**SUBMISSION BY THE REPUBLIC OF TRINIDAD AND TOBAGO**

**RESPONSE TO CALL FOR INPUT INTO REPORT ON THE RIGHTS OF THE CHILD AND INCLUSIVE SOCIAL PROTECTION –**

**HUMAN RIGHTS COUNCIL RESOLUTION 49/20**

**Introduction**

The provision of social protection to its citizens and residents is of significant importance to the Government of the Republic of Trinidad and Tobago. As such, the Government has implemented a robust social protection system, of which children are also beneficiaries. The Government, primarily through the Ministry of Social Development and Family Affairs provides a series of grants to citizens and residents who may be under privileged or experiencing hardships including children.

**Question 1**

**What social protection systems are in place for children in your country? Please provide examples of specific laws and regulations, measures, policies and programmes directed at ensuring children’s access to inclusive social protection.**

* **Public Assistance Grants**

**The Public Assistance Act, Chap 32:03** governs the distribution of social assistance to citizens and residents in Trinidad and Tobago. Pursuant to **section 4 of this Act**, a Central Public Assistance Board was constituted to control generally all matters relating to public assistance.

The Ministry of Social Development and Family Services of Trinidad and Tobago provides the Public Assistance Grant to meet the needs of persons where the household income is deemed inadequate. Such an individual may include:

1. a parent, guardian or custodian on behalf of a child with a physical or mental disability;
2. on behalf of a child whose parent is hospitalized; deceased; imprisoned; or has abandoned the family and does not provide support despite there being an application/order for maintenance;
3. a child who may be deemed necessitous in accordance with guidelines issued at the board.

The Monthly Public Assistance Grant payments are as follows:

1. $1,300.00 for one (1) persons
2. $1,550.00 for two (2) persons
3. $1,750.00 for three (3) persons
4. $1,900.00 for four (4) or more persons

**Section 11A of the Act** also sets the parameters for the issuance of disability grants, including to children. In light of such, the Disabilities Assistance Grant (DAG) for Children was introduced in the 2019 Budget, to be implemented by the Ministry of Social Development and Family Services. This new provision will allow children with a physical or mental disability to access this service at a fixed rate of $1,500 per month. This grant is payable where the assessment of a child is either severe or complete and where the disability is permanent in nature. Such certification shall come from a Paediatrician or other medical practitioner (Public Health) authorized by the Chief Medical Officer for this purpose or from a Paediatric Specialist (Private Practitioner) registered with the Medical Board of Trinidad and Tobago. This new provision will allow children with a disability to access this service at a fixed rate of $1,500 per month.

In order to qualify, the parent/legal guardian of the child must be a citizen/resident of Trinidad and Tobago as defined in the Immigration Act and must be 18 years or older. The intended child beneficiary must be under the age of eighteen (18) years and must be a citizen / legal resident of Trinidad and Tobago as defined in the Immigration Act. The intended child beneficiary must be residing permanently in Trinidad and Tobago. A child who is receiving a similar benefit via another form of grant will be disqualified from receiving the DAG.

The Ministry of Social Development and Family Services also provides a Special Child Grant. This grant targets children with moderate disabilities while assisting parents who are unable to meet the financial cost of caring for a child with special needs who does not qualify for DAG for children. The grant is accessible for children under the age of (18) eighteen and is given for a one-year period, followed by a review to determine continuation. A child on whose behalf Public Assistance Grant is paid will *not* be eligible for this grant.

* **Education**

The Government of Trinidad and Tobago provides free education from as early as pre-school. Early Childhood Care and Education (ECCE) is delivered through more than 998 Government centres, Government assisted centres and Private Centres for children ages three (3) to four (4) years.

Universal Primary and Secondary Education was also attained for all children, despite their race, origin, religion, colour or sex in accordance with **Section 7 of the Education Act 1966.** Consequently, this ensures that all children are afforded access to quality education. Moreover, education is compulsory under **Section 76 of the Education Act No. 12 of 2012** from ages five (5) to sixteen (16).

