively from the Committee, the then Commission on the Rights of the Child Committee, which is a Standing Committee, which

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has been receiving reports of the implementation of its various provisions, and I thought that she would have looked at that, because the Committee has been very much concerned with the fact that in many countries no move has been taken whatsoever in abolishing or on passing legislation to abolish corporal punishment in the home.

In Britain for example, the Committee in reviewing the country's reports, wants corporal punishment in every institution, including the family, abolished.

In Belgium, the Committee wants Belgium to reform its current Legislation with a view to ensuring the prohibition of corporal punishment within the family and in Canada and so on and, it goes on and on.

So, we are presented with this Motion here, in a very limited way so, we will deal with it in that way, but I thought that I should mention that there is the wide implications which they have not addressed. But at the same time, whether a country is in readiness, as I mentioned, many countries have not passed Legislation, and even Article 44 states that reports, that is country's reports, made under the present Article, shall indicate factors and difficulties affecting the degree of fulfilment of the obligation under the present Convention. It clearly shows that there is the expectation that many countries may not be in a position, although you may have signed up to the Convention, to immediately pass Legislation to

abolish corporal punishment in the school system. Mind you, when you read Article 19, it does not mention corporal punishment, but the Committee had so interpreted the Article as including corporal punishment. So, we see where we are.

The Committee also has had cause to look at countries which have introduced Legislation and their concerns, so do not let us rush into this Legislation, it is not a panacea as seems to come from the two presentations. Let me quote you here from the Committee that is the UN Committee, it says:

The Committee noted that Bolivia had prohibited corporal punishment by law, but concerned that it was still widely used.

I hope this Honourable House will take note of this.

Again, in the case of Vienna, the Committee noted that although corporal punishment is against the law, the use of corporal punishment by parents is widely regarded as acceptable.

Once again, one other quotation here, in the case of Guinea:

The Committee acknowledged that corporal punishment was prohibited ...

They followed the Convention

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... but noted that societal attitudes still regard the use of corporal punishment by parents, as an acceptable practice.

What it tell us is that if at some point in time this National Assembly decides that we should abolish corporal punishment in schools, there is a lot of work to be done and the Honourable Member did mention, in some detail, the amount of work that has to be done to prepare the school system, to prepare parents for this event, if and when it occurs.

We can see that rushing into legislation in and by itself may not be the panacea.

Mr Speaker, in the school system, I want to touch on what we have been doing and clearly the Honourable Member Ms Chantalle Smith, quoted elaborately from the Ministry's manual, I think it is a handbook now and I applaud her for that, the Ministry of Education's *Manual of Guidelines for the Maintenance of Order and Discipline in Schools* and I want to state that this is based on a provision taken and embedded in the Education Act, which is over fifty years old.

Also circulars were sent out years and years ago, which goes back to 1944 - over sixty years ago and renewed with a lot of circulars in the school system 1993-2001. It is clear, because I thought she was doing an injustice, because she should have mentioned that the

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administration of corporal punishment is meant to be a last resort - it is meant, it may not be so and I will deal with that issue. It is meant to be a last resort and I quote here:

It seems necessary to call the attention of all teachers to the provisions of the school which are:

For serious or repeated offences corporal punishment may be administered by the Head Teacher or an Assistant over twenty years of age and authorised by him.

Here offence means, offence against discipline, not unsatisfactory work, but I want to comment that it may be right as the letter we received stated that children are disciplined for academic, to perform academic work; and serious does not mean petty offences, such as talking to the next child.

Whether a Head Teacher authorises an Assistant Teacher to administer corporal punishment, it shall be administered in the presence of the Head Teacher and under his direction and on his responsibility.

Finally,

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Whenever corporal punishment is administered, an entry shall be made on the same day in the Punishment Book with a statement on the nature and extent of the punishment, et cetera.

