
THE

House of Assembly Debates

(OFFICIAL REPORT)

SESSION 1961

HOUSE OF ASSEMBLY

Tuesday, 15th August, 1961.

Pursuant to the adjournment, the House of Assembly met at 12 noon today.

PRESENT

His Honour Mr. K. N. R. HUSBANDS, (*Speaker*); Mr. J. F. T. BRANCKER, (*Leader of the Opposition*); Hon. Dr. H. G. H. CUMMINS, C.B.E., M.D., C.M., (*Premier*); Hon. M. E. COX, (*Minister of Trade, Industry and Labour*); His Honour Mr. L. E. SMITH, J.P., (*Deputy Speaker*); Hon. F. E. MILLER, (*Minister of Social Services*); Mr. E. St.A. HOLDER, J.P.; Hon. D. D. GARNER, (*Minister of Agriculture, Lands and Fisheries*); Mr. C. B. SEARLES; Hon. L. St.A. THORNE, (*Minister of Education*) and Mr. J. W. CORBIN.

Prayers were read.

MINUTES

Mr. SPEAKER: I have the honour to inform the House that the Minutes of the Meeting held on 8th August, 1961, have been printed and circulated amongst hon. members, and unless there be any objection, these Minutes will now be taken as read and confirmed.

There being no objection, these Minutes are now taken as read and confirmed.

I have the honour to inform the House that I have received the Financial Report of the Accountant General for the month ended 30th April, 1961.

Also, a letter from the Auditor of the Sugar Industry Agricultural Bank in connection with the re-appointment of the Auditor.

PAPERS LAID

Hon. M. E. COX: Mr. Speaker, I am commanded to lay the following:-

The Customs Duties (Domestic radio receivers; television, etc.) Order, 1961.

GOVERNMENT NOTICES

Hon. F. E. MILLER: Mr. Speaker, I beg to give notice of the following:-

Resolution to place the sum of \$1,872 at the disposal of the Governor-in-Executive Committee to supplement the Estimates 1961-62, Part I - Current, as shown in the Supplementary Estimate 1961-62 No. 14, which forms the Schedule to the Resolution.

Hon. L. St.A. THORNE: Mr. Speaker, I beg to give notice of the following:-

Resolution to place the sum of \$52,000 at the disposal of the Governor-in-Executive Committee to supplement the Estimate 1961-62 Part II - Capital as shown in the Supplementary Estimate 1961-62, No. 15, which forms the Schedule to the Resolution.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to give notice of the following:-

A Bill to provide certain immunities and privileges to be enjoyed by representatives in the West Indies of Overseas countries.

A Bill to amend the Department of Highways and Transport Act, 1945.

Also, I beg to give notice that the Oral Reply to Question No. 58/1961, asked by the hon. junior member for St. Lucy regarding pension rights for Casual employees, is now ready.

Hon. F. E. MILLER: Mr. Speaker, I beg to give notice of a Bill to amend the Old Age Pension Act, 1937.

COMMITTEE OF SUPPLY

Hon. M. E. COX: Mr. Speaker, I beg to give notice of my intention to move the House into Committee of Supply at its next meeting to consider the money Resolutions of which notice has just been given.

BILLS READ A FIRST TIME

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. M. E. COX, a Bill to provide certain immunities and privileges to be enjoyed by representatives in the West Indies of Overseas countries was read a first time.

On the motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. L. St.A. THORNE, a Bill to amend the Department of Highways and Transport Act, 1945, was read a first time.
12.25 p.m.

On the motion of Hon. F. E. MILLER seconded by Hon. L. St.A. THORNE, the Bill to amend the Old Age Pension Act, 1937, was read a first time.

Mr. A. B. WAY RE-APPOINTED AUDITOR

Hon. M. E. COX: Mr. Speaker, I beg to move that Mr. A. B. Way be reappointed as Auditor of the Sugar Industry Agricultural Bank for the year commencing 1st July, 1961, at a remuneration of £125 a year.

Hon. R. G. MAPP: I beg to second that.

The question was put and resolved in the affirmative without division.

STATEMENT re PRINTING OF THE FIVE YEAR DEVELOPMENT PLAN

Hon. R. G. MAPP: Mr. Speaker, before we proceed with the Orders of the Day, I would like to make the following Statement. This concerns the printing of the Five Year Development Plan. The Statement is as follows:-

"I wish to clarify some misunderstandings which appear to have arisen in the matter of the delay in the printing of the Five Year Development (1960-65) Plan. The facts are as follows. A copy of the Plan was handed to the Government Printer on Wednesday, 5th July, by the Clerk of the House of Assembly. On Wednesday July, 19th the proof copy of Chapter One was handed by the Government Printer to the Clerk for checking. The Printer informed the Clerk that the remaining Chapters Two, Three and Four would be ready by July 21st. The Clerk returned on July 26th and collected the three remaining chapters. None of the four Chapters received by the Clerk has, up to yesterday (14th August) been returned to the Government Printer for printing.

2. The Government Printing Office will print the Plan as soon as the checked copies of the four chapters of the Plan have been returned by the Clerk of the House. Any changes the Government Printer is instructed by the Clerk to make will then be made. This is in accordance with present procedure. So far (14th August) the Government Printer has received no instructions from the Clerk of the House. The Government Printer denies that he has ever been in any quandary over the text of the Plan.

3. The Government Printing Office cannot therefore accept responsibility for any delay in the printing of the Plan.

Mr. SPEAKER: On my being informed of the intention of the Minister to deliver a statement in connection with the printing of the Five Year Development Plan, I questioned my Clerk who furnished me with this document stating the position of this office in relation to the Government Printing Office on the subject of the Five Year Development Plan that is being printed.

I have the following in my hand which I received from my Clerk:-

"Mr. Speaker,

As requested by you, I forward herewith a Report on the present position with regard to the Development Plan 1960-65."

"The Plan was laid in the Honourable House on the 4th July, 1961, and forwarded by me to the Government Printer on the following day. On the 19th July, a proof of Chapter 1 of the Plan was handed me for checking. Upon enquiries I discovered that the Printery had been given an advance copy of the Plan which had been copiously amended by the Financial Secretary's Office from time to time after the delivery of the said copy to the Printer. These amendments had not been made on the copy of the Plan laid on the Table of the House. I discussed the matter with the Government Printer who shew me his authority from the Financial Secretary's Office for making the said amendments. I informed him at that time that technically speaking I should have his amended copy re-corrected so as to be in conformity with my unamended Plan, but that however I would upon completion of the checking of the Plan make efforts to have the position regularised and if possible save a multiplicity of printing. I have on several occa-

sions discussed the matter with various Government Officials and it seems to me to be the best plan to have an amended Development Plan laid so that the proof as printed by the Printer and as amended by the Financial Secretary's Office could then be prepared for members without further ado. This morning I discussed the matter with the Financial Secretary who has informed me that the Premier would let me know what the decision is on this matter at today's meeting of the House."

"The whole trouble seems to have arisen because of the fact that while the copy of the Plan presented to the Printer was amended, the copy of the Plan laid in the House was through some oversight presented without the necessary corrections."

H. O. StC. CUMBERBATCH,
Clerk, House of Assembly,
15th August, 1961.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, may I be allowed to add to what the Hon. Minister of Communications, Works and Housing has said. This concerns mostly the statement about certain paragraphs being corrected.

We had some talk with the Financial Secretary, - Mr. Bonnett, the Hon. Minister of Communications and myself - investigating the matter this morning and we were told that with regard to the Plan which was laid here that was the correct Plan. There were some mistakes in one or two of the Tables which can be altered in the usual customary way and there was only one paragraph that was in dispute and that was Paragraph Ten. 12.35 p.m.

The text of that paragraph was not changed; there might have been a few figures omitted. That Statement is made in addition to the Statement made by the Minister of Communications, Works and Housing. As far as the whole matter is concerned, we have been instructed that the Plan which was laid here was the correct Plan and as far as apportioning blame is concerned, it is quite evident to us where the blame lies.

POLICE BILL

Mr. SPEAKER: The first Order of the Day is to resume Committee on a Bill to amend and consolidate the Acts of this island relating to the Police Force.

Mr. SPEAKER left the Chair, and the House resumed Committee on the Bill, Mr. BRYAN being in the Chair.

Clause 37 was called.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, before we continue with the consideration of this Bill, I want to say that since this House postponed the further consideration of this Bill, representations were made by the Police Association relative to certain things of which they did not approve. We met the Association and certain amendments were agreed upon and these amendments are now before us. The amendments were circulated last Tuesday and I hope that all hon. members have been furnished with copies of these amendments. On the last occasion we stopped at Clause 36 of the Bill, Clause 37 is now before us and in accordance with these amendments, I am going to move that Clause 37 be deleted and that Clauses 38 to 46 inclusive be re-numbered as Clauses 37 to 45. This Clause 37 includes one of the objections raised by the Police Association. I beg to move that Clause 37 be deleted.

Hon. R. G. MAPP: I beg to second that.

The question that Clause 37 be deleted was put and resolved in the affirmative without division.

Clause 38 re-numbered 37 was called.

Mr. WALCOTT: On a point of order, Mr. Chairman, I do not know what line it is proposed to take in dealing with these amendments. I have these proposed amendments before me and I notice that the Premier is going on to Clause 38. I am wondering if it would not be a more sensible thing

to recommit these Clauses from the beginning and then we would be dealing with the various amendments as placed before us.

Mr. CHAIRMAN: The difficulty is that the recommitments must take place in the House.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, in connection with Clause 38, I am asking leave that that be amended by deleting from the fourth and fifth lines of sub-clause (2) the words "and if such decision relates to the dismissal or reduction in rank or pay of such member." That was one of the requests made by the Police Association. The amended sub-clause (2) will now read as follows:

"Any member of the Force who is dissatisfied with the decision of the Commissioner, may, within seven days after the decision has been communicated to him appeal to the Governor whose decision shall be final." This Section deals with the right of appeal and sub-section (1) states this:-

"Any member of the Force who is dissatisfied with the decision of his superior officer in any matter may, within seven days after the decision has been communicated to him and subject to the provisions of any regulations governing the same, appeal to the Commissioner who may make such order as the circumstances may require."

Those are the amendments to this Section. I beg to move that Clause 38, renumbered 37, stand part of the Bill.

Hon. L. St.A. THORNE: I beg to second that.
12.45 p.m.

Mr. STRAUGHN: Mr. Chairman, I remember that we had some debate which we might say advanced out of this particular Clause. I am not quite sure from the amendment which has just been made if that last line remains in the Bill - "appeal to the Governor whose decision shall be final" - because it was one of the things that was worrying the Committee, and as far as I remember, we adjourned with that kind of thought in mind. The Premier has given the assurance that there would be the possibility of appeal to the Privy Council and so forth. How does this last line of sub-Clause 2 affect the possibility of appeal to the Privy Council? Is it as we have it here "appeal to the Governor whose decision shall be final?"

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, that will be covered in a Section which comes later in the Bill.

The question that Clause 38 re-numbered 37 stand part was put and resolved in the affirmative without division.

Clause 39 renumbered 38 was called and passed.

Clause 40 renumbered 39 was called and passed.

Clause 41 renumbered 40 was called and passed.

Clause 42 renumbered 41 was called and passed.

Clause 43 renumbered 42 was called and passed.

Clause 44 renumbered 43 was called and passed.

Clause 45 renumbered 44 was called and passed.

Clause 46 renumbered 45 was called. It reads as follows:-

Whenever any fees received by the Commissioner for the services of the Police Band are paid into the Public Treasury pursuant to the provisions of any regulations made under this Act, the Accountant General shall pay a sum amounting to two-thirds of such fees to the Commissioner who shall cause twenty per cent thereof to be paid to the Director of Music and the remainder of such sum to be divided between the other members of the Band in such manner as may be prescribed by regulations.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 46 renumbered 45 stand part.

Hon. L. St.A. THORNE: I beg to second that.

Mr. BARROW: Mr. Chairman, some years ago we removed the Fire Service of the Island from under the jurisdiction of the Commissioner of Police. For those people in public life who believe in pomp and circumstance, it is a very nice thing to have a Military Band; but quite apart from the ceremonial aspect of what is popularly known as the Police Band and which is described in Part VIII of this Bill as the Police Band, any musical organisation which is subsidised or entirely underwritten from public funds is a very good thing to have in a colony or territory, to use a less offensive word, like this one. No one can gainsay that.

What I find difficult to understand, Mr. Chairman, is how the Commissioner of Police or any public officer for that matter is a competent person to deal with a Musical Organisation. I think what is called the Police Band should be made a separate entity in the same way that the Fire Services are now a separate entity from the Barbados Police Force. The amount of actual liaison which comes between the Band and the Police Force proper is almost entirely limited to ceremonial parades. In other words, the Band serves the public far more than it does the Police Force, and I see absolutely no reason why we should encourage this kind of Empire building. The Police Force is not a Military Organisation; it should not be a Military Organisation. They should drop all these military and other titles which they have and it should be civilianised.

A policeman, to use the words of one of the famous English jurists, is a civilian in uniform. A policeman should not be a military man whose training and orientation is towards becoming the enemy of the public; he is the servant and friend of the public. The Police Force itself needs a certain amount of civilianising, but there is absolutely no rational ground that can be urged for the Police Band being under the Commissioner of Police. As I said before, I do not want to be repetitive unnecessarily. If one analyses the calendar of engagements of the Band which is called the Police Band, one will find that the Police Band is in attendance with the Police Corps on probably three or four occasions per annum.
12.55 p.m.

But the Police Band is dancing attendance on the public three or four times a week. How then does the Commissioner of Police come into this at all?

We have now a Director of Music. Does he have to be subservient in the sol-fa tonic or in training the Police Band to the Commissioner of Police? Even the type of uniforms which the Police Band wears is somewhat different from that of the Police Force. At any rate, how does that become the job of the Commissioner of Police or come within his province?

The Police Band can be made available to both the Police Force and the Barbados Regiment. What I would like to urge is that there should be a merger between the Volunteer Band and the popular Police Band. There should be a merger between the two under the Director of Music and that massed band should be made available to both Forces, that is, the Barbados Regiment and the Barbados Police Force, on ceremonial and quasi-ceremonial occasions. That Band should be called the Barbados Band or the Barbados Orchestra under the Director of Music. What do we get? We in this twentieth century are enforcing eighteenth and nineteenth century things on the people. We are trying to make the people happy with the music of the Police Band so that if the music does not soothe the savage breast, the Police Force can put their lights out. I think the Police Band is an excellent training ground for musicians as witnessed by the fact that the present Director of Music is a product of the Barbados Police Band.

I suggest to the Hon. Premier that it is high time that the Government begin to review the relationship between the Police Band and the public and the Police Band and the Police Force. I can see absolutely no justification in introducing a new Police Bill which will eventually become

the statute law of the Island with the Police Band in this peculiar position, and I think it is time we take the opportunity to divorce the Police Band from this military aspect with which it is now associated and make it available to the general public and available to the Police Force and any other Government organisation. What we really have is a Government Orchestra; it is not a military band in the pure sense of the word, even as regards instrumentation or otherwise. But you have it under the control of the Commissioner of Police and so much so that I believe, speaking under correction, one cannot even avail oneself of the services of the Band unless the Commissioner of Police says yes. I see no reason why the Director of Music should answer for anything to the Commissioner of Police. If we take the analogy of the Barbados Fire Service, there is probably more justification for keeping the Fire Service alive with the Police Force than keeping the Police Band alive with the Police Force because you can get a riot, theft or any civil commotion whenever there is a fire of great magnitude, and therefore, firemen have to be invested with certain powers which are similar to those exercised by policemen. Moreover, policemen are called upon to assist in the incidence of fire, so if the Fire Service was a limb or branch of the Barbados Police Force, nobody would quarrel with that.

In view of the statistical record of the engagements of what is called the Police Band over an extended period of time, do not matter how far back you would like to go, I am suggesting that you will find that the active commitments of the Band to the Police Force would average something like three or four engagements per annum whereas the engagements for entertainment to the general public would average three or four per week. I, therefore, suggest to the Hon. Premier, now we are considering Paragraph 8 of the Bill that he give active consideration to my suggestion. It is not a political question; it is a question of commonsense.

Mr. STRAUGHN: Mr. Chairman, obviously the hon. member who has just spoken has made his point saying that we should be interested in taking note of the Police Band inasmuch as a lot of its activities are more civilian than they are military or quasi-military. He asked that consideration be given to the separation of the Police Band from the Police organisation as such.

I would also want to feel that this point should be also considered in this light. If, as he says, you want to civilianise the Police Force, if as he impressed upon us that a policeman is a civilian in uniform, might it not be of some sustenance to the public mind that the organisation of the Police Band attached to the Police Force is somewhere an act to give some kind of civilian effect to the Police Force as such? In other words, if you say that you should civilianise your Police Force, the public might be led to feel that with the Police Band giving this kind of service to the public it would mean that the Police Force as such is not something which is completely separated from the cultural life of the community but is in a way taking part in the cultural life of the community. It is just another point for consideration. The hon. junior member for St. John did not make a motion on it, but asked that some consideration be given to it; one will certainly need to give consideration to the other points which were made for retaining it. Its retention may be an act of civilianising the Police Force.

The question that Clause 46 to be renumbered Clause 45 stand part, was put and resolved in the affirmative without division.

Clause 47 was called.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I see here that Part IX was incorporated in this Bill and was never used. We are asking that the whole of Part IX be deleted.

I beg to move that Part IX be deleted.

Hon. L. St.A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 52 to be renumbered 46 was called.
1.05 p.m.

Hon. Dr. H. G. H. CUMMINS: I beg to move that Clause 52 renumbered 46 stand part of the Bill.

Hon. L. St.A. THORNE: I beg to second that.

Mr. STRAUGHN: Mr. Chairman, I spoke on the second reading of this Bill and a lot of what I had to say dealt with the organisation which we are trying to found and foster, known as the Police Association. I am one who has very strong feelings that we should try to encourage a strong and virile Police Association; to use my favourite expression, I consider that we should have our organisational pressures and all types of organizations should be made to contribute to the common weal. I had occasion, because of my interest in this particular part of the Bill, to read an article in the "Saturday Evening Post" of June, 1961. Mr. Chairman, I cannot make this book a document of the House unless you insist that it be so made.

Mr. BARROW: On a point of order, Is the hon. member making that book a document of the House or is it already a document of the House? I do not want to trouble the hon. member in his political Swan Song and as you know, Mr. Chairman, a Swan sings before it dies. I am wondering if the hon. member might yet make that book a document of the House, I am not preventing the hon. member from reading from his book but some of us like to do a little reading too. The Rule is that we should not quote from newspapers and things of that kind; I just want to make that position clear.

Mr. CHAIRMAN: If the hon. member seeks permission to read from the book and there is no objection to that, I suppose he will be allowed to do so.

Mr. STRAUGHN: The particular part of this article which is of interest to this Section of the Bill is that there is an editorial which says that Police Unions are a threat to needed discipline. This has been written by somebody who has experience with the Chicago and New York Police and they have these Police Association activities in the United States. If I may quote two or three sentences from this article, it states: "Yet civil-service regulations hamper the police chief. Either by law or regulation he is prevented from taking decisive disciplinary action. For as soon as a policeman's probationary time is over, he has a sort of property right in his job. 'No matter how flagrant the offense,' Smith's book points out, 'the policeman must be subjected to formal trial.' In some systems the trial is conducted by the chief or by someone designated by him. Thus the chief faces endless delays, which weaken the respect of the rank and file for him." The article concludes with this sentence: "A good police force, well paid, honest, courteous, proud of itself, under a strong, fair-minded head who is really in charge - this is what every city needs."