Tertiary education is proportionately funded in relation to students’ financial means, to ensure that students with financial hardships are afforded the same access to educational opportunities. These implementations are facilitated by the provision of free public transportation for students in school uniforms and university students issued with passes.

Additionally, the Ministry of Education, through the Special Education Unit of the Student Support Services Division (SSSD) continues to ensure that children with disabilities have equitable access to education opportunities. The Unit provides support services aimed at identifying and supporting students with disabilities and other special education needs. Furthermore, the SSSD has embarked on a pilot Inclusive Schools Project in primary and secondary schools, in an attempt to ensure that education remains available, accessible, acceptable and adaptable to children with disabilities.

Moreover, the Ministry of Social Development and Family Services offers a General Assistance Grant of $500.00 per month per child to assist in obtaining education. This grant is intended to assist secondary school students where the Public Assistance and/or the Food Card is the only source of income in the household and where they are unable to meet the varying costs associated with the following: -

1. Transportation (where there is no public transportation system available);
2. Any special needs associated with school attendance where government agencies are not already providing such assistance. Verification of these needs is required.

The MSDFS also provides a School Supplies Grant intended to assist children who are attending primary and secondary school whose books and uniforms were destroyed by natural or man-made disasters. The value of the grant is $700 for primary school students and $1000.00 for secondary school students.

* **Access to Justice**

The Government continues to adopt legislative strategies to protect the rights of children. On 27 February 2018, the President, as an addition to **the Package of Children’s Legislation, proclaimed the Family and Children Division Act 2016**. The Act created a specialized Division of the High Court called the Family and Children Division with jurisdiction exercisable over all family matters and children matters. This separation of children matters allows for swift adjudication of matters involving juveniles, utilizing a rehabilitative and less punitive approach.

The Children’s Authority was operationalized in 2015 to provide care, protection and rehabilitation to children that suffer abuse. The Authority has been working assiduously since its operationalization, to carry out its mandate by collaborating with both government agencies and NGOs to provide mediation, psychosocial and therapeutic services. The Authority continuously trains its staff on the Convention on the Rights of the Child (CRC) and on the suite of legislation proclaimed in 2015, to aid in the care and protection of children. The Authority has also established a dedicated Child Justice Unit (CJU) to provide clinical support to the Court in relation to matters involving children who are charged with criminal offences or deemed to be children in need of supervision.

The Office of the Prime Minister, Children Affairs Division, in collaboration with UNICEF Eastern Caribbean Region, engaged in the development of a National Child Policy 2020-2030 which provides an overall framework to enhance the status and further improve the quality of life of Trinidad and Tobago’s children, while fulfilling its obligations under UNCRC and the Sustainable Development Goals (SDGs). The Policy provides for:

* A holistic view of children’s needs as a basis for more effective policy development and service delivery.
* An increased opportunity for children’s participation in matters.
* An effective, coordinated and targeted approach to dealing with the issues affecting the children of Trinidad and Tobago.
* Improved maximisation of resources towards addressing children issues.
* Improved monitoring and evaluation of child services to ensure that such services have the desired impact.
* **Prevention of Child Labour**

The Labour Inspectorate Unit of the Ministry of Labour continues to monitor international labour standards relating to child labour in Trinidad and Tobago, in order to detect breaches of the law relating to the minimum age of employment and child trafficking. In February 2019, Cabinet re-established the National Steering Committee for the Prevention and Elimination of Child Labour, which is responsible for various activities including developing a National Action Plan for 2019-2022 and the engagement of a Consultant to conduct research on child labour. The Committee comprises key stakeholders such as the Ministry of National Security, Counter Trafficking Unit, Children’s Authority, the Trinidad and Tobago Police Service Child Protection Unit, Tobago House of Assembly and non-governmental organisations that work on issues related to children. In addition, the UN Convention on the Rights of the Child is considered in the formulation of policy for the reform of labour legislation.