It is clear that procedures are laid down and this Manual outlines a lot of alternatives. We get the feeling that in the school system, it is all about blows and blows and more blows in all the schools and for every child. This is not so; there have been incidences which the Honourable Member had mentioned, where things have happened, dramatic things have happened, and this is a case of criminal charges against those offenders. Take them to the Court, jail them. We are going to set up structures and we are in the process of doing that within the Ministry to ensure adherence. So, there are a whole range of alternative approaches and we have proceeded within the Ministry, Mr Speaker; we have just completed a survey to determine whether State owned schools are adherent to the regulations governing corporal punishment and this will guide us until such time as we decide what we will do with corporal punishment in schools, in terms of Legislation against corporal punishment, if we do so.

It is clear here, from a sample of one hundred and one schools, it has been found that, fifty-three percent of schools sampled are administering corporal punishment, while forty-seven percent of schools are not administering

corporal punishment. So, we can see that some schools are not, they have gone that way already. We need to do studies to determine what is happening, why it is that these forty-seven percent of the schools which are not administering corporal punishment. We have to look at factors such as performance of the schools, incidences of violence in the school and, we intend, as a Phase III of this Project, to proceed within the next couple of months, to do just that. So, this is the way we are going and the recommendations here are worth noting. I want to quote two or three of the recommendations. It states here:

- *Staff Development Sessions should be held for practicing teachers to ensure they have a clear understanding of the rules and regulations governing the administration of corporal punishment.*
- *A monitoring system to ensure compliance by teachers must be established so that, slippages could be easily identified and rectified by system administrators, including School Welfare Officers.*

This is important. I want to admit here that there have been weaknesses within the Ministry in ensuring compliance with the rules that have been laid down and we will take measures based on this report, to set up a

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monitoring unit within the Ministry and to take the necessary measures and action with the Teaching Service Commission to ensure teachers are sanctioned through, demotion, through dismissal, if they breach these rules here; so serious we intend to take this question of breaches of the laid down rules.

Again -

- *Teachers should be exposed to training that will equip them with alternative methods of regulating learner behaviour so that corporal punishment would only be administered in extreme circumstances.*

Already, we have trained over five hundred teachers in School Management, the senior teachers in the school, and this is a part of the training. We will continue to train our teachers in this area.

Finally -

- *A regime of sanctions should be developed, with the involvement of all stakeholders to deter indiscriminate or unauthorised use of corporal punishment by teachers in the system.*

I want to add one other recommendation which I will be discussing with professional staff of the Ministry: children must be made aware of the rules and procedures for administering corporal punishment and this must be posted up in the school system also, at this point in time.

Mr Speaker, the Ministry will make efforts to strengthen this area of monitoring and we have been doing a lot of other things also. Among them -

- We have been promoting child friendly schools, creating a better teacher learning environment through resource materials and so on.
- Parent/Teachers' Associations - We have just appointed a National Co-ordinator for Parent/Teachers' Associations. We have to get the parents as key stakeholders in the education sector to come on board and to sensitise and educate them about these issues, so the PTAs could promote good behaviour and discipline, both in the home environment and in the schools. So, we will start expanding this area.
- School Improvement Plan - All schools are required to put up School Improvement Plan - a five-year plan.
- Health and Family Life Education - This is a part of the curricula, which tries to teach the worth and

value of each individual and we are hoping that through this area here, we can reduce the incidence of violence in the school system, which seems to be in the upsurge within recent times.

- Health Promoting Schools with UNICEF - We are promoting a programme called *Health Promoting Schools*; and also
- Promoting Physical Education and sports in the school system.

All these are measures to create an environment in the school system which should be child-friendly and we hope it will bear fruits as we go along.

Mr Speaker, the issue of corporal punishment in the school system, I would want to suggest that we await the Report. I know that it is being addressed. There will be a final stakeholder consultation in Georgetown, (I think it will be in July) which will be final, when we have the document prepared, because this is an important document for which the entire country will be involved, the Parliament and so on, and we would want to await that document and do not rush into a situation of dealing with this Motion here and the Clauses in this Motion for adoption.

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We should not try to get too emotive of this beating and violence and so on. We know it is there in the home and in the school system. As I mentioned, if teachers breach the rules, they must also be punished and this message must be sent out clearly to all those in the education system and we intend to do that.

As I speak here today, we will issue additional circulars and like I said, strengthen the monitoring mechanism in all Regions and for all schools in the country.