This article is written by someone who was obviously disturbed by the fact that in certain Police organizations in the United States there did not seem to be the easily recognizable discipline which you would expect in quasi-military organizations, and that is one of the difficulties which was placed in developing police organisations. We must expect that in an organization such as the Police Force, you must have discipline which is quicker to take effect than ordinary discipline in the Civil Service. You must expect that; otherwise you could not run the organization effectively. However, you must go very carefully about having that kind of discipline which could run roughshod over the wishes and feelings of the organization. We are really in the middle-of-the-road situation here, and it is incumbent upon every one who has the public weal at heart to see that the Police Association can develop itself into a strong and virile Association, and at the same time it should be the kind which would extend and respect an effective discipline in the Force.

Mr. BARROW: Mr. Chairman, this Clause 52 now renumbered 46 which deals with the Police Association, is one which hon. members should scrutinise with a great deal more care than it appears to me they are devoting to the passing of this Clause at the present moment. For an abundance of good reasons I would explain why I think this Clause can be used as an instrument of repression rather than an instrument for the regulation of grievances on the

part of members of the Police Force. If you look at the first part of the Clause, an unauthorised Association is set out in three sub-clauses and when they come to the other Section, Section 55, that should have been incorporated in this particular Clause, Section 46 should have read as follows: "It shall not be lawful for any unauthorised association to permit any member of the Force....." and then they should have gone on and explain what is meant by an unauthorised association; but they dealt with the matter further on. In the popular style of drafting anybody, in any case, especially when you have an uncritical Cabinet and a Civil Service dealing with matters of this kind, can deal with them in this way. Let us get back to the main point. In Section 46 which is badly drafted and badly numbered, they say what an unauthorised association is; they say "For the purposes of this part of this Act, an unauthorised association means any Trade Union as defined by the Trade Union Act, 1939 whether or not the Union is registered or incorporated." Therefore the Trade Union is an unauthorised association whether it is registered or incorporated. That is a piece of legal ignorance because the position in Barbados is not the position in England. It was only in 1939, after resorting to organizations such as the Barbados Workingmen's Association and to other organizations with all sorts of names, that the Trade Unions became legally permissible. The significance of this legislation is that a Trade Union in contradistinction to the position in England, is unlawful if it is not a registered Trade Union. Something like 89% of the Trade Unions in England are not registered at all and the English law does not say that a Trade Union is illegal until it becomes registered and that is one of the things obtaining in Barbados.

1.15 p.m.

When you put in a Bill "for the purposes of this Act any Trade Union as defined by the Trade Union Act, 1939, whether or not the Union is registered or incorporated", all of this is surplusage after the figures "1939", because to be a Trade Union at all you have to be registered. That is only a technicality, but let us get down to this Section. For the purposes of the Act, they are saying that the Barbados Workers' Union or any other Trade Union is an unauthorised Association. All this Section says is that these are unauthorised Associations and then Section 55 tells you that you cannot join an unauthorised Association; so (a) a member of the Barbados Police Force cannot join a Trade Union; (b) he cannot join any League or Association or body of persons, whether registered or not, which has for its objects, or one of its objects, the promotion of feelings or ill-will and hostility between different classes or race.

Mr. Chairman, that is merely an innocuous Clause barring people from joining an Association which has for one of its objects the promotion of feelings of ill-will and hostility. That in itself may preclude a lot of members of the Barbados Police Force from joining the Barbados Labour Party, and the Government should consider that carefully, because if they have debarred you from joining an Association whether registered or not which has for one of its objects the promotion of feelings of ill-will and hostility between different classes or races, then policemen cannot join the Barbados Labour Party. You will see in several cases on several public platforms pronouncements which will give you the impression that it debars them from joining that Organisation.

Now, Mr. Chairman, the sting is in the tail of the Clause because sub-Clause (c) says:-

"Any other association, society or club, any of the objects of which may be subversive of good discipline on the part of a member of the Force....." any association or society means the Weymouth Club or any other Club, any of the objects which may be subversive, treasonable, seditious or anything like that of the good discipline on the part of any member of the Police Force, and which the Commissioner, with the approval of the Governor, declares to be an unauthorised association.

Now, Sir, I want to attack that because there is no presumption in law that a Commissioner of Police - I have said this before - or any other public servant or member of the Legislature is invested with omniscience, lack of

malice and infallibility. We have to start off with that premise. There is presumption on the other side. A person is a legal ordinary person, and a reasonable person is as Lord Justice Bowen said, a person travelling on the Culloden Road omnibus, the Government Hill bus or the Black Rock bus; but there is no presumption in law that that man is infallible. When you allow the Commissioner of Police to say that a Club, society or body of persons may be subversive of the good discipline of the Force, that leaves it open for the Commissioner of Police to say that a cricketing member of the Barbados Police Force cannot join Empire, Spartan, Wanderers or Pickwick. I am saying that that is what it permits because he may decide it is not for the good discipline of the Police Force that any policeman should play for any Club other than the Police Sports Club. I want to know how a thing like that could come within the competence or province of a Commissioner of Police.

Mr. Chairman, when we are passing legislation we have to be careful that we do not work our statutes in such equivocal and ambiguous ways that it is susceptible to more than one interpretation, or the exercises of a discretion in ways which may be inimical to the public interest. Leaving out what I said now about Clause (b), they are defining in Clause 56 what an unauthorised association is. I do not know what the hon. senior member for St. Peter will have to say about this, but it is common practice that policemen should not become involved in trade disputes as partisans; therefore it is not exceptional that a Trade Union should be excluded. I am very much against using terms like "unauthorised"; you should say "an excluded association" or something like that. You should not say it is an unauthorised association, because you are attaching a certain amount of stigma to a Trade Union to say that a Trade Union in any part of our Statute Law is an unauthorised association. You are going straight back to the common law position of 1799 when you do that. It is a question of terminology, but you are calling the Trade Union an unauthorised association. You should call it a proscribed association, but you should not label it with the stigma of illegality by calling it unauthorised. You are lumping as illegal any association whether registered or not which has for its object the promotion of feelings of ill-will.

As I said, Mr. Chairman, that may preclude a lot of members of the Barbados Police Force from joining the Government Party. Let us come to the third section which says:-

"Any other association, society or club, any of the objects of which may be subversive of good discipline on the part of a member of the Force" - not on the part of the Police Force, but you are going to label the whole Club to be subversive of the discipline, to be unauthorised, if the Commissioner considers that it is subversive of the discipline of an individual member. One member of the Barbados Police Force can stigmatize a whole group of persons, association, friendly association, Masonic Lodge, cricket club, debating society or political body, and therefore you immediately put on the proscribed list any association. Let us say that a Sergeant or Inspector reports that this particular member of the Force goes down to this cricket club and drinks there on afternoons after duty, and the Commissioner says that is subversive of his discipline; so the whole association becomes a proscribed association or unauthorised association as the Bill says.

Now those members of the Legislature who have civil liberties at heart and believe that a Government should encroach upon those liberties only in so far as it is necessary to carry out the functions of a Government properly and with order and decorum, and those of us who believe that civil liberties are scared, must always look askance at any type of legislation that seeks to whittle down not only the freedom of the individual subject, but may condemn with illegality a whole group of persons who may be entirely innocent of what is going on between the Commissioner of Police and a member of his Force. You would therefore deprive other members of the Force of the right of belonging to an association because an individual member of the association has been insubordinate and the Commissioner feels that his insubordination is due directly or

indirectly to his membership of the particular body which is going to be put on the proscribed list, and so ban and taint it with illegality.

1.25 p.m.

Now, what I think ought to be said categorically and clearly here in the House of Assembly so that the Commissioner of Police may be in no illusions at all of what is the intention of the Legislature, so that he does not extend the boundaries of the horizons of liability by the way in which he interprets Section 46 - it ought to be made quite clear that a member of the Barbados Police Force, as far as Part X is concerned, in keeping with any other member in the employment of the Crown is perfectly free to join any political organization which that member of the Police Force or Civil Servant feels like joining because there is nothing, except that it is left in such a wide way, for the Commissioner of Police to determine that, say, the Opposition Party is subversive of discipline to the Police Force. Members of the Force may have grievances ventilated in the Legislative Chamber and he may take it upon himself that the Opposition Party - and I ask that members on the other side think of "for whom the bell tolls" because they may be in the Opposition - is an organisation from which he must ban members of the Force from joining. That is happening in Cuba and perhaps even in little St. Lucia now. The bell therefore may be tolling for somebody else and may be tolling for them. You do not pass legislation for a particular person; you pass legislation to see that it does not interfere with the fundamental liberties of the public. A day of reckoning has to come for everybody and therefore, we have to make sure that you do not set up a precedent for anybody.

I am saying, subject to what the hon. senior member for St. Peter or regardless of what the hon. senior member for St. Peter has to say on this section, that we want to make it clear that a member of the Barbados Police Force has the right to join any political organisation which he feels like joining. The intention of the Legislature is one of the canons which the Courts have to apply when they interpret the law. There are several golden rules but in the last resort the Courts always fall back on the intention of the Legislature. How then can the intention of the Legislature be discovered? It is by the record and I want the Hon. Premier himself to make it quite clear that it is not the intention of the Barbados Legislature to deprive any member of the Barbados Police Force from joining any political party in Barbados unless that Party is not proscribed by some other statute. I personally would vote against any Fascist Party or any kind of totalitarian Party. I feel you should not nurture that kind of Party because if something is going to destroy you, you should not have it in your guts. However, that would have to be proscribed by some other legislation, not under the Police Act. After this Bill is passed, any member of the Police Force may not be able to join this or that political party because the way in which this Clause is worded is susceptible to that interpretation.

Mr. WALCOTT: Mr. Chairman, I cannot address you too much on the legal side. I will say, so far as I am concerned, I would not want a Policeman in a Trade Union which I have to run because a policeman is a headache in any Trade Union. I like people in a Union who can strike. A non-striking Union is one which does not appeal to me.

Now, Sir, you hear what they determine in this context as an "unauthorised Association". They say "unauthorised Association" means "any Trade Union as defined by the Trade Union Act, 1939 whether or not the Union is registered or incorporated."

Well, Sir, I would like to hear what the lawyers would say of this context that a Trade Union is an unauthorised Association whether the Union is registered or not, because in Barbados it cannot be a Trade Union unless it is registered. It is sort of redundant to talk of an unregistered trade union.

However, Sir, I do not take the same view as the hon. junior member for St. John. If you look at (b) you will see that it says any league or association or body of persons,

whether registered or not, which has for its objects, or one of its objects, the promotion of feelings of ill-will and hostility between different classes or races. That can only mean the Barbados Yacht Club. Now I say that, I will like to really say that if the Government has to set this down, it is telling the Commissioner of Police that he cannot join the Barbados Yacht Club because that is a place which is openly a place for the promotion of feelings of ill-will and hostility between different classes or races. You do not want a more classic example of that than the Barbados Yacht Club. What place preaches it more than that club? The Barbados Yacht Club was expressly started as a means of taking people only of European descent; therefore, if I walked in there, I would create one of the biggest furores in Barbados. I have been saying for a long time that the Governor, the Colonial Secretary, the Commissioner of Police and people like that, should not be members of clubs and organisations that are expressly formed for the purpose of one race and that in itself is creating hostility. The Barbados Yacht Club is ostensibly only a place for "whites" and because of that we are not different from South Africa in that respect.

I feel that for the purpose of not spreading feelings of ill-will what should be stated is this. You should tell the Commissioner of Police that if he is a member of the Barbados Yacht Club, after the passing of this Act, he should resign. This community is 95% Coloured and 5% White. The club is more or less on Government's land and it is an organisation that is ostensibly white and, as a matter of fact, it has been created for the "Big whites" because even some white people they do not want there. They are even discriminating between white and white. They want the 'Lilywhite'.

1.35 p.m.

There is a pedigree club; they are creoles; when you have a situation like that, you have to be very clear that they really mean what I am saying. I want to say quite clearly that if there is something which will create ill-will put in legislation like this - there is not much hostility created about the Yacht Club because the average Barbadian has not got many yachts. The people who have the yachts can form their organisation and they can call it the Cruising Club. I feel that this is the sort of thing which creates ill-will or ill feeling among the people. What kind of organisation is there which a policeman can join other than the Yacht Club which will create feeling (A MEMBER: The Savannah Club?) Well, an hon. member has mentioned the Savannah Club. I do not think that you will get any ill will in the Union because we do not preach colour prejudice. We had the biggest demonstration for a man who was of European descent and that demonstration was not based on colour.

I hear people talk about private clubs. I do not feel that the Commissioner of Police should be a member of a Club which says that is a Club for white people. If a white man does anything in a Club, well, a lot of things can go on and they can be hidden up. The Commissioner of Police should not be a member of any of these Clubs, neither should the Governor be a member of any of these Clubs. You would not have a white man as a member of the Empire Club, because he could not go home at night for fear of being poisoned.

Mr. BRANCKER: On a point of order, Mr. Chairman, Father Genders is a member of the Empire Club and he can go home at night without any fear of being poisoned. There are other distinguished men who are members of the Empire Club because there is no colour bar there.

Mr. WALCOTT: There are people who say that there are other organisations which practise these things too. I was saying that the only colour bar is in the persons themselves and their fear is that when they join these organisations it will be the last 'coming home' for them. I like this Clause which deals with things creating hostility. If we have not dealt with Clause 47 yet.....

Mr. CHAIRMAN: The whole of Part IX of this Bill has been deleted.

Mr. WALCOTT: This is Part X of the Bill. I am enquiring as to whether we have dealt with Clause 47 as the

old Clause 53. In this Part X of the Bill, there is a whole head and I would like to know if I can make reference to other Sections under the same head or if we will deal with each Section by itself.

Mr. CHAIRMAN: There is Section 53 which will be Section 47 and you can deal with it there.

Mr. WALCOTT: If this ill feeling or ill-will is the same thing I mean, then it will be a good thing. It is not good for high-ranking policemen in a community like this to be members of a white organisation for many reasons. This is a society with 95% of the people of one colour and 5% of the people of another colour which will have the economic power. As soon as a member of the Police Force becomes a member of an exclusive organisation which is all powerful, it makes the 95% of the people feel that if anything happens with them against this Section, nothing will take place. If a man is shot in a white district it may be argued that he shot himself and you do not have to worry to go and look for anybody; but if the same thing takes place in New Orleans, for instance, everybody else's house will be searched in order to discover who has a revolver. That might appear to be humorous, but it is true. I should like to say that nothing bothers me more than when I find this sort of thing is being perpetuated in Barbados in 1961 and at a period when we are in power. It was a serious thing to get a Royal Charter. I hope that this Bill will exclude the Commissioner of Police from belonging to any organisation like the Yacht Club.

1.45 p.m.

Now I know we have a first-class idiot in Barbados who is now out of the island. He signs his name as "O.H.J.". This community can even accommodate that sort of person, and that is the sort of white supremacy that can work. If anything can create more ill-will and hostility in a community, it is these people. I have heard that these things occur all over the world and that you had them in Heaven, and that is why they got some of them out. I am saying, however, that this should apply to organisations like the Savannah Club and the Yacht Club, and if they are carrying a lily-white organisation, you should tell the Commissioner of Police that he cannot join, and you should tell the Governor that he should not join because we have given him enough space at Government House to play tennis. If you are going to have a Tennis Club like that, let little Mapp or James Harris' son go there and play, but do not tell him he cannot play there because he is not white. If it is going to be so, tell the Commissioner of Police and the Deputy Commissioner of Police that they cannot join the Club because that Club is a Club which is ostensibly creating hostility between the classes and races in Barbados.

Some years ago I had to talk about the Aquatic Club, and a gentleman told me then that I could join. I said I believed I could join because I was a member of the House of Assembly and I would be a good guinea pig to use. I take strong objection to these things, and I say that any league or association which has as its object the promotion of ill-will and hostility between the classes should be barred. Maybe if you read the rules of the Yacht Club, you will find that they do not say that they do not want black people. I am not against people wanting to have their clubs. They can have their clubs whether they be lily-white clubs, jet black, brown-skinned or mulatto clubs. I do not mind if a club is only for mulattoes. What Government servants have to remember is that we do not only work for mulattoes; we work for negroes too. I say that because I have heard much about freedom and not encroaching on people's freedom and what private clubs they should join. As soon as you do that you are encroaching on the freedom of people, and it shows that you are not allowing a policeman to be free. You have told everybody else that they can join an organisation, but you feel that if a policeman joins and there is a strike on the waterfront, he would not arrest anybody.

Mr. Chairman, the Yacht Club so far as this community is concerned, creates more ill-will than the Barbados Workers' Union. Our approach is to give people a fair day's work for some money and not to duck and hide. We are not like the politicians who at election time cannot come along and tell people so. An organisation like the Yacht

Club does nothing more than create ill feeling at a level that hurts people. Any association or club which promotes feelings of ill-will and hostility may be regarded as subversive, and I would like the Premier to let us know what this means. Going by what the word "subversive" means, anything that is subversive you would have to stop members of the Police Force from joining.

Speaking broadly and frankly, I feel that the police should have their own organisation. I may be old-fashioned, but I do not want to have policemen in the Trade Union. The policemen have their work to do; they have to maintain discipline when we are on strike or have peaceful picketing and see that the law is properly administered. They should therefore function in their own organisation and have freedom in it; but I will speak about that later on. I feel too that these things should apply not only to the ordinary man in the ranks but to the man higher up. I feel, Mr. Chairman, that if the Hon. Premier is still of the same mind as I am - he used to be - I think that Police come under his control and all he will have to do is to give a directive that he does not believe it is for the good of this community or in the best interest of the Island that the Commissioner of Police or white members of the Police Force, whether in the ranks or higher up, should belong to organisations which ostensibly create ill-will and hostility between classes and the different races.

Mr. STRAUGHN: Mr. Chairman, before the Hon. Premier replies, I take it he has been asked so many questions that he will have to reply to all hon. members. Would he tell us in general what might have been the reaction of the Police delegation to this particular section? I think we have been made to understand that this Bill was postponed to have discussions with the delegation, and this particular Part X should be of interest to that Police delegation. Something which the hon. senior member for St. Peter mentioned has made this other point come to my mind. The next Bill that follows is the Police Service Commission Bill which deals particularly with terms and conditions and so forth affecting members of the Police Force in the rank of Inspector and above, and when the hon. senior member for St. Peter is wondering whether the Commissioner of Police or anybody like that could be a member of these particular organisations, I would just like to belabour this point of view to be assured by the Premier that the Commissioner of Police and such people above the rank of Inspector are actually affected and included in this Clause, or whether he regards a member of the Force as a different breed of animal from an Inspector, the Commissioner or people of that rank. It is just a matter of interpretation.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, to answer this particular question, I think the hon. senior member for St. Peter knows or at least used to know my attitude on such questions. That attitude is the same today as it ever was.

Now this is the first time that this Government has ever had an opportunity to make a public announcement of this sort. For the benefit of this Committee, Sir, I will say that this Government has been and is still tackling the Savannah Club on their policy. The Savannah Club rents Government land. (Mr. BARROW: And you still allow them to do that.) I think the lease is renewable in the month of April, and I called the President of the Savannah Club to me, explained to him the Government's policy and reminded him that the Club is renting Government land.

1.55 p.m.

With that in view, they will have to change their policy with regard to the admission of Negro members of the public. We had quite a talk and I made them to understand that the two conditions on which the lease would be renewed are (1) increased rent, and (2) that this policy of theirs as regards the non-admission of Negroes to the club must be changed. I was surprised that I got an answer that they agreed with my conditions but the sting was still there. They say: "Look here, it is not a question of refusing to admit Negroes. The policy is that every applicant must be nominated and seconded by a member." However, we succeeded in making a dent because the Chief Justice was admitted a member after that.

Mr. TUDOR: Mr. Chairman, I rise on a point of order. Is the Hon. Premier seriously saying that the admission of the Chief Justice of a British Colony into a club like that is making a dent?