**Question 2**

**What are the main gaps and challenges to children’s enjoyment of social protection in law, policy, and practice in your country and the impacts on children’s rights? Please provide any relevant statistical or disaggregated data based on age, gender, disability, ethnicity, religion, sexual orientation and gender identity, migration status, or other categories. Please consider the specific situation of marginalized children and those in vulnerable situations in your response.**

While a cadre of social protection exists in Trinidad and Tobago, children who reside in poverty-stricken areas face challenges in accessing these social protections due to various environmental and social issues.

In Trinidad and Tobago, free education is only available to citizens or children whose parents are citizens. **The National School Code of Conduct for Trinidad and Tobago** indicates, “*persons under the age of 18 born in Trinidad and Tobago, or born to, or adopted by parents who are citizens of Trinidad and Tobago, is regarded as a child and is subject to care and protection under the law regarding, including but not limited to, the right to free education up to the age of 16*”.

Unfortunately, this definition excludes migrant children. Therefore, Venezuelan migrant children are not entitled to schooling. However, in 2019, the Living Water Community implemented an online education initiative entitled “Equal Place Programme” funded by the United Nations International Children's Emergency Fund (UNICEF) – which serves as temporary solution. One thousand, six hundred and sixty-two (1,662) migrant children have access to the programme as of June 2022.

**Question 3**

**What are the good practices initiated by the Government to ensure that social protection benefits the rights of children in your country?**

The Government of the Republic of Trinidad and Tobago recognizes that children’s rights are also human rights and as such, the needs of children are always taken into account as evidenced by the various social protections specifically geared towards their needs.

**Question 4**

**Are there examples of how measures and responses to alleviate poverty through social protection systems in emergency situations or, for example, in response to the COVID-19 pandemic, have positively affected children’s rights, particularly to social security?**

The human rights of citizens across all groups and sectors in Trinidad and Tobago were affected by the COVID-19 pandemic. The Government, recognizing the immediate and long-term impact of the pandemic on the livelihoods of citizens and the economy, has placed economic recovery as a major priority. As such, the Ministry of Social Development and Family Services bolstered several existing social support measures by providing additional monthly support for three months to assist individuals affected by the COVID-19 pandemic. Non-clients also received support through the provision of income support, rental assistance and emergency food hampers and grocery vouchers. Households with children who received meals from the School Feeding Programme also benefitted from temporary food support.

The COVID-19 pandemic prompted the closure of all schools and a shift to an online system of teaching and learning. The Ministry of Education, in its attempt to continue fulfilling the country’s commitment to providing Universal Primary and Secondary education, acted swiftly in its efforts to lessen the disparities in resources for the nation’s children and ensure that the right to education was being protected. In light of this, the Ministry embarked on several initiatives to ensure that the nations’ youth had multiple means of accessing the curriculum.

The Ministry of Education signed a Memorandum of Understanding (MoU) with the Telecommunications Authority of Trinidad and Tobago (TATT) to facilitate the distribution of ten thousand (10,000) ICT enabled devices and Subscriber Identity Module (SIM) cards with data plans procured by telecom providers to public primary and secondary school students across the country.

The Ministry’s “Adopt a School” campaign yielded 22,897 donations of devices to students of primary and secondary schools from corporate sponsors. Additionally, the Ministry also provided ninety-eight (98) devices to public special education schools and one hundred and twenty-six (126) devices to Early Childhood Care Education (ECCE) school teachers. Students without electronic access continue to access the curriculum via printed packages. In addition, television programmes geared towards primary and secondary school students are aired everyday on local television stations.

**Question 5**

**How can States deliver more effectively to ensure the effective implementation of universal social protection for children, including through international cooperation?**

As a Small Island Developing State (SIDS), limited capacity and resources often affect our country. Therefore, it is important for our country and others alike to receive training, funding and capacity building from other larger, more developed States as well as UN organisations to continue building upon the social protections that already exist in our country.

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