I want to deal with the Motion itself, here, as presented, and the Amendments to the Motion:

- One from the Mover of the Motion here; and
- One from the People's National Congress Reform-One Guyana (PNCR-1G), which was submitted way back, when the first Motion was presented to the National Assembly.

The Amendments here, if I can deal with its:

BE IT RESOLVED:

*That this National Assembly declare
the continued use...*

They are replacing that, so I would not deal with that, with the following:

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BE IT RESOLVED:

That this National Assembly recommends that the Government of Guyana through its Education Task Force and other Agencies, make every reasonable effort to take into account and uphold the Tenets of Article 19 of the United Nations Convention on the Rights of the Child in the administration of the education system in Guyana.

We feel that this will be pre-empting the work of the Task Force and bring undue influence on the work of the Task Force. Let the Task Force do their work with the minimum of interference. So give it a chance to work.

And:

BE IT FURTHER RESOLVED:

That a Select Committee be established to examine ways in which Article 19 of the United Nations Convention on the Rights of the Child can be recognised and implemented, having regard to the maintenance of discipline in schools.

This is premature; this is clearly premature. At the appropriate time, the National Assembly will have to decide whether, not only corporal punishment, the entire

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Education Legislation as presented here, should go to a Select Committee. I ask that we await that.

Now, the proposed Amendments by the PNCR-1G find favour, the Amendments find favour with us, and I quote them here and you have it:

AND WHEREAS the Ministry of Education has established a Task Force to hold the broadest possible consultations for the comprehensive reform of the Education Act.

Which is true...

AND WHEREAS, the Task Force has held and continues to hold consultations with all stakeholders including political Parties, on all the issues concerning education reform including the issue of Corporal Punishment.

BE IT RESOLVED:

That this National Assembly calls upon the Task Force to solicit the views of all the various stakeholders in Guyana on the issue of Corporal Punishment and to make specific recommendations to the issue of corporal punishment in submitting

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proposals for the reform of the Education Act.

I want to move, at the appropriate time, that we accept this Amendment to the Motion. Thank you very much.
[Applause]

The Speaker: Thank you very much Honourable Member The Honourable Member Ms Amna Ally

Ms Amna Ally: Mr Speaker, Honourable Members of this House, I rise to make my contribution on this Motion that is before us, but before I do so, you will recall that this Motion has its origin some months ago. At that time, we of the PNCR-1G tabled some Amendments, which were referred to by the Honourable Minister and Standing in my name and seconded by Mrs Deborah Backer.

This Sir, sought to have the Task Force set up by the Ministry of Education to have wide ranging consultations on the matter and to come back to the National Assembly and report.

Mr Speaker, several months have elapsed and this Task Force has failed to complete its work. It is therefore, my fervent hope that the Minister and Ministers of Education will see it as their responsibility to manage in a timely fashion, in order to achieve this goal.

So, Mr Speaker, it is not just to come here, agreeing for the Task Force to do something, yet you wait until it

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comes up again and you make an excuse - ask for more time. [Applause]

Having said that, Mr Speaker, I wish to make some brief remarks on the Motion proper.

Mr Speaker, corporal punishment is a national issue and has engaged the populace's tension. Indeed, it is such a social issue which requires careful thought, wide-ranging societal input and carefully crafted positions. In every stratum of society, children can be considered an institution. Their rights cannot be overshadowed. As we all know, in the Report of *Rights of the Child*, which finds itself in a very old Constitution; it finds itself in International Conventions and more important, in the public domain.

Mr Speaker, the PNCR-1G recognise the importance of Article 19 of the Convention on the Rights of the Child. We also recognise that of the fifty-four Articles of this Convention, due recognition must be given to the Articles relevant to education generally - leisure, discrimination, child labour and most of all the establishment of a Monitoring Committee.

We must not forget for example, Article 28 which deals with making education compulsory, available and free.

We must not miss Article 32, which addresses the issue of protecting the child from economic exploitation.

And we must not miss Article 43, which speaks to the establishment of the Rights of the Child Commission.