Mr. BARROW: I, too, rise on a point of order. I was listening to the Hon. Premier very carefully and he said that although it has been their policy all these years, he has only raised this question because the Chief Justice was excluded from both the Savannah and the Barbados Yacht Club.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I did not say that and the hon. member knows very well that I did not say that.

SUSPENSION OF SITTING

Mr. CHAIRMAN left the Chair and Mr. SPEAKER took the Chair.

Mr. SPEAKER: It now being 2.00 p.m. o'clock, the sitting of this House stands suspended until 2.30 p.m. o'clock.

On re-assembling,

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I notice that there is no quorum and I ask that the Bell be rung.

The Bell was rung and a quorum obtained.

QUESTION TIME

Mr. SPEAKER: Question No. 58.

Mr. BARROW: Mr. Speaker, for sometime I have been awaiting the Hon. Premier to find his missing file so as to give me the answers to Question No. 5.

Mr. SPEAKER: It may be my mistake, but I thought I said Question No. 58.

Mr. BARROW: No, Sir. What I was saying was that I have been waiting for the Hon. Premier to give the answers to Question No. 5 which I understand could not be given because the file with that matter is missing. I wonder if I can get any information as to when the Hon. Premier would be ready. As I understand it, the answers were ready but the file was not available so that he could answer any supplementary put to him.

Mr. SPEAKER: No. 58. I observe the hon. junior member for St. Lucy is not in his place.

Mr. CRAWFORD: May I put the question for him?

Mr. SPEAKER: The hon. member may not.

Mr. CRAWFORD: I am asking on the hon. member's behalf that the replies to these questions be held over.

TEACHING OF ECONOMICS AT QUEEN'S COLLEGE

Mr. SPEAKER: Question No. 47.

Mr. CRAWFORD: I also am asking on the behalf of the hon. senior member for St. Lucy that the replies to these questions be held over. As a matter of fact, the hon. member is now taking his seat.

Mr. TUDOR: To enquire of the Hon. Minister of Education:

Will the Minister state whether he now has anything to add to his reply to Question No. 17/1960, with respect to the teaching of Economics at Queen's College?

2. Will he further state whether he intends to allow this subject to be taught in all the Grant-aided Secondary Schools and, if so, at what level or levels, and as from when?

Hon. L. StA. THORNE: The replies are as follows:-

"1. No, Sir.

2. If suitable teachers were available in any school I should not oppose the introduction of Economics as a part

of general education on a syllabus as little theoretical as possible and limited to some study of markets, trade unions, banks, taxes, tariffs and the rest of the economic and social framework. Nevertheless, I share the view that specialist study of this subject (Advanced Level) is something best reserved for the university stage of education for the more mature mind after a good educational background in history, geography, or mathematics or literature or science.

Mr. BARROW: Is the hon. member aware - Sir, we have had occasion to complain about the way in which this public address system of this House is operating. It is only voluble for members of the Government Bench.

Mr. SPEAKER: I do not think it is right to say that now.

Mr. BARROW: Is the Hon. Minister aware that it is impossible to gain admission to the Economic Faculty of the London University unless a candidate for entrance has got Economics at Advanced Level? The reason why I asked that question is because the Hon. Minister in his answer said that if suitable teachers were available in any school he would not oppose the introduction of economics as a part of general education on a syllabus as little theoretical as possible and limited to some study of markets, trade unions, banks, taxes, tariffs and the rest of the economic and social framework and he went on to say that he shares the view that specialist study of this subject is something best reserved for the university stage of education or for the more matured mind.
2.35 p.m.

Mr. SPEAKER: The hon. member concluded by making a statement. Will he put the question again?

Mr. BARROW: I am enquiring whether the Minister is aware that it is impossible to gain admission to the Economic Faculty of the London University unless the candidate for entrance has got Economics at Advanced Level.

Hon. L. StA. THORNE: Mr. Speaker, I would like to preface this answer by saying that I am not posing as any student of Economics. When this question was tabled by the hon. senior member for St. Lucy, out of fairness to the community I thought that it was my duty to get the opinion of experts in this particular field before I made any reply. I have had it on the authority of Professor Arthur Lewis that there are two schools of thought as to where the teaching of this important subject should begin. My reply is based on the information which I have got. I am not ashamed to confess that I am no expert at Economics so that in reply to the question I would say that I am not aware of that.

Mr. TUDOR: Does the Minister mean that no pupil in a Secondary School in the Sixth Form would possess a mind mature enough to grapple with this subject?

Hon. L. StA. THORNE: I have not said that in anything I have answered.

Mr. TUDOR: Is the Minister aware that this subject has been taught at Advanced Level in a primary school and is being taught successfully in this island both for London and Oxford and Cambridge?

Hon. L. StA. THORNE: I am pleased to hear that, and nothing that I have said points to the reverse. I particularly said that we could do some work.

Mr. TUDOR: Will the Minister then consider employing staff?

Hon. L. StA. THORNE: I have no objection to that.

Mr. TUDOR: Why was it that the Department of Education sent around to Secondary Schools asking them to supply a list of necessary books and when was that list supplied to the Department?

Hon. L. StA. THORNE: I will have to enquire about that. I do not know about any list having been sent around to these Schools.

Mr. TUDOR: There is another question. Would the Minister say why it was in answer to question No. 17/1960 that

he assured the House that Economics was being taught at Queen's College?

Hon. L. StA. THORNE: I have not yet said that Economics was not being taught there.

Mr. TUDOR: Can we hear from the Minister whether it is being taught or not?

Hon. L. StA. THORNE: The answer I gave on the occasion to which the hon. member referred still holds good.

Mr. TUDOR: I am enquiring whether Economics is a part of the scheme of study for Queen's College.

Hon. L. StA. THORNE: I said that the answer I gave when the hon. member asked the question still holds good. Whatever that answer was, it still holds good now; there is no change (A MEMBER! Let us get the Question Book.)

Mr. BARROW: While the hon. member is awaiting the Question Book, I would like to ask the Minister whether he is ready with the answer to Question No. 16 with regard to what are the grounds for the refusal of study leave to Civil Servants who desire to study (a) law, (b) economics.

Mr. SPEAKER: This is not now the time for a question of that sort.

Mr. BARROW: I think it is appropriate for an hon. member to ask if the reply to a question is ready. This question is connected with the question the reply to which we are now considering.

Mr. TUDOR: May I proceed to deal with Question No. 58?
2.45 p.m.

Mr. Speaker, did the Minister not say in reply to Question No. 17/1960 that Economics is included in the scheme of studies at Queen's College and that it is not considered advisable to press for its general inclusion until a supply of adequately qualified staff becomes more readily available? If the Minister stands by that, will he now tell us what he means by what he said today?

Hon. L. StA. THORNE: Mr. Speaker, may I enquire how does what I said today differ from what the member has just read?

Mr. TUDOR: Did not the Minister say in his reply that "I share the view that a specialist study of this subject (Advanced Level) is something best reserved for the University stage of education"? How does the Minister reconcile that a study such as that at Advanced Level is best reserved for University level and at the same time said a year ago that it was included in the Scheme of Studies?

Hon. L. StA. THORNE: Did I say at Advanced Level?

Mr. TUDOR: Yes, I am reading from the text of his answer and it says:- "Nevertheless I share the view that specialist study of this subject (Advanced Level) is something best reserved for the University stage of education or for the more mature mind after a good educational background in history, or geography, or mathematics, or literature, or science."

I want to know how he reconciles that with his earlier contention as given in an answer "that it is included in the scheme of studies at Queen's College".

Hon. L. StA. THORNE: I particularly outlined in my answer that I was not averse to the idea of having economic studies as a sort of general subject, and I gave an idea of the syllabus which I would consider. I said nothing at all which would even suggest that I was averse to the idea of it being taught in schools.

Mr. TUDOR: Would the Minister explain, Mr. Speaker, what he means by this part of his answer that "I share the view that specialist study of this subject (Advanced Level) is something best reserved for the University stage?" What

does he mean by that and how does he reconcile that with the statement in answer to my question last year that the subject is part of the syllabus of Queen's College?

Hon. L. StA. THORNE: I do not know if I had explained when I began today that I sought the opinion of one of the world's greatest students of Economics on this particular question, a man who is acknowledged throughout the world - Professor Arthur Lewis. I pointed out that as a result of that set-up I was made aware of the fact that even if Economics is done in the Sixth Form, when the student reaches the University, he has got to start from scratch. The advice of the expert is that it is best for a student to get a good foundation in certain subjects and then go up to the University and start this subject of Economics. That is what I meant when I said I shared the view.

Mr. TUDOR: In view of what the Minister has just said, does he then intend to take Economics off or rather to remove it from the scheme of studies of Queen's College since Queen's College is not yet a University?

Hon. L. StA. THORNE: No, Mr. Speaker. I have absolutely no intention so to do.

Mr. TUDOR: Well, then, if the Minister is still going to retain the special study of Economics in the scheme of Government at Queen's College, will he then first of all let it be known that that subject is being taught, and secondly expand it to other schools?

Hon. L. StA. THORNE: I have to remind the hon. member that I particularly pointed out that while Economics as a general subject is being taught, I have absolutely no objection to that idea; but I cannot promise the hon. member that I would give the word that it should be taught at Advanced Level throughout all the schools when we have not got the necessary staff and against the opinion or the idea of the expert. The expert in his advice says that if Barbados wants to swim along with the other people, it is a matter for them. This is a matter, therefore, which calls for very careful consideration, and it is not a matter just to introduce a subject because it is done in other places. One wants to satisfy oneself if such a step is taken that one would not be doing the wrong thing. I am not at all opposed to the idea of widening the curriculum of schools, but I am not prepared to go wild goose chasing without being sure of the results.

Mr. TUDOR: Mr. Speaker, will the Minister say then at what level it is being taught at Queen's College now and who teaches it?

Hon. L. StA. THORNE: Mr. Speaker, I cannot offhand give the answer to those questions, but I can get the answers for the hon. member.

Mr. TUDOR: Is it being taught at all? Am I not entitled to have an answer from the Hon. Minister, Mr. Speaker?

Hon. L. StA. THORNE: Mr. Speaker, I have answered that question over and over again.

Mr. TUDOR: What is the answer?

Hon. L. StA. THORNE: You gave yourself the trouble to send for the Question Book; please consult it.

Mr. TUDOR: Well, Mr. Speaker, if the Minister tells me to consult the Question Book, there is the statement there that the subject is included in the scheme of studies of Queen's College. Is the inclusion in the scheme of studies the same as saying that it is being taught?

Hon. L. StA. THORNE: I do not see how that question arises, Mr. Speaker.

Mr. BARROW: Mr. Speaker, is the Minister aware that although Economics is included, as he assures us, in the scheme of studies at Queen's College, it is not taught at Queen's College at all? Is he aware of that?

Hon. L. StA. THORNE: Mr. Speaker, I am not aware of that.

Mr. BARROW: Then you should have said that.

Mr. TUDOR: Is the Minister further aware that a member of Queen's College was detailed to discover from the Principal of a Secondary school what books should be used and what the nature of the syllabus was both for "A" and "O" levels.

Hon. L. StA. THORNE: Mr. Speaker, I should like to thank the hon. member for the information he has given. He could hardly expect that a Minister would know everything that goes on in a school, as no individual can be here, there and everywhere. If the hon. member is so gracious and interested as to offer the information, I will gladly except it and investigate it.
2.55 p.m.

RESOLUTION re SUGAR ENQUIRY COMMISSION
UNDER Mr. CARL GOLDENBERG

Mr. SPEAKER: Private Members' Business. The first Order is to resume debate on the following Resolution: Resolution relative to an exhaustive investigation into all phases of the Sugar Industry in Barbados by the Sugar Enquiry Commission under the Chairmanship of Mr. Carl Goldenberg.

On the last occasion, the Hon. Minister of Trade was speaking when Government Business was resumed.

Hon. M. E. COX: Mr. Speaker, I must apologise to the House if I appear to be speaking at length on this matter. The Minister of Agriculture has already spoken, but in view of the fact that the emphasis is being laid upon the results achieved by the workers, as the Minister for Labour, I think that I should put our position as clearly as possible. First of all, I would like to read the Resolution. It reads as follows:-

"WHEREAS the future of the sugar industry is uncertain and there is therefore urgent need to place every phase of its operation on the most rational basis:"

At a later stage I will try to develop those words "rational basis".

"BE IT RESOLVED that the Government take steps to invite the Sugar Enquiry Commission under the chairman of Mr. H. Carl Goldenberg, Canadian economist-lawyer, which recently enquired into the sugar industry of Jamaica, with such excellent results for the workers and cane farmers to undertake a most exhaustive investigation into all phases of the sugar industry in Barbados."

You will see that the emphasis is on the workers and there is where I believe I come more so than my hon. colleague.

I said on the last occasion how the Agreement to protect the sugar growers in the West Indies and perhaps all countries came about and I referred to the part played by the Prime Minister of the West Indies who was the Leader of the House at that time, and also our present Premier. I told the House how they had gone to England and had put our case for the sugar growers and the workers in that industry and as a result of that, there were demonstrations throughout all London. I saw photographs of those demonstrations with placards, and so on, trying to get the British Government to become more interested in the plight of the workers and sugar growers of these territories and, therefore, make it more possible for these people to earn a livelihood out of the industry.

I want to refer to show in no uncertain manner that there could be absolutely no correctness - I put it mildly - in the statement made in the Resolution before the House as sponsored by the hon. senior member for St. Philip. What is the position? In 1951 after we brought down a gentleman by the name of Mr. Duffy under the Governorship of Sir Alfred Savage who was very interested in the plight of the common people, if I may put it that way, because no doubt he had quite a number of enemies so far as some of the wealthy people are concerned, that gentleman, Mr Duffy,

made a survey and made certain recommendations after seeing the people interested in this industry, and as a result a recommendation was made providing for an agreement. This is a draft which I have in my hand of the agreement reached and I am going to quote it because it is a public document of this House. A Resolution was passed to the effect, I start with this because it would lead up to what was agreed on and reported by the Minister of Food in England, who was Major Lloyd George at the time. This is what the Agreement says:-

A MEMORANDUM OF AGREEMENT made and entered this day of 1951 BETWEEN ERNEST STANLEY ROBINSON of Constant in the parish of Saint George in this island, Planter, of the FIRST PART HAMPDEN ARCHIBALD CUKE of Banavie in the district known as Belleville in the parish of Saint Michael in this Island, Accountant of the SECOND PART JULIAN AUBREY MAHON of Lion Castle in the parish of Saint Thomas in this Island, Planter, of the THIRD PART GILBERT DARNLEY BYNOE of Veronda in the district known as Hastings in the parish of Christ Church in this Island, Company Director of the FOURTH PART HARRY St. GEORGE WARD of Durants Plantation in the parish of Christ Church in this Island, Planter of the FIFTH PART GRANTLEY HERBERT ADAMS of Tyrol Cot in the parish of Saint Michael in this Island, Barrister-at-law of the SIXTH PART FRANK L. WALCOTT of Bank Hall in the parish of Saint Michael in this Island, Esquire, of the SEVENTH PART H. GORDON CUMMINS of Bank Hall in the parish of Saint Michael in this Island, Doctor of Medicine, of the EIGHTH PART and your humble servant of the NINTH PART; WHEREAS informal discussions have been taking place between the parties to this Agreement in their respective individual capacities regarding certain proposals concerning the finance of the Sugar Industry of this Colony AND WHEREAS it is the clear and expressed desire and intention of the parties to this agreement to achieve through the execution of this agreement and the implementation of the proposals as are hereinafter set out the objective of the avoidance of friction with the Labour Union, the establishment of good industrial relations between employers and workers in the Sugar Industry of this Colony and the avoidance of the usual protracted annual negotiations between the Sugar Producers' Federation of Barbados and the Barbados Workers' Union regarding increases in the wages of workers in the Sugar Industry AND WHEREAS it is the desire of the parties to this Agreement that the matters on which conditional agreement has been reached should be embodied in a written document for submission to and consideration of their respective organisations.

3.05 p.m.

NOW IT IS HEREBY AGREED that the parties hereto of the first to the fifth parts inclusive respectively will submit to the general body of Sugar Producers of this Colony for their consideration and that the parties hereto of the Sixth to the Ninth parts inclusive respectively will submit to the Labour Union for its consideration the matters contained herein and that having themselves in their respective individual capacities agreed to the matters as contained herein conditionally on the acceptance thereof by their respective organizations they respectively will use their best endeavours to obtain acceptance thereof by such organisations at the earliest possible date, that is to say:-

At this stage, Mr. DEPUTY SPEAKER took the Chair.

Hon. M. E. COX: Mr. Deputy Speaker, I was reading from this Memorandum of Agreement and it goes on to say this:

"(a) That the Sugar Producers' Federation of Barbados should be asked to amend the existing wage agreements with the concurrence of the Barbados Workers' Union so as to provide for a production bonus at the undermentioned rates on all crops which are 5,000 tons in excess of a static average of 120,000 tons". Up to a figure of 125,000 tons and over.1%.

The amount goes on progressively increased until you come to the amount of 210,000 tons and over.26 1/2%; and above that figure there is an increase of 1 1/2% per 5,000 tons in respect of every further 5,000 tons over 210,000 tons.

As far as the cane growers are concerned, the Agreement provided that they get the same price for their canes as long as they joined together and submitted and sent in under one name or organisation anything from 5,000 tons upwards. This Agreement which I have in my hand is a long Agreement and the hon. member ought to know what was put before this House of Assembly. When this Agreement was put to the House, it was regarded as the Magna Carta of Barbados in so far as the sugar industry is concerned. That was in 1951.

Mr. Deputy Speaker, after proceeding with that Agreement.....

Mr. CRAWFORD: On a point of order. I should just like to put the record straight. Although the hon. member appears to be reading from the Agreement, two of the facts which he has quoted are incorrect. In the first place, the figure is 500 and not 5,000, and in the second place there is a proviso with regard to the price paid for plantation canes and the price paid for peasants' canes. The hon. member has not read that Proviso.

Hon. M. E. COX: Mr. Deputy Speaker, I hold in my hand a copy of the Agreement. I was reading it and I know I am correct in quoting the figure 5,000 and not 500.

Mr. CRAWFORD: Not in the context of what he said.

Hon. M. E. COX: I am not giving way; the hon. member is only interrupting me.

Mr. CRAWFORD: I am entitled to do it.

Hon. M. E. COX: I am not sitting.....

Mr. DEPUTY SPEAKER: If the hon. member has risen on a point of order the Hon. Minister must allow me to hear that point of order.

Mr. CRAWFORD: The hon. member said that the peasants could get together and submit and send in a certain amount of canes and they will get the same price for them as a plantation would get. I am saying that the figure in that context is 500 and not 5,000; and the Proviso goes on to say that the peasants will get the same price for their canes as the plantations will get provided that the plantation has not got any shares in the factory.

Hon. M. E. COX: When I refer to the figure 5,000, I meant as far as production bonus is concerned. On the question of the sending of canes to the factory by peasants, the hon. member is right. The proviso says: "provided also that where a Co-operative Society supplies canes in excess of 500 tons to any factory, the delivery of such canes being if required spread over the whole crop, the Society shall be paid the same extra price which is paid to outside estates ranging from 5 cents to 35 cents per ton for similar quantities."

As I have already said, I do not think it is necessary for me to read the whole Agreement because it is a long one. The hon. member would have had the opportunity of reading this Agreement although he had no opportunity to take part in the negotiations in respect of this industry.

Mr. CRAWFORD: On a point of order. The hon. member also said that when the document was brought on the floor of this House, it was regarded as the Magna Carta of the industry by them; but we criticised it and the debates will show the strictures which we made against it.

Mr. DEPUTY SPEAKER: The Minister made those remarks in his opening speech and the hon. member did not rise on any point of order.

Mr. CRAWFORD: I began by making both points of order simultaneously.

Hon. M. E. COX: I said that whenever the Labour Party and the Union got increased wages for the people in the sugar industry, the hon. member used to say that the workers would get more if it had not been for this getting together....

Mr. CRAWFORD: On a point of order. I will expose the whole matter in detail when I get up to reply, but on every single occasion when we made that allegation we substantiated it by facts and figures, and on many occasions I will prove that the matter was rectified.
3.15 p.m.

Hon. M. E. COX: Nothing that he does this afternoon - even if he interrupts all the time - is going to stop me, and I will say exactly what I want to say. The member did that all the time. The hon. member was once supposed to be the Leader or Colonel of a Party called the West Indian National Congress which is extinct today; it dwindled to nothingness. He is now what is regarded as Assistant Lieutenant General of a Party of five members, because the people realised that they were just misleading them all along and were not prepared to put up with it.

Mr. CRAWFORD: On a point of order, I object to his ranting, lunatic remarks. He is not on a street corner. A lot of them brought you back in here, but they are going to get you out too. The point is, Mr. Deputy Speaker, if he has nothing to say, let him sit down and not waste time. There is no point in going back to an Agreement of six years ago.

Hon. M. E. COX: I am going through all the Agreements. It is all right to get up and mislead people by telling them that there is all this wrong with the sugar industry and the perilous position we are reaching, while the people who are interested in this have absolutely nothing to do with it.

Mr. CRAWFORD: On a point of order, that is not true.

Mr. DEPUTY SPEAKER: The hon. member has not said anything out of order.

Mr. CRAWFORD: He did say a lot. He said that the people who were interested in this did not say that anything was wrong. The people are the workers, and since the agreement, they went on strike in 1958 and we got more wages for them. That is how we got the St. John seat and the other seat.

Hon. M. E. COX: Mr. Deputy Speaker, I know the hon. member too well, and I know that he has thriven for all these years on misleading people.

Mr. CRAWFORD: Mr. Deputy Speaker, I object to a character like him coming in here and even suggesting somebody can mislead somebody. He is famous for using words he does not know the meaning of, but he should not use them where I am concerned. If he wants to find out the facts about what I am talking, let him go to my constituents and ask them.

Hon. M. E. COX: This is the Commonwealth Agreement of 1952. I am prepared to develop my argument to show that the sham Resolution that he has brought in this House today is purely.....

Mr. CRAWFORD: I am not having that at all. He cannot call my Resolution a sham Resolution.

Mr. DEPUTY SPEAKER: To what is the hon. member objecting?

Mr. CRAWFORD: I am objecting to the hon. member calling the Resolution a sham Resolution. He has never brought one yet in the Sugar Industry. He just quoted Mr. Duffy; he was brought after a similar Resolution was brought by me.

Mr. DEPUTY SPEAKER: The hon. member is objecting to the Hon. Minister calling the Resolution a sham Resolution. You are objecting to the word "sham". Is that unparliamentary?

Mr. CRAWFORD: Whether or not it is unparliamentary, I am saying on a point of order that I am not having him accusing me either or questioning on the floor of the House the *bona fides* of a Resolution I am presenting. When I come to talk I will substantiate the allegations I have made in the

Resolution. This is the third Resolution I have brought, and on each occasion we have had an enquiry. We have had Shepard, Duffy and Lewis, and we are going to have another, and no pigmy will stop it either.

Hon. M. E. COX: He has a lot to say and still would not allow me to speak. I am going to prove what I am saying in no uncertain manner even to the satisfaction of some of the gullible people who follow him blindly. He is just making a political football of this situation.

Mr. CRAWFORD: Mr. Deputy Speaker, I am not having those remarks at all. In 1958 I had a similar Resolution and they chased him out of St. John and St. George.

Mr. DEPUTY SPEAKER: The hon. member must take his seat. When you are going to make a point of order, you must get up and say you are rising on a point of order and then begin to make your point. If a member just gets up and says the slightest thing, you say you are not going to have it; you might as well say you are going to turn him down.

Hon. M. E. COX: I am going to quote to show in no uncertain manner how misleading he is and has always been and perhaps will always be.

Mr. CRAWFORD: On a point of order; the position is this, Mr. Deputy Speaker; we can carry on this for ever if they do not want me to talk today, but the point is that he cannot get up there and except from the depth of his own tortuous mind present anything to substantiate the statement that I have misled somebody.

Mr. DEPUTY SPEAKER: The Hon. Minister says he is going to show how misleading the hon. member is; so he should just wait and see. I am sure I heard a voice say "wait and see".

Mr. CRAWFORD: On a point of order, nobody said so. Even if somebody said so, I do not know the individual involved and I am not having anybody accuse me of misleading anybody, because I have never done it and never will; and the information I have will prove I never have. At any rate, he is not the arbiter of whether or not I mislead anybody.

Hon. M. E. COX: Now this is a booklet, Mr. Deputy Speaker which is No. 1 of February 6th, 1952, "New Approach by Monthly Survey of Commonwealth and Colonial Affairs" issued by the Conservative Research Department in conjunction with the Conservative Overseas Bureau. This is when a Conservative Government was in power, because the Labour Government lost power in 1952 and therefore this was under them and not under the Labour Government. When I refer to him, he and the Conservatives are the same thing; the only difference is that they have more money than he and he is trying to get as much as he can out of them.

On page 3 under "Commonwealth Sugar Agreement", on 21st December the Minister of Food, Major Lloyd George on behalf of his Majesty's Government signed an agreement with the Sugar Industries of Queensland, South Africa, Fiji, Mauritius and the British West Indies providing for the supply of sugar to the United Kingdom, and for the development of sugar production in the Empire. The Agreement runs until 1959 with provision for annual extension; that means that at the end of every year you extend the Agreement by another year, which gives the Agreement a life of 8 consecutive years.

3.25 p.m.

"The producers would therefore be able to plan their production ahead in the knowledge that the Agreement has eight years to run. It is designed to secure the orderly marketing of the Commonwealth Sugar up to an annual total of 2,375,000 tons. Of this, 900,000 tons had been allocated to the West Indies, 600,000 tons to Australia, 470,000 tons to Mauritius, 200,000 tons to South Africa, 170,000 tons to Fiji, 25,000 to British Honduras and 10,000 to E. Africa.

"The United Kingdom has undertaken to buy 1,568,000 tons and New Zealand 75,000 at a uniform Commonwealth price which shall be reasonably remunerative to efficient producers. The price for 1952 is to be £38. 10s a ton, an increase of £5. 12s. 6d. over the 1951 price. The balance

not sold at the negotiated price may be sold competitively in the preferential markets of the United Kingdom and Canada."

You will remember that I referred to Sir Grantley Adams and other West Indian leaders who went up to England and fought to get a guaranteed market and price for their sugar.

"This agreement finalises, with satisfaction to all, negotiations which started nearly two years ago with the Socialist Government, and which at one time had aroused considerable bitterness among sugar producers overseas, especially in the West Indies. A leading article on the agreement from a paper devoted to West Indian interests concludes with the words:

"In recent years many hard expressions have emanated from the British West Indies in regard to the policy of His Majesty's Government toward those colonies. The events of the recent past are among the most hopeful that have occurred in West Indian history. The British West Indies will not be slow to recognise with gratitude that real progress has been made."

Mr. Deputy Speaker, that was the position in 1952. In 1959, as I said, the agreement would have expired, but in this agreement, as you will see, every year the Sugar Producers' Association of the Island goes up to England where the International Sugar Council meets and discusses this question and another year is added to the agreement. In other words, the agreement has a life of eight years. The agreement to date in 1961 has a life up to 1969. Where is this uncertainty in our industry? Let us go a little further.

Perhaps at this stage I should say this. The hon. senior member for St. Philip talks about putting the sugar industry on a rational basis and he wants something done similarly as was done in Jamaica. All of us know what has happened in Jamaica. Those of us who have the interest of the Island at heart would not want what happened in Jamaica to happen here. As a result of the recommendations made by Mr. Goldenberg, the sugar industry of Jamaica to some extent has been rationalised to the tune that something like between 1,000 and 1,500 workers have been put out of work. If the hon. member talks of putting it on a rational basis, I presume he knows what "rationalise" means. It would mean that he is in favour of having less plants, more mechanical equipment in the sugar industry and therefore, a considerable reduction in the number of persons who are employed in this sort thing. That is all he means and he laughs when I say so.

Mr. CRAWFORD: Mr. Deputy Speaker, I rise on a point of order. I do not care what he says after this. I asked for an enquiry into this industry. I have talked about rationalising the industry. Mr. Deputy Speaker, if he knows so much about Jamaica he ought to know or enquire to find out when they began mechanisation in the industry. Before Mr. Goldenberg carried out the Commission, there was bulk shipping of sugar.

Hon. M. E. COX: Sir, I am dealing specifically with those persons who work in the field, loading canes, etc. Let him deny that as a result of the recommendations of Mr. Goldenberg the firm has not brought in mechanical loading. This is what the hon. member says in this Resolution and I would read it again:

WHEREAS the future of the sugar industry is uncertain and there is therefore urgent need to place every phase of its operation on the most rational basis;

I do not know what he means by that.

Mr. CRAWFORD: Go and look for it in the dictionary.

Hon. M. E. COX: You might have some different interpretation to what I mean. I recognise the accepted interpretation of what this word means. If, as he says, you must rationalise this industry, it can only mean getting rid of manual labour and using mechanical equipment.

Mr. CRAWFORD: Let the hon. member read what I say.

Hon. M. E. COX: The hon. member believes he is talking to some of those people whom he can fool. He believes that he is talking to some of those people whom he told to vote Congress and he would get them to Brazil. The hon. member was a member of this Government from 1946 to 1947 and he had a golden opportunity, if he wanted to do something, to have something done: but his political ideas were not consonant with honest representation in that quarter and, therefore, he had to withdraw.

Mr. CRAWFORD: Mr. Deputy Speaker, I rise on a point of order. Let us say for a moment that people cannot help getting into the gutter, into the mire and filth, but certainly this is not a place for misstatements like that. Everybody in here knows the facts of my refusal to go on with the Coalition Government and the facts are there in the records. I submitted to the Government that unless my Party nominees were there I was not staying. Secondly, I am not having the hon. Minister here to misquote me on any matter at all. They began mechanical experiments in Jamaica before Mr. Goldenberg was there.

Hon. M. E. COX: Mr. Deputy Speaker, the hon. member has a right to reply and I am not allowing him to throw me off.
3.35 p.m.

Mr. DEPUTY SPEAKER: You can reply to that.

Mr. CRAWFORD: It is not true, and I am correcting the hon. member now.

Mr. DEPUTY SPEAKER: The hon. member will have a chance to reply.

Mr. CRAWFORD: It is absolutely incorrect to say that an enquiry into the sugar industry must lead to the mechanization of which the hon. member is talking. I said that Jamaica began experimenting with mechanical cane-loaders since 1957 - some three years before Mr. Carl Goldenberg came out.

Hon. M. E. COX: The hon. member introduced this Resolution and I cannot help believing that hon. members sleep at night and do not understand what one is saying. This Resolution asks the Government to take steps to invite the Sugar Commission under the chairmanship of Mr. H. Carl Goldenberg, Canadian Economist-Lawyer, which recently enquired into the sugar industry of Jamaica with such excellent results for the workers and cane farmers, to undertake a most exhaustive investigation into all phases of the sugar industry in Barbados. I want to say that some of the excellent results to which the hon. member is referring is that over 1,000 people have been put out of work.

Mr. CRAWFORD: On a point of order. The excellent results to which I am referring are the 12 1/2% increase for 1959 - 60 which the Jamaican workers got under the Goldenberg award. Those are the excellent results about which I am talking.

Hon. M. E. COX: Well, the hon. member wants the industry rationalised.

Mr. CRAWFORD: I said further that when Mr. Goldenberg came out, because of the previous attempt at this issue, it caused Monynusk to mechanise the industry.

Hon. M. E. COX: I do not believe that even the most ardent supporters of the hon. member would accept any nonsense which the hon. member is putting forward as against what I am putting forward to this House.

Mr. CRAWFORD: On a point of order. Mr. Deputy Speaker, the day when an hon. member like him can tell me that I am talking nonsense, I would drown myself. I repeat that it is absolutely incorrect to read into this Resolution any question of the wholesale rationalisation of the sugar industry or to say that an enquiry must necessarily mean wholesale mechanisation of the sugar industry. When I refer to the excellent results for the workers and cane farmers, I am referring to the 12 1/2% increase in wages for 1959 and a similar amount for 1960 as a result of the enquiry conducted by Mr. Goldenberg.

Hon. M. E. COX: I am not wasting much time with the hon. member; he is trying to make what is a glaringly bad case a good one. He is now saying that he would not advocate any wholesale rationalisation. I referred to what the hon. member has set out in this Resolution, that is, the urgent need to place every phase of the operation of the sugar industry on the most rational basis. He has used a speculative term.

Mr. CRAWFORD: On a point of order. If I were ever to get up in here and say that the hon. member was talking rationally, which would never happen, it would mean to him that he is rationalised; it would mean that the Government owns him or something like that. The word "rational" does not mean what he is talking about.

Hon. M. E. COX: At a later stage he will know what it means. This is the position. We will leave this three-year Agreement as far as the peasants and growers of canes are concerned. In 1954 this is what the Labour Commissioner reported to the Ministry. He said that the Barbados Sugar Producers' Federation and the Barbados Workers' Union have recently concluded a further three-year Agreement for wages and conditions of work in the sugar industry. He went on to say that he would forward copies of this Agreement to the Secretary of the Ministry. The hon. senior member for St. Philip is not in this matter at all; he has no organisation, he has no Union and no Party. Up to now they cannot agree among themselves, although they would like to lead the people, to have a leader. I am sorry, Mr. Deputy Speaker, the hon. member is the Leader.

Mr. CRAWFORD: On a point of order. When we had a constitution for a Party they had none at all. Even a blind man on a trotting horse can see that we have a Leader. We have a Leader of the Opposition and he speaks for the Opposition both here and abroad. Has not the Governor himself recognised the Leader of the Opposition?

Hon. M. E. COX: The Leader of the Opposition is not necessarily the Leader of the Party. The hon. member is referring to the Parliamentary Leader of the Party, but there should be somebody who is Leader of the Party. We have a Leader of our Party and we recognise such a Leader which they have not done up to now. When he talks about their being recognised.....

Mr. CRAWFORD: On a point of order. Every Party has a Parliamentary Leader and I will say at this stage that as long as the hon. member gets up and makes nonsensical statements I will get up on a point of order and correct them. The British Labour Party and the British Conservative Party have their Chairman and their Parliamentary Leader. Mr. Attlee was Prime Minister and there was also a Leader of the Party. We were to have a strike according to the Barbados Labour Party, but it has not come off yet.
3.45 p.m.

Hon. M. E. COX: I was saying, Mr. Deputy Speaker, that that is an Agreement which was signed on behalf of the workers by the Barbados Workers' Union and by representatives of the Sugar Producers' Federation in 1954. That ran on until 1958 and we all know that there was a breakdown in relationship between the Union and the Sugar Producers' Federation in 1958. Everybody knows except the hon. senior member for St. Philip that it became necessary for the Government to bring to this island Mr. Lewis as Chairman of an Arbitration Board in the dispute.

It is all well and good after people have done work - some of them say that, of course, the Five Year Plan is a good Plan but that they should get an opportunity to operate it now instead of those chaps - to want to come in. They want somebody to work for them, to work hard and plan and then let them come in and enjoy any substance or sweets if there are any to get. In 1945 they brought all the people down to the Park and kept them hungry in Bridgetown all day while they themselves went to the Marine Hotel and had their bellies full, but everybody knows that the strike was a flop and they sent the people back and told them to take whatever they could get for cutting the canes.

Mr. CRAWFORD: On a point of order, Mr. Deputy Speaker, those are two more evidences of his fertile and

wicked mentality. I do not know who went to the Marine Hotel on the day he is talking about; and secondly, there was no question at all of bringing workers to town in the way he said. The facts are, Mr. Deputy Speaker - and they must go on record - that there was an island-wide strike of agricultural workers in this island and there was no reaping of the crop at all. We regarded it as our duty to give some sort of direction to the workers in a crisis like that, but the strike was purely voluntary. It started in St. Philip and Christ Church and spread throughout the island, and in the absence of a direction of a certain sort, we regarded it as our duty to do it.

Mr. DEPUTY SPEAKER: I am going to appeal to both hon. members. I have given enough latitude with regard to the strike in the island, and I will ask you to get along with the Resolution and leave out personal remarks.

Hon. M. E. COX: With great respect to Your Honour, you will recall that the hon. member referred to Mr. Lewis whom we brought here, and said that they are the people who were responsible for getting these increased wages for the workers. Am I not allowed to refer to that?

Mr. DEPUTY SPEAKER: I was not referring to that; I was referring to the talk about bringing the workers to town and people going to the Marine and all that.

Hon. M. E. COX: You have got to put people like him on the spot and remind him of the past.

Mr. CRAWFORD: With your lies?

Hon. M. E. COX: Do you think all the people are dead?

Mr. CRAWFORD: You have an imagination like a cess pit.

Hon. M. E. COX: The hon. member is referring to that strike but Your Honour will remember that you were in it too. We went the length and breadth of this island appealing to the people to cut the canes and told them that we would see to it that from trashing right up would be arranged long before the crop was reaped and as a result we brought Professor Lewis here. We kept a meeting in Marchfield, in St. Martins Road and the people listened to us, but up came the member and broke up our meeting and told the people that we were getting money from the wealthy people.

Mr. CRAWFORD: On a point of order, if instead of tackling the people's business we are making fun, let us make fun. As a matter of fact, I do not know whether or not he was at the meeting he is talking about, but I know that Sir Grantley Adams and Mr. Hugh Springer were there, and I know that they were telling the people that they could not get \$1 per hundred which we said they could get for cutting canes; and I know too that I had to restrain the member sitting at his side from hurling stones at them.

Hon. D. D. GARNER: On a point of order, Mr. Deputy Speaker, I want to tell the hon. member that he is trespassing on very dangerous ground. If he stands on the floor of this House and makes a statement just like that, I will retaliate. The hon. member should not make careless statements like that unless he is joking.

Mr. CRAWFORD: I am inviting the hon. member to retaliate.

Mr. DEPUTY SPEAKER: I am appealing to the hon. senior member for St. Philip to let us get along with the Resolution.

Mr. CRAWFORD: Mr. Deputy Speaker, I am saying that it is not true to say that we were telling people they could do this and do that. They told people point blank to go back to work and that they could not get \$1 per hundred because the sugar industry could not pay them. That is the reason why they were chased out of St. George and St. Philip.

Hon. M. E. COX: I know the hon. member so well that I do not want to tell him the whole truth and nothing but the truth this afternoon. You know what Mr. Wooding said. (Mr. CRAWFORD: We know what Mr. Malone said too.) Do not let us touch that at all because I would put you to sleep.

I was saying that on this question it is known by everybody in this island, Mr. Deputy Speaker, that the Government came in at that time and set up a Board of Enquiry, and the Board of Enquiry made certain recommendations which were accepted by the Union and the Sugar Producers' Association. I am trying to establish the facts of this because you might not be as well acquainted with the mechanics of this set up.
3.55 p.m.

That is as far as the hon. member is concerned. He has absolutely no case on this. I would like to tell him that it is a reflection on the strength and capability of the Union. Again, I repeat, with no Union, no Party, no organisation whatsoever to come here this afternoon, the hon. member is trying to influence people that something is again radically wrong with the main industry of this country on which the people of this country depend for a livelihood and the Union which claims to represent them, as they all think, has said nothing.

Mr. WALCOTT: Sir, I rise on a point of order. The hon. member is not clear on the words he used. Every hon. member is free. This is no reflection on somebody. This is no reflection on any organisation. Each hon. member of this House is free to bring in any Resolution he cares to bring to this House.