Mr Speaker, permit me to turn my attention to this issue of corporal punishment. The question of Corporal Punishment has been with us for several decades now, rather since the eighteenth century. There are varying views on this in selected areas -

- We have determined that many parents for example, do not wish to have corporal punishment abolished.
- There are some though, who object immediately to this kind of punishment.
- There are many Human Rights Organisations that have come out against corporal punishment.
- There are many churches and independent individuals, who believe that corporal punishment must be abolished.
- There are countries across the Caribbean, North America and Europe that do not subscribe to corporal punishment.

So, every day, more and more we hear about corporal punishment.

In 2002, our own Ministry of Education produced a Manual: *Guidelines for the Maintenance of Order and Discipline in Schools* - a document to which the Minister made reference. This Manual speaks to discipline in a wide context: types of offences, suggested ways of dealing with certain issues, persons to administer corporal punishment, among others.

Mr Speaker, we have heard versions of *don't spare the rod and spoil the child*. We have seen letters in the media supporting the eradication of corporal punishment. So it is clear that there are mixed views about administering corporal punishment. Mr Speaker cause and effect corporal punishment is of great concern to all. In our schools today, indiscipline ranks high; truancy, welfare concerns and economic deprivation, transform themselves into indiscipline and like a chain reels out in society.

Mr Speaker, some policies, and the management of the school system, to a larger extent are responsible for the indiscipline in schools. Mr Speaker, just as aside, I wish if you would permit me, to offer one example. Truancy for example, is an area which ultimately leads to indiscipline. Sir, it is a case that, if one does not go to school regularly, and when he or she goes to school, he or she may be at sea, and when that person cannot keep up with the work of the school, most often they engage in acts of indiscipline.

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One of the ways the Ministry deals with the truancy problem is by employing Welfare Officers and the Minister alluded also to Welfare Officer. But what happens, this Welfare Officer has a number of schools to deal with and cannot deal effectively with the existing problem. So, from the onset, I would consider that not being serious and is set out to make the system, more so the person - the Welfare Officer, ineffective.

So, Mr Speaker, in dealing with this major societal problem, the Ministry of Education must not only advocate when to beat, who to beat, why you beat, but we need to deal with it in a holistic way - our education policy, the management of system, effectiveness of the policies, among others.

Sir,

- we do not believe in inflicting violence on young ones;
- we do not believe in creating an opening for teachers to be attacked;
- we believe that we must streamline our mission and our policies to accommodate positive reinforcement of behaviour;
- we believe we must address the matter of power and domination in the schools; and

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Mr Speaker, in conclusion -

- we believe that the Task Force must be allowed to conclude its work and this must be in a timely fashion.

The National Assembly cannot wait forever on the Ministry of Education's Task Force. Mr Speaker, we of the PNCR-1G would like to see the consultative process at work hence, our initial recommendation of allowing the Task Force of the Ministry of Education, to present their findings.

Finally, Mr Speaker,

- we believe this matter must assume some sequence hence our Proposal that -
 - (a) The Task Force to complete the work first of all.
 - (b) Then the Select Committee to proceed with the second aspect of the work.

I wish therefore, to signal that I, at the appropriate time, would like to move a further Amendment to the Amended Motion of the AFC, which we have discussed. I wish to also signal that my original Amendment tendered before, is withdrawn, to allow for this new Amendment. I thank you. *[Applause]*

The Speaker: Thank you Honourable Member.

The Honourable Member, Ms Smith.

Ms Chantalle L. Smith: Mr Speaker, I will be brief in my remarks to close the debate. I would like to respond to a couple of points made in particular by the Honourable Minister of Education.

The Honourable Minister pointed out that, in the United States, twenty-two States allow corporal punishment and twenty-eight States prohibit it. I would like to tell him that the US Centre for Effective Discipline and Control has done studies on the effects of corporal punishment by studying the schools that allow it against the schools that prohibit it. The schools that allow corporal punishment, have a higher drop-out rate, more school violence, high levels of truancy, and lower test scores. So, if the Minister needs a case study as he was saying, or some data, perhaps he can borrow from that.