Mr. CRAWFORD: Sir, may I remind the House that I was elected here by the constituents of St. Philip and I am entirely free to present their case at any time in any manner I see fit and, so far as this particular matter is concerned, I can only say that the facts are that even although the Union had negotiated in 1958 on the part of these workers, there was still a strike and that fact speaks for itself.

Hon. M. E. COX: I am well aware of the reminder given by the hon. senior member for St. Peter and I am also aware of the reminder by the hon. senior member for St. Philip; but we are also aware of the fact that more often than not, those hon. members who know, know that when they are expressing a point of view in the House of Assembly it means absolutely nothing apart from the fact that they make the public believe that they are doing something for them. What is the hon. senior member for St. Peter saying? He is saying "yes; they have the right to do it".

Mr. WALCOTT: The hon. member must know the words he uses. I am not responsible for his mediocrity but he is responsible for the words he uses.

Hon. M. E. COX: It is the right of every member to come in here as long as the Deputy Speaker allows him and raise any point of view. The hon. member agrees to that and I am aware of that. What I am saying is that when you speak you should speak in a responsible manner, you should not try to mislead and fool people. But, of course, if some of them do not do that, they would not get six votes. The hon. senior member for St. Philip is famous for doing that all the time.

Here is a Trade Union in the country, the only Union that can use its might and power to stop the mills from turning, and it is going to support something brought by the hon. member who has no power, no organisation, no Party, no anything. Somebody said that they called a strike and they advised the people in Queen's Park at that meeting in this way: "Do not do a spot of work;" "Draw your belt." They advised them to do that when some of the leaders were calling for twelve dozen boned flying fish and carrying them home. That is how they fast. They suggested to the people to fast. They did not suggest to give them anything but they suggested that those people should starve and draw their belts.

Mr. CRAWFORD: Mr. Deputy Speaker, I rise on another point of order. What we suggested to the people was that the Government should be asked to appoint a Committee of Enquiry to investigate the grievances which the people had and they supported a Resolution to that effect. Then, some of the agricultural workers accompanied the Leader of our Party to Government House and presented a Resolution to the Governor, and the Governor set up a Board of Enquiry of Mr. Lewis, Mr. Osmond Dyce and Mr. Jack Dear, to look into the question. Therefore, when somebody says that we

did not do anything for them and asked them to fast and then somebody went and bought flying fish, I only said that somebody would distort the Sermon on the Mount.

Hon. M. E. COX: Sir, anybody who heard that statement would believe that they were the instigators of this enquiry. (Mr. CRAWFORD: We were.) The Hon. Premier and I were in Trinidad when we received a cable from Government House and we went and discussed with Mr. Gomes the matter, asking him if he would come up here and sit as Chairman of the Board of Enquiry and he recommended us to one or two people. We discussed that in Trinidad at the opening of the Federal Parliament and it was only after I came back from Trinidad.....

Mr. CRAWFORD: I rise on a point of order.

Hon. M. E. COX: Why should the hon. member interrupt me? He has the right to reply.

Mr. DEPUTY SPEAKER: If an hon. member rises on a point of order, I have to hear his point of order.

Mr. CRAWFORD: It is not true to say that he went to Mr. Gomes in Trinidad because Mr. Gomes was here then. That is the first point. The second is this. What is he saying? I am not saying that he did not get a message from Government House. We went to Government House and called on the Governor to have a Commission of Enquiry into the matter. There were over 7,000 people present at the meeting. If the Governor acquainted them about the matter in Trinidad, that is the Governor's business. I am not in that.

Hon. Dr. H. G. H. CUMMINS: Mr. Deputy Speaker, I rise on a point of order. The hon. member said that Mr. Gomes who was Chief Justice of this Island was in the Island then. That is not true. He was not here then; he was in Trinidad at that moment. We went to his home and talked the matter over.

Hon. M. E. COX: Sir, no doubt, I believe that the people of Barbados know that I do not go in for lies and that the hon. member is the opposite. What is the position? When I came back to Barbados I made a broadcast over Rediffusion and a few days after His Excellency phoned me and asked me if I would come to Government House. I went to Government House and after that, the hon. senior member for St. Philip, the hon. junior member for St. John, the hon. senior member for St. Lucy and, may be, one or two other fellows whom they brought along came to Government House and discussed this matter. That was after we had set up this Committee. That is what happened.
4.05 p.m.

Mr. CRAWFORD: On a point of order. The hon. member has had the opportunity to put the facts in the way in which he likes to put them; but we put them in the way in which we know them. We called a meeting in Queen's Park; the meeting passed a Resolution calling on the Governor to have a Commission of Enquiry. We took the Resolution to Government House; we have no means of knowing whether what he said is correct or not, but we are referring to the events as we know them.

Hon. M. E. COX: After the Union and the employers fail to reach agreement, these disputes are reported to the Governor-in-Executive Committee and the Minister of Labour. We have to step into the matter immediately; but they whipped up something against the Government and they had been telling a lot of lies, misleading a lot of people and saying "We did this for you, but the Government has not done anything for you". They have no organization or anything of the sort, but they can do all of these things for the people; they can do all of these things for the people, but the Government who has been elected by the people and who has the power to do things for them, did not do anything.

Mr. CRAWFORD: On a point of order. If what the hon. member is saying is true, why did they not make some statement as to what they were doing? Why did the strike take place? Why did it continue? If the Government were taking the steps which he says they were taking, would they

not have made some pronouncement about it? Why did we have to take the steps which we took?

Mr. DEPUTY SPEAKER: The hon. member is now making a speech.

Hon. M. E. COX: I do not believe in any cheap publicity. When the hon. member referred to leaving the Executive, we know why. He left the Party and went drinking rum.....

Mr. CRAWFORD: On a point of order. The reason why I left the Executive is because my Party signed a statement refusing that I remain on the Executive unless the Government appointed nominees of our Party to the Executive. We were entitled to form a coalition with any part of the House in the same way that they had formed a coalition.

Mr. DEPUTY SPEAKER: The hon. member is making a speech. He is referring to what the Minister has said.

Mr. CRAWFORD: The hon. member is not going to indulge in his usual lying tactics and get away with it.

Hon. D. D. GARNER: On a point of order. The hon. member has said that the members of his Party signed for him to come out of the Executive. The hon. member who is sitting right beside him left my home and went to a meeting in St. George. The document was not signed by all of us.

Mr. CRAWFORD: Mr. Deputy Speaker, I have the document in my possession still. The hon. senior member for Christ Church signed it; as a matter of fact, he was the first person to sign it.

Mr. DEPUTY SPEAKER: All of what the hon. member is saying is not before us now.

Mr. CRAWFORD: The document was signed on a Thursday night; the hon. senior member for Christ Church signed it.

Hon. D. D. GARNER: On a point of order.

Mr. WALCOTT: On a point of order. The hon. member cannot rise on a point of order when another member is on a point of order.

Mr. DEPUTY SPEAKER: The hon. senior member for St. Peter must have heard me knocking the gavel. I am warning hon. members that what they are now carrying on with is not in the Resolution, and I will not entertain it any longer.

Mr. CRAWFORD: I will reply to what the hon. member has said (A MEMBER: We may have to call the Speaker.).

Mr. DEPUTY SPEAKER: When the hon. member says that we may have to call the Speaker, I should like to ask if I am a ten-cent boy in this Chair. I will not have to call the Speaker because I have the same authority as the Speaker. I know how to punish an hon. member if and when he disregards the ruling of this Chair, and it seems to me as if I will have to use my authority as near as it is to 4.30 p.m. of the clock. All this talk about what happened in Queen's Park and going and drinking rum is finished. The Hon. Minister of Trade will carry on with this Resolution which is before this House and I will not entertain anything apart from this Resolution.

Mr. TALMA: On a point of order. In view of the fact that my name has been mentioned in a very erroneous way, I am asking for the opportunity to clarify my position.

Mr. DEPUTY SPEAKER: I have made a ruling and all of that is finished. We are now dealing with this Resolution.

Hon. M. E. COX: I was saying, Sir, that after the Union and the employers failed to reach agreement, the Government immediately set up a Board of Enquiry to go into the Sugar Industry. The enquiry was conducted by Mr. McKenzie who is now the Agricultural Adviser to the Federal Govern-

ment, Mr. McKenzie made certain recommendations a part of which have already been carried out and a part of which will be carried out at a later stage. In 1960, the Union made no demand for any increase in wages or anything of the sort; perhaps that was largely due to the fact that the Sugar Producers' Federation had agreed to allow the Union to see the books and perhaps it was also due to the fact that there was no increase in the price of sugar. If the hon. senior member for St. Philip had come to this House in 1960 and said that there was uncertainty as to the future of the sugar industry he might remotely have had some sort of basis..... 4.15 p.m.

Mr. CRAWFORD: On a point of order, my remarks are addressed to the people in this Chamber who can understand, I heard the member say if I had come to this House in 1960; but Mr. Deputy Speaker, this Resolution was tabled in 1960, and secondly, it is an absolutely unadulterated concoction and mendacious statement to say that there was no increase in the price of sugar in 1960.

Mr. WALCOTT: On a point of order, I do not know if the hon. member is reading from a file or speaking from memory, but I think he should revise that statement. If I remember correctly what he said, he said that no demands were made in 1960; so I think he should check his files.

Hon. M. E. COX: There was no increase in wages over those of 1958 with the exception of those persons whose bonus was consolidated.

Mr. WALCOTT: On a point of order, Mr. Deputy Speaker, this is 1961 and last year was 1960. There was an increase in the rates of pay for people in the sugar industry last year and demands were made.

Hon. M. E. COX: Perhaps the hon. member is referring to the out-of-crop wages, but I was referring specifically to cutting, loading, haulage and things like that. As I said, I will check to show that the crop had already passed when the hon. member put forward this Resolution to the House, and again I repeat that if the hon. member had brought this Resolution before the House before the crop was reaped and had talked about uncertainty and things of that nature, he might remotely have had something to which hon. members might be willing to give consideration; but nothing like that happened.

Mr. CRAWFORD: Mr. Deputy Speaker, on a point of order, coming from anybody else, I would ignore that. The hon. member said just now that there was no increase in the 1960 sugar price. He said it was not true that the price had gone from \$2.13 to \$2.16 a ton, and now he says that if I had brought this Resolution in 1960.....

Hon. M. E. COX: I did not say that. I spoke about the increase in wages.

Mr. CRAWFORD: You also said there was no increase.

Hon. M. E. COX: I have all the figures here to quote and point out what the crop was.

Mr. CRAWFORD: Mr. Deputy Speaker, on a point of order, the hon. member said that if I had brought this Resolution during the crop, I would have had some remote reason for doing it, but that I had waited until the crop had finished.

Hon. M. E. COX: I said he might.

Mr. CRAWFORD: Let me tell the hon. member that the crop was in March and I brought this Resolution on March 8th. It is fantastic to have somebody so stupid. The crop goes on in January, February, March, April and May, and I brought the Resolution in March at the height of the crop.

Hon. M. E. COX: You planned after the thing started. The crop starts in January and February and he comes with a Resolution in March so that by the time he gets through the Resolution — it is just like the Christmas Bonus Resolution — the crop is over.

Mr. CRAWFORD: Does he understand that the Resolution refers specifically to happenings in the industry which were outlined? This Resolution could not have been brought before these happenings occurred.

Hon. M. E. COX: His introductory speech said absolutely nothing about them.

Mr. CRAWFORD: That is not true, and if he says that, he cannot read English. Let the hon. member read the debate.

Hon. M. E. COX: Let us look at last year's agreement which is the agreement for this year's crop. The hon. senior member for St. Peter is the Trade Union boss. (Mr. WALCOTT: Leader!) I could even use a stronger term. (Mr. WALCOTT: Leader, boy! Don't you know that people all over the world are leaders?) The hon. member went forward and asked for an increase of 10%. He is the legitimate recognised representative — and perhaps it is true — of these workers; but agreement was reached on 9% so far as the wages were concerned. Do not forget, Sir, that the hon. member said here quite recently on the floor of the House that whenever he goes behind these doors to make a bargain, he does not come out until he gets what he wants. We have to assume, therefore, that the member got what he wanted and that is 9%. (Mr. WALCOTT: I wanted 10%, but I did not get it.) The agreement for 1960-61 crop repeats what I read out earlier with respect to the 1951 agreement, except in the case where we started at 120,000 tons because the whole average of the crop had been increased. On 131,000 tons we got 2 1/2% rising to 14 1/2% on 171,960 tons, and after that on any 5,000 tons more 1 1/2%. That is the agreement which was reached between the Union and the Sugar Producers' Federation. They agreed that people were going to cut canes at \$1.36 as against \$1.25 in 1960, 1959 and so on, \$1.68 for heading, \$2.05 for loading and carting including boy, driver 35 cents, lorry hands 38 cents and so on. This agreement was reached and signed by the hon. gentlemen who represent the workers, the hon. senior member for St. Peter and the President of the Organisation as well as on behalf of the Sugar Producers' Federation by J.A. Mahon, President Mandeville and so on. This is something concrete by those parties who are interested and directly concerned in this exercise. Those are the organised, registered Organisations for the express purpose of dealing with these matters. 4.25 p.m.

They have the machinery. They have planned for years and they have the machinery for dealing with this. Again I repeat and emphasise that the hon. member has absolutely no power, no organisation, no nothing but mouth. We all listened to his coming inside here and telling us how perilous the situation is, how uncertain this land business is, the agricultural business is and, therefore, it is absolutely necessary for us to have this enquiry. Are you telling me that in this Island, with our people so keen on the sugar industry, when you have Sir Archibald Cuke, the Barbados Sugar Producers' Association, the West Indian Sugar Producers' Association, when you have a Trade Union in Jamaica and all over the place representing the workers in the sugar industry and especially in Barbados where you have the most volatile boss in the Trade Union, that this is going to happen in Barbados and none of these people knows anything or has said anything about it? Only the hon. senior member for St. Philip knows that there is uncertainty and the future is dark and all that sort of thing and yet he has not, even as he used to, an employee in this particular field.

Sir, if I happen to be long on this matter, I am prepared to be in order to nail these lies.

REVERSION TO GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: It is now 4.30 p.m. This House now reverts to Government Business.

HOUSE RESUMES COMMITTEE ON THE POLICE BILL

Mr. DEPUTY SPEAKER left the Chair and the House resumed Committee on the Police Bill, Mr. BRYAN in the Chair.

Mr. CHAIRMAN: At the suspension, the Hon. Premier was speaking.

Mr. BARROW: I heard the Hon. Premier quarrelling; I did not hear him speaking on the Bill. I doubt he has anything to contribute.

Mr. Chairman, the hon. senior member for St. Peter has raised some points under Clause 46 which I consider very important. Hon. members cannot hear me, I have protested several times about the way in which the public address system of the House is worked. When a member of the House on this side gets up to speak, we can never get the equipment coming on. I will raise the behaviour of certain servants of this House on another occasion but I want to get on with the debate. There are a lot of Civil Servants who feel that they are employed by the Ministers and I think that the quicker they are told that that is not so, the better they would be able to discharge their duties with interest and with impartiality.

The hon. senior member for St. Peter has raised a very interesting question and has brought to the attention of this Chamber that you get certain high ranking officials in this Island of which the Commissioner of Police from time to time — I am not designating a particular individual — may very well be one, who want to enjoy all the facilities available as citizens of Barbados, and drawing public money, and at the same time isolate themselves in the groups which may very well be considered to come under the definition in Clause 46 (b), that is a body of persons which has for its objects, or one of its objects the promotion of feelings of ill-will, and hostility between different classes or races.

I gave an illustration of one group and the Barbados Labour Party may very well qualify for that. The hon. senior member for St. Peter mentioned another particular group and the Hon. Premier who prizes himself as being one of the protagonists of the rights of man and racial equality, who boasts of an element of Garveyism in his political philosophy, got up and informed the House that the Government has been negotiating with the Savannah Club and the Barbados Yacht Club and informed them that they would like to see a change in their policy — I am merely paraphrasing — and that the lease which they enjoy for some time would not be renewed if they did not change their policy. When they were discussing the matter and they were dictating to these people that they would like to see a change of policy in them, he said that he intended to make them forfeit the lease if they did not change their policy. He went on to say — and I am still paraphrasing — that as a result of that, the Chief Justice had been admitted as a member of the Savannah Club and that at least they had made a dent in these people's policy. The Hon. Premier made those statements just around the luncheon interval.

Mr. Chairman, you would be able to check with the record that the Hon. Premier said that he made a dent and the hon. senior member for St. Lucy rose on a point of order at the time. The matter was raised by the hon. senior member for St. Peter and the Hon. Premier was explaining his point of view on the matter.

I want to give the House very briefly the true facts of this situation. By the rules of the Royal Barbados Yacht Club, the Governor of this Island and the Chief Justice are *ex officio* members of the club. That is so by the terms of its rules and charter. I am saying — and the Governor and the Chief Justice will read it and the Premier can ask them if my version is not the correct one — when the present Officer administering the Government came to this Island he was sent the usual invitation which stated according to the rules that he is a member of the club *ex officio*. The Chief Justice was not sent one because he was a man of colour. I have this to say. The Officer administering the Colony has more racial conscience and more pride than the Hon. Premier of Barbados because he declined to accept his right of membership to the Savannah Club or to the Barbados Yacht Club until they removed this insult. To the highest ranking officer of Barbados it was a slight to the people of Barbados. The Hon. Premier has said that he has made a dent. The rules of this club says that the Chief

Justice is to be a member of the club and all that they have done is to abide by the rules — after the insistence of a former Chief Justice who is not a man of the same racial origin as the Premier of Barbados but who has more pride than the Hon. Premier — and send the present Chief Justice an invitation. The Hon. Premier is taking the credit for having made a dent.

4.35 p.m.

It was not the Premier who did anything about it; he has not made any dent. The rules say that the Chief Justice has to be a member of the Club. All they have done is to observe the insistence of the former Chief Justice, who has more pride than the Premier of Barbados, who insisted that they send the present Chief Justice an invitation. The biggest long jump Uncle Tom that we have ever had is the present Premier and the one before him is the present Federal Prime Minister. It is no wonder that students at the University College have condemned Barbados as the most politically, socially and economically backward in the whole of the West Indies. They have made a dent because a man of a social conscience has demonstrated to these two organizations that he is not going to be a companion to that kind of disreputable, disgusting and unpatriotic behaviour where the highest judicial officer in this island is discriminated against.

The Premier is wrong on this point. When they were discussing the location of the Federal Government and Barbados was one of the possible sites, some of the members of the Water Polo Association resigned in protest because they refused to have Corporal Best and they asked them not to say anything about it because it would prejudice the chances of Barbados. I want these things to go on the record for the next three hundred years. I want the Premier to get up and deny that when the former Chief Justice of British Guiana came here and went into a certain place, he was told that they do not cut coloured people's hair there, and they did nothing about it. Well, the Premier does not rise.

Mr. CHAIRMAN: I have listened very patiently to the hon. member but I am asking him not to stray too far outside the scope of this Section.

Mr. BARROW: I will get back to the point. You cannot exercise powers of life and death with Her Majesty's subjects, draw the taxpayers' money and then throw yourself into a watertight community where you call the Premier "monkey nuts" and that sort of thing. We had an Attorney General here who ridiculed people and who was drawing our money; now you say that you will sack a member of the Police Force. They talk about ill-will and they can entertain all the ill-will against you. We are indebted to the hon. senior member for St. Peter for the contribution which he had made to this debate, which has enabled me to speak in this way. The Premier says that he has made a dent, but what dent has he made?

Mr. CHAIRMAN: Let the hon. member get back to the point.