The Minister also spoke quite extensively about the Education Task Force. The Minister seems to be of the opinion that, if we accept the Motion as amended, standing in my name, that the work of the Education Task Force would not be allowed to go to fruition. I submit that one does not ... Appointing a Select Committee to deal with this issue does not negate the work of the Education Task Force, particularly since he has said that the Draft Report at the end of June, the Select Committee

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can very well take into account the recommendations and issues that come out of that Draft Report and they can work together and in tandem, to find the best way to implement these recommendations.

The Minister also raised concern that, this Motion talks about school corporal punishment and not about corporal punishment at home. I find it a little baffling that the Minister has indicated he is not willing to support the Motion dealing only with school punishment, but yet would like a blanket Motion on all forms of corporal punishment. Where would we be? We would not have gotten this far with such a Motion.

If we were to appoint a Select Committee that is working and taking into account the recommendations of the Education Task Force, the Select Committee would be able to allow for time-table, make recommendations based on strong strategic plans and suggest activities.

The Minister is worried about rushing into passing Legislation and rushing into striking the Select Committee, but I am worried about not rushing if six or seven years ago, the Ministry had a thirty-points plan to ensure the immediate removal of corporal punishment and we no longer know where this Plan is and whether it will ever be implemented. So, I do not see anything wrong with putting in place something, that will assure that we adhere to timelines and that we have an activity plan and some goals to be met.

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The Minister also spoke extensively about the disciplinary policies for the Ministry and I said in my presentation that there are some excellent elements to those policies and some excellent recommendations for alternative forms of discipline.

However, I also said it was not working in the way it was set out; corporal punishment is not being administered. We have a UNICEF study, which I referred to that show that teachers and students are saying it is not being adhered to, corporal punishment is routinely given out for minor infractions, for failure to understand school work and so, it is not working.

The Minister pointed that they have some excellent programmes that they plan to put in and they have intentions of putting in, and they are working on. What I am saying is, I agree with those implemented programmes and the excellent recommendations that would support the withdrawal of corporal punishment from schools, and I submit that the Select Committee would be able to ensure that these things happen sooner rather than later and that, six years from now we are not again, standing debating whether corporal punishment should be removed from school.

Mr Speaker, the Convention on the Rights of the Child has been signed and we are bound by its Provisions, and whatever our opinions are, and they are divided, whatever they are, whatever we feel, whatever the Education Task

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Force signs, we have to take the initiative as lawmakers to ensure that whatever we implement for the education system, it is done with the Provision of the Convention on the Rights of the Child in mind. We have to do that because it is there; Guyana has signed on to it and we are bound by it. So, it is important that we do not abdicate our responsibility and we do what is right and do what is our duty.

On that basis, Mr Speaker, I would like again to ask my colleagues to support the Motion standing in my name, as amended. Thank you. *[Applause]*

The Speaker: Thank you, Honourable Member. Honourable Members, that brings us to the end of the Debate.

We have two sets of Amendments. I will put the first Amendment moved by Ms Amna Ally, seconded by [Ms Deborah Jan Backer] ... I cannot read the name.

Ms Amna Ally: Mr Speaker, I just wish to make some alterations ... Well, maybe I do not know if now is the appropriate time or when it comes to Ms Smith's Amendment.

The Speaker: Now is the appropriate time.

Ms Amna Ally: Okay. Like I said in my presentation, I would wish to withdraw that Amendment and to propose a further Amendment to Ms Smith's Motion, the second *BE IT RESOLVED* Clause, which should now read:

BE IT FURTHER RESOLVED:

That upon completion of the work of the Education Task Force and the submission of its Reports to the National Assembly, that a Select Committee be set up to examine whether the Report makes recommendation to uphold Article 19.

Mr E Lance Carberry: Mr Speaker, could we see a copy of that amendment, Sir, we can.

The Speaker: This is a very large Amendment Ms Ally has; I do not think I can allow it. This is very large amendment, maybe changing of words here, but this is too big a matter for me to allow. I am afraid I cannot allow it.

Will you proceed with this? You said you are withdrawing your Amendment with five proposals.