Mr. BARROW: Mr. Chairman, I am quite sure that you have your personal feelings in this matter; you have acted with a certain amount of restraint. What I am objecting to is that you will advise any group of persons, but their individual members say that you should be able to proscribe an association. You can put on the proscribed list the Empire Club or any club at all, if the Commissioner of Police feels. We want to get these public officers to take the beam out of their own eyes before they apply the microscope to the mote which is in other people's eyes. I do not want to examine the wages of public officers; there are people who apply one standard to their work and decide that they have a different standing altogether and they are drawing the taxpayers' money. This is particularly applicable to any person who holds the rank of Commissioner of Police in this island.

The hon. senior member for St. Peter and I have the same point of view about the Trade Union interfering with the Police Force. It is not in the interest of law and order that the members of the Police Force should be in the Trade Union. It is undesirable for the Police to be partisan in any dispute between one section of the community and another

section of the community. We should give them an organization by Part X of this Bill which would equate to the privileges enjoyed by persons in a Trade Union *vis-à-vis* their employers. In like manner should the Police Association be in relation to the Police Commission and the Police Authorities. That is what we should seek to do.
4.45 p.m.

My contention, Mr. Chairman, is that this Bill in Part X does nothing of the kind, because you will see in the very next Clause and bound up in this Clause as well that there are such severe restrictions and limitations on the right of the Association to negotiate that you might as well not have an Association at all. Perhaps, Mr. Chairman, that would probably be more appropriately addressed to the next Clause.

Mr. WALCOTT: Mr. Chairman, I would just like to remind the Hon. Premier about the aspect of which I spoke.

Hon. Dr. H. G. H. CUMMINS: Which is that?

Mr. WALCOTT: I refer to the question that was raised in sub-clause (b) which relates to these Organisations in which racial matters arise.

Hon. Dr. H. G. H. CUMMINS: In answer to the hon. senior member for St. Peter, I will say that I will bring it to the attention of the administration.

In answer to the hon. junior member for St. John, I remember, Sir, that Biblical injunction: "Answer not a fool according to his folly."

The question that Clause 52 renumbered 46 stand part, was put and resolved in the affirmative without division.

Clause 53 renumbered 47 was called. It reads as follows:-

(1) For the purpose of enabling Inspectors, subordinate police officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Police Association which shall act through a Central Committee as provided by rules made under this Act.

(2) No representation shall be made by the Police Association in relation to any question of discipline, promotion, transfer, leave or any other matter affecting individuals.

(3) The Police Association shall be entirely independent of and unassociated with any body outside the Force.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 53 renumbered 47 as follows:-

(a) by inserting the word and comma "posting," immediately before the word "transfer" in the third line of subclause (2);

(b) by substituting the words "in so far as it affects individual cases" for the words "affecting individuals" at the end of subclause (2);

(c) by adding at the end of subclause (3) the words "other than a Police Association within the West Indies, British Guiana or British Honduras."

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 53 renumbered 47 as amended stand part.

Hon. L. StA. THORNE: I beg to second that.

Mr. BARROW: Mr. Chairman, did I understand the Premier to say that the Police Association had requested the amendment? The amendment is a very good amendment in so far as amendments go, but I really thought I heard the Premier say that the Police Association had made the request. If that is what he said, I would like to ask the Premier if he is prepared to tell this House whether the Police

Association was summoned or circulated as a general body to consider this Bill at all, because my information is that it was not. What the Hon. Premier should have said just now when he was using the Biblical quotation should have been that "I do not exercise myself in great matters which are too high for me" in the words of the Psalms of David, because it seems to me that he is completely out of his depth and he does not have the basic information with which an introducer should come to this House armed. He said that the Police Association had requested something, but my information is that the members of the Police Force as members of the Association have not seen the Bill up to now, although the Premier specifically postponed consideration of the Bill so that the views of the Police Association might be considered.

Mr. Chairman, my information is that the members of the Force in select groups — I would not say of yard fowls — of Selectees were allowed to see the Bill and make such recommendations as they thought fit. This is a Bill which touches every member of the Police Force, and after it has been printed in the *Official Gazette* there is nothing of a secret nature in a Bill of this kind, and every member of the Police Force should have been given an opportunity to voice his opinion on something which radically alters and changes his conditions of service. When I ask the Premier for a certain assurance, the least he could have done as a matter of courtesy and decency for those particular members of the community is to assure the House that the members of the Police Force had seen the Bill; but no such thing!

What are we doing in Clause 47 now? The Clause states that for the purpose of enabling Inspectors, subordinate police officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Police Association which shall act through a Central Committee as provided by rules made under this Act. That is the setting up of the Association. Now we have an Association at present. Let me get down to the real crux of this matter, Mr. Chairman. If you are not going to allow a policeman to join a Trade Union which none of us over here is actually advocating because we consider it to be slightly unconstitutional, as I said when I first rose, you should at least invest in the Association which is sanctioned or which is allowed to have bargaining powers, not powers to interfere with discipline, but certainly the kind of bargaining powers as a safety valve that members of a Trade Union should have. In other words, the Police Association is really a Trade Union for policemen.

You say they can have an Association and according to Clause 47 it appears to me — you can scrutinize it carefully and see what you think — that about the only thing this Association can do is to get permission to have a singing, dance, whiskey drive or concert, because when you look at Clause 47, subclause (2) you will see the very things that a group of employees should be allowed to negotiate for, and they cannot negotiate for them at all. Let us look at subclause (2). It reads as follows:-

"No representation shall be made by the Police Association in relation to any question of discipline, promotion, transfer, leave or any other matter in so far as it affects individual cases."

4.55 p.m.

The Association by Statute Law, not by convention or by regulations made under the Act, will be holding an illegal meeting if they met as a body to consider a case affecting any single member of the Force. What is a Trade Union for? The Trade Union Act gives a very good description of it. Trade Union means any combination, whether temporary or permanent, the principal objects of which are under its constitution statutory objects. You have gone straight back to the eighteenth century because you are telling a policeman that he can have an association, the association can have whist drives, singings, picnic parties, hockey matches, baseball, cricket, football and such things but he cannot even hold a meeting unless he goes to the Commissioner of Police.

You say that policemen cannot join a Trade Union and you give them their own Association. I am saying that this

Association will turn out just like the Civil Service Association. Everybody that is elected a President of the Civil Service Association gets promotion. They will say that as you are giving 10% of the money to the Commissioner's Fund and because you can promote dances for the members of the club or because you can run some other pet project, you will get promotion. Is this the kind of thing which we are trying to create? The General Secretary of the Barbados Workers' Union said that even if it were lawful to have policemen in a Workers Union, he would not be fussy about having them because it would give rise to certain difficulties which would make a Trade Union unmanageable.

There are constitutional reasons why you do not want a body of persons charged with the keeping of the peace and seeing that law and order are maintained to be mixed up with other people. Let us say that the policemen were in the Union; when we had the *Advocate* strike, the other day, they would have to get in the line and walk around; so you can see that they could not do so because it would be a conflict between their duties to the Union and the Police Force. It is impracticable, unconstitutional and unworkable for them to be members of the Trade Union. But what have we given them in that place? We have given them something which does not have as much power as the diocese of St. McGinley's Cathedral. This Association does not have as much power as a Sunday School Association. If the policemen at Bissex Hill were put to sleep on the floor - I am not saying that that happened - but for a long time Bissex was regarded as a punishment station because it did not have lights, water and so on, so that when you went to Bissex Hill it was going to Siberia. But let us say that we have rats at the Bissex Hill Police Station and members of the Force said that we would like to get rid of them and got together and said so. That would be illegal because of the powers given to the Commissioner of Police under Section 47 of this Bill.

I really do not know what these Ministers do in the Ministerial Building all day long. I wonder if they look at the legislation which is filtered through the Attorney General's office and sent down here. I say that because they never give an explanation to things. They always say: "I have to see the Crown Law Officer; I have to ask my Permanent Secretary", and so on. If you are introducing legislation affecting policemen, you have to make sure that it is in accordance with normal democratic principles in the same way as if you are introducing legislation for the officers at the General Hospital or for the elementary school teachers. You have to see that the fundamental rights of the subject are safeguarded. Ministers approach their political problems from this point of view. Legislation is initiated by some lobbyist, filtered through a Government Department, handed over to them and then a Minister comes in and says that "we are doing this and do not ask me any questions about it." In 1961 that is what it has degenerated to.

I want the Hon. Premier to know that information has reached us that the now existing Association has not been consulted about this matter at all because I am sure as an Association, if they had been consulted, the Premier would have come in with something more than this amendment which says that no representation shall be made by the Police Association in relation to any question of discipline, promotion, transfer, leave or any other matter in so far as it affects individual cases. A policeman may have to come in from off duty and peel potatoes and have his own meals cooked and because one member from Belleplaine may come in and say we should have a canteen down there, the minute you go to the Commissioner of Police with that, he will say that you did not read the Act and that that is a case concerning individual members of the Force and because of that, out through the door you would go.

There are lots of matters which do not encroach upon the authority of the higher ranking officers of the Police Force, which do not materially affect discipline and maintenance of order inside the Force, with which the Association should be competent to deal and I say that one of these should be conditions of service of policemen themselves. Here you have a situation in Barbados in which you have

policemen, and Civil Servants through their Civil Service Association can hold back for every election year proposals for a salaries revision and tell you that they are going to do it. A policeman pays the same taxes as anybody else. Sometimes all that some of them get is the gum on their envelope which was to contain their pay. After some of them pay their dues to the Association, to the Credit Union and such things as their dues to the canteen, all that they have to take home is the gum on the envelope. They cannot meet together in their Association according to this section and say that they want an increase of pay. There is nothing wrong with that. You can say that policemen cannot go on strike, but you must give them the right to meet together and discuss their conditions of service without in any way doing violence to the maintenance of order and discipline. They have to pay the same taxes as the Civil Servants. If a policeman working for \$200 a month has a wife and one child, and a Civil Servant is working for the same amount and has a wife and a child, the policeman has to pay the same taxes as the Civil Servant.

5.05 p.m.

You do not do it with the Barbados Volunteer Force; why is that they cannot discuss it? Is it because they wear uniform? Why do you prevent them from putting forward their recommendations to the Salaries Commissioner? We have a gentleman here who is investigating salaries; the Civil Service Association is lobbying and doing everything possible, submitting proposals and so on, but under this Act the Police Association will not be able to do that. This sub-clause (2) says this:

"No representation shall be made by the Police Association in relation to any question of discipline, promotion, transfer, leave or any other matter affecting individuals."

We had a case in the Police Band, which even the Premier has spoken about, of a man who has given a long period of distinguished service to the Government, working as a sergeant and a non-commissioned officer. Obviously it would be wrong for him to tell the Commissioner that if he does not get promotion the Band will not play at the Rocks; but why should you inhibit the Police Association? You are bringing down people and putting them in charge of the Police Band; the Police Association cannot go to the Commissioner and say: "This is an individual case where we feel that something should be done." You have an establishment now in the Fire Service and when you compare the number of persons in the Police Band and the number in the Fire Service, the Fire Service is under Establishment. The Police Association cannot do anything in this matter. As a matter of fact, you might find yourself on a charge if you ask that the Establishment be brought up to standard.

The Government should pay more attention to the drafting of legislation which is sent down by Departments. If this Government feels so secure that the money in the Treasury is theirs, that the houses in the Pine and at Grazettes are theirs, that the Deep Water Harbour is theirs, then the people have them in their pockets and they say "Colonel or Major So and So", is this what we want? They can say: "We have the numbers and we will get this passed;" but I cannot find myself voting in favour of any Clause such as this.

I may be told that I am always attacking policemen in the Courts, but outside, they are citizens and they have to be represented. They cannot stage a march or go on strike like the dockers and port workers and that is all the more reason why we should be more careful about this matter. Mr. Chairman, you would be in a very awkward position if you were sitting over there and you had to vote for this Section; we want to get together with the members of the Police Force and find out what sort of Association they think will effectively represent them and put forward their point of view from time to time.

Mr. STRAUGHN: Mr. Chairman, I have indicated that I intended to speak on this Section and I am going to do so. Before I do so, I shall have to make some reference to the remarks of the last speaker because it would certainly appear that in his fury and flurry of antagonism he misread the Section and he had to talk that much in order to persuade himself that he did not misread it. I will recount some of the

remarks he made and show that he did misread the Section. He said that if there were a swarm of rats at Bissex Hill as there are at the Hospital, the Police Association cannot say anything about that. If you want to check on the general conditions of service, the Police Association cannot say anything about it. What about the salaries and pay packets and suppose they wanted a canteen in Belleplaine? The Police Association cannot say anything about that. I sympathise with the hon. member. (Mr. BARROW: The whole island sympathises with you.) The hon. member, as I was saying, Mr. Chairman, has completely misread this Section and may I read slowly for his benefit so that he can understand? If he had been following the very Section which he read, he would have seen that all of those things to which he referred the Police Association can deal with. He said that the Police Association cannot deal with the question of transfer, leave or any other matter such as this. If they had a swarm of rats at Bissex Hill, the Police Association could deal with that, because it would be in connection with the terms and conditions of service of policemen.

5.15 p.m.

Unless I myself am suffering from a delusion, it is possible even though I can imagine there would be some restrictions, especially with the Minister of Finance holding the purse strings very tightly, for the Police Association to discuss their general salary level and salary scales. What could prevent them from doing that? That does not affect the individual case and I was amused to find that when the hon. member read the Section and, half an hour after found out that he had misread it, he entered into the typical lawyer's practice of saying he had better talk for half an hour longer, and if I salute you, you should salute me back and all that. The hon. member referred to somebody in the Police Force and I believe he was talking about Superintendent Archer; but of course the Police Association is not expected to talk about an individual case; yet any sensible Association, if it is one that is properly led, can take an individual case and say this is a matter which, we take it, can affect our conditions and terms of service.

Before making my integral contribution to the debate as I intended, I thought I would wipe out some of those examples of disillusionment from which the hon. member was suffering, and I would say that it is because he had been carried off in the fury and flurry of antagonism. I think he should understand that the only way to win a case in a debate is by superior argument. If he has a superior argument to what I have just put forward, let him put it up. It is a matter for you, Mr. Chairman, and you can be the judge.

As far as my personal individual contribution is concerned, I want first of all to give due credit and commendation in this particular Section to the Hon. Premier for the stand he took in postponing this Bill so that he could have those discussions with the Police Association. Why I say that is because I am going to quote an individual case which took place right on the steps of the Lobby of this House when we discussed this Bill on the very first day it was introduced. A Policeman in civilian clothes came to me and I who am interested particularly in the Policemen forming themselves into a strong, virile and self-respecting association asked him if he were a member of this Association and what he was doing to strengthen the Association so that he could get the representation he desired and deserved as far as this Police Bill was concerned. I think we all recognise that a Police Force, being the unit that it is, has to have quick, and you might almost say, direct discipline, and the only way the people at the bottom can get some kind of two-way reaction or two-way flow of communication would not be by themselves as individuals, because as an individual the discipline comes down on you very hard, but as an Association. That is the protection or the remote control by which you can get a quicker flow of communication back up to the top, and the only way you can get that done is by making sure that your Association is that strong so that any time anything appears unduly to affect an individual, you would be able to interpret it that it affects the general terms and conditions of your service and therefore you should be heard on it.

Now there is one particular part which I do not like and it is the phrase "any other matter". I would like to feel that

there is discipline, promotion, transfer or leave in so far as it affects individual cases. The "any other matter" looks altogether too all-embracing, but it is done by the fact that it refers to individual cases. I should like to pay particular attention to the words in subclause (2) "no representation". Although I would say that as the Clause is worded you would not expect that you would get official representation as far as discipline, transfer, posting or things like that are concerned, I would prefer that this Section not be interpreted - and I certainly would want some guidance from the Hon. Premier on that - to mean necessarily that there should be or could be no consultation. If your Association is that strong, you should be able to find that there should be consultation on very many matters even though there might not be direct representation on them in individual cases; and I certainly would want to feel that even though the term "no representation" is used there, it does not mean that there can be no consultation even in matters that may affect individual cases.

Of course, Mr. Chairman, it all depends on the Association which you have just as a lot of it depends too - as the Policemen have told me, and I agree with them - on the Commissioner you have; so a double sort of burden devolves on those in authority to show that you have the kind of superior officers who are rational, to use a word that was bandied about here today, and reasonable people and people who have a pride in their country, and also in the particular Police Force that they should so be able to conduct their relationships with the Police Association and that those relationships would be on such a high level, that there should be hardly any matter at all affecting any section of the Police Force on which there should not be consultation.

I would like to feel, Sir, that even though the term "no representation" is used, it does not mean no consultation because there can be consultation whether affecting a group or an individual. To summarize, I do not think I had completed a statement I started earlier by saying that I heard the Premier himself talking to a police constable in civilian clothes. When I asked him why he was not interested in this Association and what he thought about this Bill, the immediate reaction of the constable was that it would appear that the boys on top have so much power and one has to be careful in speaking one's mind in the Association. The Premier himself in my presence mentioned to this young man that this idea of being afraid to speak one's mind is something that has been handed down to us, but that we must pull ourselves out of that attitude. Nobody can make you talk if you do not feel like talking, but if you represented yourself in the Organisation, we would be able to guarantee that there could be no victimisation for a man just talking his mind in his own organisation, so long as it is not a seditious threat.

I think it is right that having heard that conversation myself we should give the Premier the commendation that is his due on this matter, and I am convinced that that conversation I heard him carry on with this police constable in civilian clothes made me feel that he would be willing to meet a delegation from the Police Association.

5.25 p.m.

This thing has come up again. I remember it was the hon. senior member for Christ Church who made the same remarks when we first brought a Bill here and it was postponed. I am not going to say that those remarks were completely wrong but the remarks were to the effect that the rank and file knew nothing of this Bill. I can state categorically that in the precincts of this very building, I was told about this Police Bill by two ordinary police constables before I, as a member of this House, had a copy or knew that it was coming down. They told me about it and it was that particular discussion which generated my additional interest in this matter.

I am particularly interested in being sure that we have a strong Police Association, but we do not want to feel that now we are trying to maintain a proper, disciplined Police Force and you want to have quick communications, you still have the situation where the ordinary police constable is unduly victimised. The only way the ordinary police constable is not to be victimised is to ensure that this Police Association is as strong as possible.

I did ask a question a little earlier which the Hon. Premier did not get the chance to answer. I am not sure at the moment if a member of the Police Force means any and every person from the Commissioner down to the ordinary constable. If it is, I would be glad to know because it might have some difference in the emphasis which we are placing on this matter. If it means everybody, then it may mean in some cases that the officers may be ejected.

There is another question which I would like to ask. Has the Police Association asked that it be allowed to be associated only with other similar bodies in the West Indies? I am amazed that they did not ask to be associated with other similar bodies outside the West Indies. I do not see why they should limit this with only similar associations in the Caribbean area. They should have association with police bodies in other parts of the world.

Mr. TALMA: Mr. Chairman, I have listened very carefully to the last speech made, but what strikes me is that the powers and functions of the Police Association are not clearly defined. Indeed, Sir, they may be termed as being contradictory.

For the benefit of the hon. member who has just sat down and who has not been clear on anything, subclause (1) of clause 47 says:

"For the purpose of enabling Inspectors, subordinate police officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Police Association which shall act through a Central Committee as provided by rules made under this Act."

This is for policemen from the rank of Inspectors down to constables. What matters would affect their general welfare under this are matters which pertain to salaries, wages, conditions of service, leave, promotion and things of that sort, and unless their general welfare is clearly defined, you are telling the Police Association that it has power to deal with matters affecting their general welfare and efficiency in subclause (1) and then in subclause (2) you tell them that they have no representation. In other words, if you get together and consider these matters yet you are not to make representation about any of the matters affecting your general welfare.

Mr. STRAUGHN: I rise on a point of order. Certainly the hon. member could not really mean that in the way he said it. They mentioned certain specific cases. They state no representation and then mentioned certain specific cases.