Mr E Lance Carberry: My apologies, but let me just explain something. We have to date, an amended Motion from the AFC, where the last *BE IT RESOLVED* Clause has been amended. Now, the Amendment that is being proposed by Ms Ally, is really an amendment to that amended *BE IT RESOLVED* Clause. That is basically it. And, therefore, Sir ... [*Interruption*]

The Speaker: Let us just go back. On Ms Ally's amendment, Mr Carberry, it is proposed that two additional *WHEREAS* Clauses be added. Let me get that clear first.

Mr E Lance Carberry: That is the first Amendment, that is first proposal and that is the one that she is asking to state, we would like to state, but the *WHEREAS* Clause was stated but we are talking now about the amended *BE IT RESOLVED* Clause.

The Speaker: Item 2 (Don't sit as yet), the Honourable Member is proposing that the three *RESOLVED* Clauses in the Motion, be deleted and one Resolve Clause be inserted instead.

Mr E Lance Carberry: Well, that particular issue, she is really now asking if this can be amended.

The Speaker: Amended - Let me hear the amendment.

Mr E Lance Carberry: And that amendment would in fact, take the second BE IT RESOLVED Clause, make the RESOLVED Clause into two RESOLVED Clauses.

The AFC's Amendment which is the document circulated today, Sir, we do not have a difficulty with the first RESOLVED Clause. In this revised thing, we do not have a difficulty with the first RESOLVED Clause. It is the last RESOLVED Clause that we want to have amended.

The Speaker: I am hopelessly lost, Mr Carberry.

Mr E Lance Carberry: No, if you don't mind, Sir, a few minutes in your company, we will explain it to you, if you don't mind.

The Speaker: It is not only me, but it is ...
[Interruption]

Mr E Lance Carberry: No, no, no but the point about this is that ...

Hon Shaik KZ Baksh: Mr Speaker, I am lost also, we are lost on this side.

The Speaker: What I know, what I heard Ms Ally to say and, Ms Ally, correct me if I am wrong, that she is withdrawing her proposed Amendment and that she is seeking, and she is proposing another Amendment ...

Mr E lance Carberry: Yes

The Speaker: ... and she read something.

Mr E Lance Carberry: Yes.

The Speaker: But, that is too long to accept at this stage. I cannot accept that, it is too long. There is little or no notification for Members to look at it and ponder on it even for two minutes. So, I rejected that. Now, having rejected that ... I am inviting Ms Ally to re-consider her withdrawal of this document.

Mr E Lance Carberry: Yes, We want to reinstate this.

The Speaker: You want to re-instate it?

Mr E Lance Carberry: Yes.

The Speaker: Honourable Members, let me put this document.

It is proposed in Item1, the amended... Honourable Members, allow me to [*Noisy Interruption*]... Honourable Members are aware of the fact that, when I am speaking I like total and absolute silence, because I get distracted when I am trying to think to put these things, and that caused a problem at the last occasion. So, Honourable Members please bear with me; while I speak please be silent so we can get through this matter.

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We have the first Amendment ... you have the document in front of you. I am therefore proposing the question that the two WHEREAS Clauses set out in Item 1 of the Amendment be inserted.

Amendment -

AND WHEREAS the Ministry of Education has established a Task Force to hold the broadest possible consultations for the comprehensive reform of the Education system.

AND WHEREAS the Task Force held and continues to hold consultations with all stakeholders including Political Parties on all issues concerning education reform including the issue of Corporal Punishment.

Question put and agreed to.

Amendment carried.

The Speaker: The two WHEREAS Clauses are inserted.

I now put the second item on the proposed Amendment. Clause 2 of the proposed Amendment has two aspects:

- (i) to delete the three RESOLVED Clauses in the Motion; and

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- (ii) to insert the following Clause,

So I will put them separately.

Delete the three (3) RESOLVED Clauses in the Motion and insert the following.

- (i) Amendment -

BE IT RESOLVED:

That this National Assembly recommends that the Government of Guyana through its Education Task Force and other agencies make every reasonable effort to take into account and uphold the tenets of Article 19 of the United National Convention on the Rights of the Child in the administration of the education system in Guyana.

Delete the following second RESOLVED Clause:

BE IT FURTHER RESOLVED:

That this National Assembly declare the continued use of corporal punishment in

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schools in Guyana a violation of the Constitution of Guyana.