Mr. TALMA: The hon. member tries to be pretty witty. I started out by defining what general welfare means. If the hon. member can define it other than that, then probably the Bill will make some sense; but if it means what we all understand it to mean in the normal way, that is to say, it concerns the salaries, wages, promotion, conditions of service and matters of that sort which are wrapped up with the duties of a policeman, generally speaking. If they have power to consider these matters and to make representation to the Police Commissioner on such matters, then you cannot say to them in subclause (2) that they cannot make any representation about those matters. I will read subclause (1) again.

"For the purpose of enabling Inspectors, subordinate police officers and constables of the Force to consider and bring to the notice of the Commissioner and the Governor matters affecting their general welfare and efficiency, there shall be established an organisation to be called the Police Association which shall act through a Central Committee as provided by rules made under this Act."

Then they tell you in subclause (2):

"No representation shall be made by the Police Association in relation to any question of discipline....."

I understand that. They cannot discipline themselves; somebody will have to discipline them. If you leave in that, that is quite in order but when you go on to say that no representation shall be made by the Police Association in relation to any question of "promotion, transfer, leave or any other matter in so far as it affects individual cases," those are matters in which they should have some say. Subclause (2) deliberately takes away what power is given to them in subclause (1). A Police Association should not state who is right and who is wrong; that should be vested solely in the Commissioner and may be, other police matters closely connected thereto, but to say that they should not state and go into matters which affect their conditions of service, their salaries, wages, and ordinary civic duties, is to take away from them their rights, and the Association will be just a quasi-Association or a sort of hybrid makeshift Association which may only meet and cause them to get into trouble, so that when you join the Association and feel that you have a right to talk and you go and say the wrong thing, then you may be accused of having made representation affecting promotions, transfers, leave or any other matter in so far as it affects individual cases.

5.35 p.m.

The words "or any other matter" are only a question of *ejusdem generis*; they do not carry the matter any further. I think that this is a very dangerous piece of legislation; it is very contradictory in the first instance, and subclause 2 really destroys whatever the constitution of the Association may be; such constitution is really invalidated in this Clause. They will be found acting *ultra vires* if they get together and discuss anything at all; that is how it seems to me. It does appear that the object of the Association is just for a matter of a pastime, to discuss cricket or the theatre; and if that is the object, well then you should say that in the Bill. If you want the Police Association to talk about cricket and not go into matters affecting the welfare of the policemen, you will leave them in a conundrum; they do not know what they can do or what they cannot do. The Police Association can talk about cricket; but if they want to make any representation on behalf of the policemen, they cannot do that. In other words, after all the talk is over, the matter ends right there.

Mr. Chairman, I do not regard this Clause as anything which will help the policemen. This Police Association is a water-tight thing in which a hybrid sort of association is set up with little or no power. There is no reason why the Police Association should not have powers closely approximating those of the Civil Service Association. After all, these people are men and women just like anybody else; as far as their future existence, their general welfare and their general prospects for their family are concerned, their representation is inadequate as compared with the Civil Service Association. I see no reason why they should be hamstrung and prevented from doing anything at all in matters affecting their general welfare. This whole thing is contradictory and farcical and it means nothing at all.

Mr. WALCOTT: Mr. Chairman, unlike some hon. members, it is immaterial to me if the Police Association is a strong Association or not. They must become strong. What I am saying publicly is that the Police Association should see their own weakness. They have agreed with this provision and I agree with it too. You can have any innocuous legislation if they agree with it. If a man wants to kill himself, why should you prevent him from relieving himself of living on this planet? If the police do not know what to do with their Association, then it is a matter for them. This is just like the people who voted for the Government; they had opportunity to vote and they voted for the Government they wanted.

These people cannot join any Trade Union outside their Body. It means that you recognise the Trade Union as a collective organisation and the Police Association should not be associated with any organisation outside. There is no point in giving them the right to be associated with the Association in B.C., unless you know what are their rules. You may thereby be in something which is fundamentally opposed to something which you are doing.

The hon. senior member for Christ Church has just read out this whole Clause; mention has been made of general welfare and efficiency and that covers quite a lot. Representation in this context means a lot of things. As the Police Force is a disciplined Force, you have to treat it in such a way that the person in charge will be able to exercise discipline without any infringement of his authority. If you are saying that this Association is to be like a Trade Union *vis-à-vis* the employer and employees, the Police Association must be the same thing. It must be able to deal with all matters over which it has general control. The whole idea of an organisation like this is that it has to deal with individuals. You do not get a Trade Union or a Police Association out of itself; it comes out of individuals. You realise the difficulty in getting them to deal with their individual cases and you put matters to a body; otherwise you would be in danger of having 700 policemen saying that they will deal with their matters.

As to the question of promotion in so far as it affects the individual, that will create a furor. I will tell the Premier that he will have to be very careful nowadays. I do not go in for any witch-hunting but you must take a very serious view of things. The Police Force today is quite different from the Police Force years ago; it is not a glorified force of watchmen. If you do not give them power within their own organisation you are opening the door for subversion. You must give people freedom to join their own organisation, and this Association should be free within its organisation to discuss the matters which affect the individual as well. I do not see why you should have this first Sub-clause dealing with general welfare and efficiency and in the next Sub-clause you restrict the Association and say that no representation should be made in relation to any of these questions.

5.45 p.m.

The things that really come under general issues are things that come up once in a while or periodically, things like a general revision or the general standards to be set; but individual cases come up and therefore you should set up some Whitley Council, because the Police Force is different from the Civil Service.

Mr. Chairman, where you have a man who is subjected to discipline which he must carry out on the spot, it is very important that you should give that Association the opportunity of discussing discipline that arises with the individual, because if a policeman is given an order now he has to carry it out; but do not tell me that because he has to carry out that order, the order in itself should be a matter that the Police Association should not be able to discuss with the Commissioner of Police, as it may be something that is grossly unfair. The Clause says that no representation shall be made by the Police Association in relation to any question of discipline or promotion, transfer, posting, leave or any other matter in so far as it affects individual cases, but in my opinion those are matters on which there should be some representation. There is no question that I cannot make representation in the Trade Union on behalf of any member, though I may agree that the employer has the right to dismiss, suspend or discipline a man. We have a right to take up any matter that affects any individual, no matter what the matter is; so that you must give the Association the amount of commonsense to know that in certain cases, far from a man being disciplined, he should have been fired.

Mr. Chairman, cases like that come to me, and up to last week I had a case where a man was dismissed. I enquired into the man's case and told him that he had no case. I told him that the more he talked to me the more lies he told and I had no time to waste with liars. In the Union we do not say that we cannot represent them; we have to examine the case. I feel that for the Police Association to be anything that is worthwhile, unless you make rules that are so flexible, wide and reasonable, you should set up a quasi Whitley Council to deal with these problems of promotion, discipline and so on. May I say too, Mr. Chairman, that these are the questions that plague any Police Force more than the general welfare issues. I have been talking about police matters for donkey years, but they are not interested in general welfare matters.

I remember that about some twelve years ago, I went to the Crab Hill Police Station and found that there were no chairs in the Station; the policemen had to sit on some old tin box or on the cot with some boots under it. That was his home, but he did not have the sort of atmosphere of home. I do not know what representation the policeman had made nor am I worried about those things, because I believe some people take a longer time to grow up than others, and if the Police Association takes a long time to grow up, it will grow up in time. If you are going to have Clause 47 (1), how are you going to reconcile those two sections in which one section gives the impression that you are giving the Police Association power while in the other section in which the power can be used it is taken away? My view of it is that this would be more or less a little gathering. This would be like some of the powers that they grant to some of the political parties. You give the Premier power to do certain things and yet some small boys can come to the Airport with something and embarrass the Premier, and then when he meets MacMillan say that the National Executive did this. It is just like the embarrassment those smaller fellows put you in that you do not know whom you are running and whom you are not running. That is the sort of thing you do not want happening in the Police Force. I understand that your Party has some of the most difficult problems in deciding ordinary questions.

Mr. Chairman, we do not want the Premier to have these problems with the Police Force. You say you do not want them to join the Trade Union, but if they were members of the Trade Union I would ask several questions. If I had to go to the Public Service Commission about a man and heard that he had no case, I would not waste time. Though the members of the Government say that we Trade Unionists do not work hard, I can tell them that I work harder than any of them and maybe harder than two of them put together; but I have the capacity to work hard and appear not to be working hard. That calls for a gift which you do not have. I would admonish the Premier that the Police Association should within itself have as much power and authority as it should have had it been a Trade Union outside; and if you say that members of the Force cannot join the Trade Union, you have to be prepared to give them the same powers as they would have if they joined a Trade Union outside. That is the only way in which it can function effectively. You must give them the authority to blow off steam, but you will still be able to confine a man for seven years or take away his leave from him. If you do that, that is the surest way of preventing subversion. You subvert an organisation when you prevent freedom.

The Minister of Labour says that I am the boss of the Trade Union, but I am a good boss because I get things done. I get people to follow me and pass Resolutions in their interest, and even though the Government in power does not agree with them, they still do it. That is leadership; and it takes a good leader to do that. (Hon. M. E. COX: It takes dictatorship, too.) The dictatorship of Khrushchev has the world thinking. (Hon. M. E. COX: That is chalk and cheese.) You cannot differentiate between chalk and cheese. The only difference is that you see cheese before you and take it for chalk. What you require is leadership and maybe the Association as an Association lacks it.

The Hon. Minister says that dictatorship comes from the outside, and as an example I would say that they were trying to influence the Organisation to push me out, but they could not succeed. That is because I allow the fellows to be free. We are the ones who stood on one side and pushed the others outside, so they had to leave. You must give an organisation freedom because if we had stultified the movement as others wanted to do, we would not have got freedom of expression.

5.55 p.m.

I do not make any bones about my attitude about the Police Force. Personally, I feel that in Barbados they try to treat the Police Force like an army. It is not an army; it is part of the means of preserving law and order. I feel that the Police Force as a force should be an impartial force. I believe that I depend on the Police Force more than anybody else. Poor people like me have to depend on the policemen. If you interfere with me, I have to call a police-

man but I do not want a policeman to say that because you belong to the Labour Party, he cannot deal with you. If he tells me so, he is only asking me to use violence.

I want the Hon. Premier to look around him, and he will see that we are becoming independent and although the forces for external power would still be in the hands of the British Government, yet internal power is going to be here with you. You can see that we are not so far from other places like Cuba. If we get a Police Force that can become corrupt and it cannot have expression and they are being throttled down, then all elements that are subversive can enter into it and create discontent. It is, therefore, wise that you do not give the impression in this Bill that you are preventing the Police Association from having the freedom to represent the members of the Force but at the same time you do not want the Commissioned officers and the Commissioner bogged down to regard this as a means of not giving them the authority which they should have. The Association as an association is distinct from the individual and the Association should be given the authority to make its representation at all levels and you have to create the machinery for it. It is not a superhuman task. If the rules can be made as flexible as those of the Whitley Council for the Civil Servants, with the people with the knowledge you can deal with these matters. I would say that you are not lacking for examples.

Mr. Chairman, I do not know who advised Government on this matter; but despite the talk which you have heard in here about strikes, Barbados is a territory which has the least number of strikes in the whole Caribbean. I say that without any hard feeling against strangers who may be here. It is a question that you do not call a strike for the sake of calling a strike. You do not want the Police Force going on strike, because if the Police Force goes on strike you are going to get anarchy; you will get the unsavoury elements of the Island rising up. For that reason I am satisfied in my mind that no stone should be left unturned in this new dispensation of giving the Police Association the full rights of a trade union save that of the right to strike if we debar them from joining a trade union from outside. As I have said, as a trade unionist, I would not like to organise the Police Force into a trade union because as soon as you organise members of the Police Force into a trade union it would be bound to fail because taking away the weapon of strike from me will be taking away the heart of the trade union from me. A Police Force cannot strike, and if you take away the strike weapon you should give them the maximum method which would lead up to a strike without their being able to strike.

Sir, I too must thank the Hon. Premier for postponing this measure so as to allow the Police Association to discuss this matter. I say that if the Police Association wants this, though we have the right to pass legislation, so long as the Association has discussed the matter and the members have put their plans before you and are satisfied with what you have done, if it suits them, it suits me. If I were a policeman, I would make a row. The policemen cannot blame me; they must blame the Police Association.

5.4. Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, there has been a lot of talk, so to speak, on the powers of the Police Association and some hon. members are linking the Police Force with the Trade Union. I certainly expected that the hon. senior member would not have fallen into that class. A Trade Union has democratic powers; it is not a disciplinary body; therefore, it is free to discuss conditions of work, pay and things of that sort.

Now, the Police Force in Barbados - and I take it any Police Force in any part of the world - is an organised disciplined body. Certainly, all the Police Forces which I know are organised, disciplined bodies. If hon. members look at this Section on which we have heard so much talk, they will see that on broad matters of principle and policy, the Police Association can function. It can meet, discuss, concur or disagree and recommend. On a broad principle they can do that, but you can tell me what Police Force it would be like if the Association were allowed to question why an officer, let us say, John Thomas had been discip-

lined? What Force it would be like if the Association could question why Tom Harris had not been promoted and things of that sort? That certainly would be a case where an individual could go and question any decision relative to his transfer, promotion, leave and all those things. I am sure the policemen themselves would say that in a disciplined body there are certain standards of discipline which must be maintained.

A little later when we come to deal with the Police Service Commission Bill, you will notice that policemen will have the right to appeal to the Police Service Commission and that is the way in which they can lay their grievances. They can appeal from any decision of the Commissioner to the Governor or in certain cases to the Police Service Commission; therefore, their rights as far as promotion, transfer and things of that sort are preserved. If they are dissatisfied with a decision of the Commissioner of Police they can appeal to the Governor or the Police Service Commission.

6.05 p.m.

I think and I hope that that will satisfy every hon. member. I repeat that the Police Force is a disciplinary body; discipline must be maintained. The broad question of principle can be discussed by the Police and they can make representations to the higher authorities. In other cases, they have the right of appeal.

What the hon. junior member for St. Joseph enquired about is in the definition Clause. I do not see that there is anything more that I can say in connection with the particular Section, with which we are now dealing.

The question that Clause 53 renumbered 47 stand part of the Bill was put and resolved in the affirmative without division

Clause 54 renumbered 48 was called. It reads as follows:

54. (1) The Commissioner may, with the approval of the Governor, make rules for the constitution and management of the Police Association and for any matter relating thereto.

(2) The rules contained in the Second Schedule to this Act shall have effect as if made under the provisions of subsection (1) of this section and may from time to time be amended or revoked by the Commissioner with the approval of the Governor.

Hon. Dr. H. G. H. CUMMINS: In connection with this Clause, I am asking leave to make amendments as follows:

(a) by inserting the words and commas, "acting after consultation with the Police Association", immediately after the word "Commissioner" in the first line of sub-clause (1);

(b) by inserting the words "acting after consultation with the Police Association and" immediately after the word "Commissioner" in the last line of sub-clause (2).

Sub-clause (1) will now read "the Commissioner, acting after consultation with the Police Association may, with the approval of the Governor, make rules for the constitution and management of the Police Association and for any matter relating thereto.

Sub-clause (2) will now read "the rules contained in the Second Schedule to this Act shall have effect as if made under the provisions of sub-section (1) of this Section and may from time to time be amended or revoked by the Commissioner acting after consultation with the Police Association and with the approval of the Governor."

Those amendments will give some confidence to the Police Association that the Commissioner on his own back cannot go ahead and make rules relating to the management of the Association, but that these rules must be made in consultation with the Association and they must also be approved by the Governor.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: I now beg to move, Mr. Chairman, that Clause 54 renumbered 48 as amended stand part of the Bill.

Hon. L. St. A. THORNE: I beg to second that.

The question that Clause 54 renumbered 48 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clauses 55 to 63 respectively renumbered 49 to 57 were called and passed.

Clause 64 renumbered 58 was called.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 64 renumbered 58 stand part of the Bill.

Hon. L. St. A. THORNE: I beg to second that.

Mr. BARROW: Mr. Chairman, this Clause protects members of the Police Force from civil action for any act done in obedience to the writ or warrant of any Judge or Magistrate. It sets out that: "such member of the Force shall not be responsible for any irregularity in the issuing of such writ or warrant, or for any want of jurisdiction in the Judge or Magistrate issuing the same, and such member of the Force may plead the general issue and give such writ or warrant in evidence; and upon producing such writ or warrant, duly signed by a Judge or Magistrate and proving that the act complained of was done in obedience to such writ or warrant, they jury or court trying the issue shall find a verdict for such member of the Force, who shall recover his costs of suit."

6.15 p.m.

Now that particular Clause is all right in a way, but there is something which has to be made abundantly clear here in the Legislature before this particular Clause is passed. We have a peculiar situation here in Barbados on which very, very recently the Home Secretary in England and the Secretary of States for the Colonies have issued a directive. I do not know if it has percolated down to the Premier of Barbados now, but eight years ago on the floor of this House I protested over the fact that police officers were given the power to issue warrants for the arrest of persons. Now that is completely contrary to the rule of law; it is contrary to the doctrine of the separation of powers. You cannot be judge and jury in your own case.

We as practitioners have had the experience of police officers - and they still do it with monotonous regularity - issuing warrants and writs for the arrest of persons on, let us say, a Saturday morning when a Magistrate is not sitting, and holding people until Monday morning, and by Monday they have wrung statements out of the unfortunate wretches who have had to slumber with the cock-roaches in the dungeons of the Central Police Station. Now eight years ago on that side of the House I said it is directly contrary to all established principles of democratic procedure. If a Police Officer has information which should lead to the arrest or detention of a person, he should be able to go and swear in front of a Magistrate who is invariably a legally trained person and tell that Magistrate that he has information on oath which suspects that such and such a person should be arrested. He may not be able to prove.....

Mr. CHAIRMAN: The hon. member is now dealing with matters where the Police Officer.....

Mr. BARROW: I am dealing with Section 64 renumbered 58 of the Police Bill which is now before the House about warrants and exemptions.

Mr. CHAIRMAN: Warrants and exemptions signed by a Judge or Magistrate, but you are dealing with warrants signed by a Police Officer.

Mr. BARROW: I am dealing with exemptions and things done by a Judge or Magistrate, and I am merely trying - if you will give me a chance - to show what I am talking about. Instead of the Clerk interfering, he should realise that he did not face the electorate and if he wants to join a political Party, let him go on a political platform and run.

Mr. CHAIRMAN: In fairness to the Clerk, I called on him.....

Mr. BARROW: If you would only let me explain why I got up, you would see the point I am making. I am perfectly aware that it says 'judge or magistrate', but I am taking this opportunity to point out the dangers of having exemptions in a Clause of this kind unless you are perfectly clear what you have in mind. What I am pointing out, Mr. Chairman, is that not only judges or magistrates sign warrants or issue writs, but that we have a peculiar situation here in Barbados where Police Officers do it as well.

Now it would be a slightly ridiculous situation for a Judge or Magistrate signing a writ and the policeman executing that writ or warrant is exempted from an action for, say, trespass of the person, malicious prosecution or false imprisonment, and the Chief Justice of the Police, namely the Superintendent of Police, issuing the same warrant that he would not be exempted.

Mr. CHAIRMAN: This Section reads as follows:-

"When an action is brought against any member....

Mr. BARROW: Mr. Chairman, I can read, but tell me what the point is and I will sit down. I must be allowed to exercise my democratic rights. I did not ask anybody inside here to give me a job and let me come here and sit down.

Mr. CHAIRMAN: Will the hon. member listen to the Chair? I am drawing to your attention that this section does not deal with any warrant signed by a Police Officer. It deals with a warrant signed by a Judge or a Magistrate against a member of the Force; so those are two different things entirely.