Question proposed put and agreed to.

Amendment carried

The Speaker: The three Resolved Clauses in Honourable Member, Ms Smith's Motion are deleted.

I now propose the question that, the RESOLVED Clause set out in Ms Ally's Motion be inserted.

Amendment -

BE IT RESOLVED:

That this National Assembly calls upon the Task Force to solicit the views of the various stakeholders in Guyana on the issue of Corporal Punishment and to make specific recommendation on the issue of corporal punishment in submitting proposals for the reform of the Education Act.

Question proposed, put and agreed to

Amendment carried.

Clause inserted

There is a second series of Proposed Amendments. We have to go very carefully. They are very complicated and I have to put them one at a time. This is an Amendment moved by Ms Smith and I gather that these Amendments are presented by Ms Smith. I do not see a seconder Ms Smith. Do you want to second it?

Mrs Sheila VA Holder: *Yes, I so second*

The Speaker: Honourable Members, firstly it is proposed that, the first RESOLVED Clause be deleted. Now that has already been deleted. So we need not put that. It is proposed that the following RESOLVED Clause be inserted:

Amendment -

Replace the first RESOLVED Clause
with the following:

BE IT RESOLVED:

That this National Assembly declare
the continued use of corporal punishment in

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schools a violation of Article 19 of the United Nations Convention on the Rights of the Child

With the following:

BE IT RESOLVED:

That this National Assembly recommend to the Government of Guyana through its Education Task Force and other Agencies, make every reasonable effort to take into account and uphold the tenets of Article 19 of the United Nations Convention on the Rights of the Child in the administration of the existing education system in Guyana.

Question proposed

You have an opportunity to speak if you wish to, that is why if I propose the question and wait for contribution; if there is none, I then proceed to put the question.

Question put

The Speaker: I did not get that one.

Mr Khemraj Ramjattan: You got it; the Ayes have it

Question put

I have not put the negative as yet. It is a voice vote at this stage. I have not put the negative as yet. Alright, I would not put it again. I have heard you

Those against say *No!*

[Members replied in the Negative]

The Speaker: The *Noes* have it.

Amendment Negatived.

Now, the second set of Amendments relates to the second set of Resolved Clauses in the Motion. There is a Motion to delete that Clause. That Clause as you recall, has already been deleted, so I need not put that, but there is nothing to replace that one.

There is a Motion to replace the third RESOLVED Clause so we have to delete the third RESOLVED Clause first. So, that Resolved Clause has already been deleted so we need not delete that.

But, there is a Motion to replace the third RESOLVED Clause. Technically speaking, I should not put that, but that is to replace the third RESOLVED Clause which is deleted. Anyway I will put it just for formality. I will read it:

Amendment -

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Delete the following third RESOLVED Clause

BE IT FURTHER RESOLVED:

That this National Assembly recommends the abolition of corporal punishment under the new Education Act.

Replace the third RESOLVED Clause with the following:

BE IT FURTHER RESOLVED:

That a Select Committee be established to examine ways in which Article 19 of the United Nations Convention on the Rights of the Child can be recognised and implemented, having regard to the maintenance of discipline in schools.

Question proposed, put and negatived.

Clause deleted

The Speaker: Now, I hope our Staff is able to get it.

Honourable Members, this brings us to the end ...
[Interruption: 'The amended Motion has not been put.']

Oh sorry, I have not put the Motion as yet.

Motion as Amended, proposed, put and agreed to

Motion as Amended carried.

The Speaker: Mr Clerk, anything else? [*Noisy Interruption*]

***EXPRESSION OF SYMPATHY TO MR DAVE
DANNY MP***

Honourable Members, I have to sadly report to you that Honourable Member, Mr Dave Danny, lost his mother during our deliberations and he has left. So, I would like to, on behalf of all Members of the Assembly, express sympathy to Mr Danny, his relatives and friends. Thank you very much!

The Honourable Prime Minister

Hon Samuel AA Hinds: Mr Speaker, I move that the House be adjourned to June 28 at 14:00h

The Speaker: Honourable Members the House is adjourned to June 28 at 14:00 H.

Adjourned Accordingly At 18:47 H