Mr. BARROW: How am I going to explain, Mr. Chairman? You should not be entering into further combat with me. I am speaking on this Clause and I know what I want to say, but you would not allow me to develop my argument. You do not seem to be aware that I was pointing out that the Secretary of State has recently issued a directive over something which I stated several years ago. I want to make it clear that this section is not be extended to mean that any Superintendent of Police can have a warrant carried out.....

Mr. CHAIRMAN: That does not apply to this Section.

Mr. BARROW: Are you trying to tell me about law? You can tell me about the rulings in the House but do you know what I am going to say?

Mr. CHAIRMAN: I would like the hon. junior member for St. John to listen while I am speaking.

Mr. BARROW: You have done nothing else but talk and I have been listening all the time.

Mr. CHAIRMAN: I am attempting to draw to your attention that the point about warrants being signed by a Police Officer does not apply to this Clause.

Mr. BARROW: Do you think you know more about law than I do? Mr. Chairman, you are like Rip Van Winkle, and I do not mean it in any disrespectful manner. All of a sudden you realise that there is a Clause before the House and you or the Clerk who is a servant of the House would not wait for me to explain my point. If you would only exercise your patience, you would not let the Clerk mislead you and you would be able to understand what I am driving at. All you are telling me about is reading English. I am saying that this Clause should not be extended to mean that a Police Superintendent signing a warrant.....

Mr. CHAIRMAN: There is nothing in this Clause giving a Police Superintendent authority to do that.

Mr. BARROW: Are you arguing a case for the Attorney General? I presume you know the meaning of "a Clause should not be extended to mean", because if you say you have consulted the Clerk, I advise you to consult him now and he will appreciate my point of view. This is not a political matter; this is something I am trying to bring to the

attention of the Government, and you, like the Lord Chancellor of England, are going to interpret the Clause before I express what the dangers are. Before I begin, you are going to make it a big political case.

Mr. CHAIRMAN: You cannot deal with the issue of warrants by Police Officers under this Section.

Mr. BARROW: Let me understand your ruling. Is your ruling that under Clause 64 renumbered 58 I cannot say "it should not be extended to mean", - because that is the way a lot of statutes are worded - that a Police Officer would have no authority to issue a warrant and to enjoy the immunity which Clause 64 renumbered 58 gives.
6.25 p.m.

Mr. CHAIRMAN: Not under this Section; they are too disconnected. That is an entirely different thing.

Mr. BARROW: I do not want to waste time. Let me get the position cleared up. Are you the Chairman or the hon. senior member for St. Michael is the Chairman?

Hon. M. E. COX: The hon. member has no manners.

Mr. BARROW: Look at who is saying that I have no manners! I have not been a pilot for sailors. Which would you prefer? Would you prefer to be a pilot for sailors or to be a man? I would like to be a man. Sometimes you have to make a choice.

Mr. CHAIRMAN: I am appealing to the hon. member.

Mr. BARROW: Mr. Chairman, if you do not want me to speak, tell me to sit down.

Mr. CHAIRMAN: I am appealing to the hon. member. Deal with the point. I am not preventing you from dealing with the point.

Mr. BARROW: A great deal of time has been wasted by cross words. We just do not understand each other. If the ruling came from the hon. senior member for St. Michael, we are really wasting time because he does not understand anything else but abusing people.

Hon. M. E. COX: I understand what a dirty scoundrel you are.

Mr. CHAIRMAN: Get back to the Section.

Mr. BARROW: Do you want me to speak on the Section? When we are incurring all this hostile action and with the Clerk of the House playing politics too, I think it is unnecessary that I should say anything further. I have a lot of work to do. If you do not want me to talk, I can sit down. Of course, if I wanted to talk, I would talk whether you told me to do so or not. If you are tired, Mr. Chairman, say so. If you want to have the Bill stampeded through the House, you can have it stampeded.

Mr. CHAIRMAN: I am asking the hon. junior member for St. John to deal with the Section.

Mr. BARROW: Tell me what you want me to say.

The question that Clause 64 renumbered 58 stand part was put and resolved in the affirmative without division.

Clauses 65 to 78 renumbered 59 to 72 respectively were called separately and passed.

*Clause 79 renumbered 73 was called.
It reads as follows:-*

"There is hereby constituted a permanent Constabulary to be known as the Barbados Special Constabulary."

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that the words "is hereby" appearing in the first line of the Clause be deleted and that the words "shall be" inserted in their place so that it would now read: "There shall be constituted....."

I beg to move that Clause 79 renumbered Clause 73 as amended stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

6.35 p.m.

Clauses 80 to 85 respectively renumbered 74 to 79 were called and passed.

Clause 86 renumbered 80 was called. It reads as follows:-

86. (1) The Commissioner may, with the approval of the Governor-in-Executive Committee, make regulations for the good order and government of the Force.

(2) Without prejudice to the generality of such power, regulations made under the preceding provision of this section may provide for -

- (a) the duties to be performed by members of the Force and their guidance in the discharge of their duties;
- (b) the training and discipline of the Force;
- (c) promotion to the various ranks in the Force below the rank of Superintendent;
- (d) the demotion of Inspectors, subordinate police officers and constables from one rank to another;
- (e) the description and issue of arms, ammunition, accoutrements, uniforms and necessities to be supplied to the Force;
- (f) the management of barracks, stations, cells and lock-up rooms, and of persons confined therein;
- (g) the messing of subordinate police officers and constables;
- (h) the taking of measurements, photographs and fingerprint impressions of persons in lawful custody;
- (i) the keeping of records of all persons convicted of any criminal offence in this Island;
- (j) the due execution of all writs and other processes entrusted to the police for execution;
- (k) the due accounting for all moneys, goods and chattels that may be received by any member of the Force in the execution of any writ or other process;
- (l) deductions from pay for any goods or services supplied from any canteen or grocery of the Force or for any subscriptions or dues to any sports club thereof; and
- (m) the general administration of the Force.

(3) Regulations made under this section may provide that any of the regulations -

- (a) shall not apply to all or any female members of the Force; or
- (b) shall apply only to female members of the Force or to such of them as may be specified.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, in connection with this Clause, I am asking that it be amended as follows:

(a) by deleting the words "and discipline" from paragraph (b) of sub-clause (2);

(b) by deleting paragraph (d) of sub-clause (2), and renumbering paragraphs (e) to (m) (inclusive) as paragraphs (d) to (l);

(c) by substituting the words "members of the Force" for the words "the Police" appearing in paragraph (1) (as renumbered);."

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: With those amendments, Mr. Chairman, I beg to move that Clause 86 renumbered 80 as amended stand part of the Bill.

Hon. D. D. GARNER: I beg to second that.

The question that Clause 86 renumbered 80 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clauses 87 and 88 respectively renumbered 81 and 82 were called and passed.

Clause 89 renumbered 83 was called. It reads as follows:-

89. (1) The Police Act, 1908 and the Police (Amendment) Act, 1944, are hereby repealed.

(2) Such repeal shall not affect -

- (a) the operation of subsection (2) of section (4) of the Police Force and Fire Brigade Pensions Act, 1949, which shall continue to have effect as if such repeal had not been made;
- (b) any regulation or rule in force at the date of coming into operation of such repeal and made under the authority of any Act thereby repealed and any such regulation or rule shall have effect as if made under this Act and may be amended or revoked or enforced accordingly.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, in connection with this Clause, I am asking leave that it be amended by substituting the word "four" for the brackets and numeral "(4)" appearing in the second line of paragraph (a) of sub-clause (2).

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: I beg to move that Clause 89 renumbered 83 as amended stand part of the Bill.

Hon. D. D. GARNER: I beg to second that.

The question that Clause 89 renumbered 83 as amended stand part of the Bill was put and resolved in the affirmative without division.

Clause 90 renumbered 84 was called and passed.

The First Schedule was called.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave that this Schedule be amended so that a reference to "Section 77" be substituted for the reference to "Section 83" at the top of Form B in the Schedule. In connection with Form B of the Schedule reference is made to Section 83 and the Heading is "Oath Of Office To Be Taken By Members Of Barbados Constabulary." I ask leave to make the amendment as I have indicated.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that the First Schedule as amended stand part of the Bill.

Hon. D. D. GARNER: I beg to second that.

The question that the First Schedule as amended stand part of the Bill was put and resolved in the affirmative without division.

The Second Schedule was called.

Hon. Dr. H. G. H. CUMMINS: In connection with this Schedule, I am asking leave that it be amended so that a reference to "Section 48" be substituted for the reference to "Section 54" appearing at the beginning of the Rules in this Schedule.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that the Second Schedule as amended stand part of the Bill.

Hon. D. D. GARNER: I beg to second that.

The question that the Second Schedule as amended stand part of the Bill was put and resolved in the affirmative without division.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that you do now report the passing of the Bill in Committee with amendments.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

The CHAIRMAN reported and Mr. SPEAKER resumed the Chair and reported accordingly.
6.45 p.m.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that the Bill be recommitted in order to deal with Clauses 2, 14, 15, 23, 25, 26, 27, 29, 30, 31, 33, 35 and 36.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair and the House resumed Committee on the Bill, Mr. BRYAN being in the Chair.

Clause 2 was called. It reads as follows:-

2. (1) In this Act, the following expressions have the meanings hereby respectively assigned to them -

"Commissioner" means the Commissioner of Police;

"constable" means a member of the Police Force below the rank of corporal;

"the Force" or "the Police Force" means the Barbados Police Force as constituted and maintained under the provisions of this Act;

"gazetted police officer" means the Commissioner, the Deputy Commissioner or any Superintendent of Police;

"police area" means a police area as defined in the regulations;

"regulations" means the regulations relating to the Force made under the authority of this Act and of the Police Act, 1908, or any Act amending that Act and for the time being in force;

"special constable" includes officers, subordinate officers and special constables of the Special Constabulary;

"Special Constabulary" means the force of Island Special Constabulary constituted under section seventy-nine of this Act;

"subordinate police officer" means a member of the Police Force of the rank of Station Sergeant, Sergeant or Corporal;

"Superintendent" includes Senior Superintendent and Assistant Superintendent.

(2) References in any enactment or in any subsidiary legislation to any provisions of the Police Act, 1908, or to any enactment amending that Act shall be deemed to include references to the corresponding provisions of this Act.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 2 as follows:-

(a) by inserting immediately after the definition of "police area" the following definition -

"Police Service Commission" means the Police Service Commission established under the provisions of the Police Service Commission Act, 1961;

(b) by substituting the word "seventy-three" for the word "seventy-nine" in the definition of "Special Constabulary".

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 2 as amended, stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 14 was called. It reads as follows:—

14. Subject to the provisions of this Act and of the regulations, the Governor may from time to time as occasion may require appoint or enlist fit and proper persons to be subordinate police officers and constables of the Force, and every person so appointed or enlisted shall perform such duties as the Commissioner may from time to time determine.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to delete Clause 14 and to substitute the following as the new Clause 14.

Appointment of subordinate officers and enlistment of constables. 14. Subject to the provisions of this Act and of regulations, the Governor may from time to time appoint as subordinate police officers and enlist as constables such fit and proper persons as occasion may require, and every person so appointed or enlisted shall perform such duties as the Commissioner may from time to time determine.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 14, as amended, stand part.

Hon. L. St.A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 15 was called. It reads as follows:—

15. Every member of the Force shall, on his appointment, take and subscribe the oath set out in Form A in the First Schedule to this act. Such oath shall be taken by the Commissioner before the Governor and by every other member of the Force before the Commissioner of a Justice of Peace.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 15 by inserting the words and comma "or enlistment," immediately appearing after the word "appointment" in the second line of the Clause.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 15 as amended stand part.

Hon. L. St.A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 23 was called. It reads as follows:—

23. (1) It shall be the duty of the Force —

(a) to control and regulate the movement of persons and vessels in Carlisle Bay or in any port or harbour of the Island; and

(b) to control and regulate traffic on all highways and public places.

(2) Without prejudice to any other power conferred upon a member of the Force by this or any other enactment, it shall be lawful for any member of the Force to order any person in any public place to move on and keep on moving; and any person without lawful excuse failing to obey any such order shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding ten dollars and in default of payment thereof to imprisonment for a term not exceeding one month.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 23 by inserting immediately after the word "regulate" in paragraph (a) of subclause

(i) the words and commas "in accordance with regulations made under section twenty-four of this Act,".

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 23 as amended, stand part.

Hon. L. St.A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 25 was called. It reads as follows:—

25. (1) With respect to the enlistment of Inspectors, subordinate police officers and constables, the following provisions of this section shall have effect.

(2) No person shall be enlisted who —

(a) is less than nineteen or more than thirty years of age, unless he has served previously for at least two years in a Police Force;

(b) is not of the required height and chest measurement according to a standard to be fixed from time to time by the Governor;

(c) does not satisfactorily pass a medical examination as to his bodily fitness to be held by the Police Medical Officer appointed for that purpose and if the Governor shall think fit by another duly qualified medical practitioner;

(d) does not produce satisfactory proof of good character;

(e) fails to pass an examination to be held by the Director of Education: Provided that a person shall not be required to pass such examination if he possesses a certificate to the effect that he has passed the School Certificate examination or the Junior Cambridge examination or other corresponding examination;

(f) is not a British subject.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 25 by deleting from subclause (1) the words "Inspectors, subordinate police officers and".

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 25 as amended stand part.

Hon. L. St.A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 26 was called. It reads as follows:—

26. (1) During the first two years after his enlistment, every subordinate police officer and constable shall be on probation, and if during such period he is found wanting in any such qualities as are likely to render him a useful member of the Force, his services may forthwith be dispensed with by the Commissioner; at the end of the period aforesaid, if his services have not been dispensed with, his enlistment shall be deemed to have been duly confirmed:

Provided that the Commissioner with the approval of the Governor may confirm his enlistment at any time before the end of the period aforesaid.

(2) The provisions of this section shall apply to every person who, having left the Force, may subsequently be re-enlisted therein.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 26 as follows:

(a) by deleting from the second line of subclause (1) the words "subordinate police officer and";

(b) by substituting the words "the enlistment of a constable" for the words "his enlistment" in the second line of the proviso to subclause (1).

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 26 as amended stand part.

Hon. L. St. A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 27 was called. It reads as follows:-

27. (1) No Inspector, subordinate police officer or constable admitted to serve in the Force shall be at liberty to resign from or leave the Force until the expiration of the period of probation, unless he obtains the permission of the Governor so to do.

(2) If any Inspector, subordinate police officer or constable whose enlistment has been confirmed desires to resign from or leave the Force, he may obtain his discharge after the expiration of a period of at least three months from the date when he gives to the Commissioner notice in writing of his intention so to do:

Provided that the Governor may require an Inspector, a subordinate police officer or a constable to resign from or leave the Force at any time between the giving of such notice and the expiration of the said period of three months and in that case such Inspector, subordinate police officer or constable shall be entitled to his pay to the end of the current month.

(3) The Commissioner with the approval of the Governor may grant permission to any Inspector, subordinate police officer or constable whose enlistment has been confirmed to resign from or leave the Force at any time.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 27 as follows:-

(a) by deleting from sub-clause (1) the words "Inspector, subordinate police officer or";

(b) by inserting a comma immediately after the word "officer" in the second line of sub-clause (2);

(c) by inserting the word "any" immediately before the word "constable" in the second line of sub-clause (2);

(d) by inserting a comma immediately before the word "desires" in the third line of sub-clause (2);

(e) by inserting a comma immediately after the word "officer" in the third line of sub-clause (3);

(f) by inserting the words "to any" immediately before the word "constable" in the third line of sub-clause (3);

(g) by inserting a comma immediately after the word "confirmed" in the fourth line of sub-clause (3);

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 27 as amended stand part.

Hon. L. St. A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 29 was called. It reads as follows:-

29. (1) Subject to the regulations, the Governor may, for inefficiency, reduce any subordinate police officer to a lower grade.

(2) Any Inspector, subordinate police officer or constable who is charged with an offence punishable under any regulations made pursuant to the provisions of section thirty-four of this Act or punishable on summary conviction or on indictment may be suspended by the Commissioner from the exercise of his duties as a member of the Force until the charge has been finally disposed of, but shall nevertheless remain subject to the discipline of the Force.

(3) Any Inspector, subordinate police officer or constable who has been suspended under the provisions of the last preceding subsection shall, during the period of suspension receive half the pay of his grade together with the other emoluments to which he may be entitled, unless regulations made under this Act prescribe that only a portion of such other emoluments shall be payable during a period of suspension. If the proceedings do not result in any conviction or punishment against any such member of the Force, he shall be entitled to receive the full amount of his pay and other emoluments which he would have received if he had not been suspended. If any conviction is recorded, such member of the Force shall not be entitled to any part of his pay or emoluments stopped under this subsection unless the Governor otherwise directs.

(4) The Governor may at any time dismiss from the Force or dispense with the services of any Inspector, subordinate police officer or constable whom he may consider unfit for further service in the Force.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 29 as follows:-

(a) by inserting the words and commas "acting on the recommendation of the Police Service Commission," immediately after the word "Governor" in the first line of sub-clause (4);

(b) by substituting the words "who may be considered" for the words "whom he may consider" in the fourth line of sub-clause (4).

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 29 as amended stand part.

Hon. L. St. A. THORNE: I beg to second that.

The question was put and resolved in the affirmative without division.

6.55 p.m.

Clause 30 was called. It reads as follows:-

30. (1) Every subordinate police officer or constable who -

(a) absents himself from roll call and from duty for the space of forty-eight hours without lawful excuse; or

(b) while serving on probation in the Force, resigns from or leaves the Force without the permission of the Governor; or

(c) resigns from or leaves the Force at any time without the permission of the Governor or the Commissioner as the case may be or without giving a valid notice of his intention to resign from or leave the Force; or

(d) resigns from or leaves the Force before the expiration of three months from the date when he has given valid notice as aforesaid of his intention to resign from or leave the Force,

shall be deemed to have illegally resigned from or left the Force and shall be liable, on conviction by a court of summary jurisdiction to a fine not exceeding one hundred dollars or to imprisonment for a period not exceeding six months.

(2) It shall be sufficient in any charge or complaint for an offence under this section to state that the person

proceeded against did illegally resign from or leave the Force, and the onus of proving that any resignation or withdrawal was with the permission of the Governor or the Commissioner as the case may be, or that a valid notice was given, shall be on the person proceeded against.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that the words and commas "as the case may be," be inserted immediately before the word "who" in the second line of sub-clause (1).

With that amendment, I beg to move that Clause 30 stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 31 was called. It reads as follows:-

31. Any Magistrate, on a complaint being made to him on oath by any gazetted police officer that any member of the Force has illegally resigned from or left the Force in contravention of the last preceding section and that there is reasonable cause to suspect that such member of the Force is concealed in his own premises or on the premises of any other person, or is on board any vessel within the limits of the Island, shall grant to such first-mentioned member of the Force a warrant to search with proper assistants, the premises or vessel in which the member of the Force is supposed to be concealed, and, if found, to arrest him in order that he may be dealt with according to the law.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that Clause 31 be amended by substituting the words "an information being laid before" for the words "a complaint being made to" appearing in the first and second lines of the Clause.

With that amendment, I beg to move that Clause 31 stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 33 was called. It reads as follows:-

33. (1) Any member of the Force who -

- (a) begins, raises, abets, countenances, or incites mutiny, or causes or joins in any seditious disturbance amongst the members of the Force; or
- (b) having knowledge of any actual or intended mutiny, rebellion, or insurrection, does not without delay give information thereof to a gazetted police officer or to a Justice of the Peace,

shall be guilty of an offence punishable on indictment and on conviction thereof shall be liable to imprisonment for a period not exceeding three years.

(2) Any member of the Force who -

- (a) being present at any unlawful assembly does not use his utmost endeavour to suppress the same; or
- (b) assaults a Justice of the Peace or any superior officer; or
- (c) draws or lifts, or offers to draw or lift, any weapon or offers any violence against any such Justice of the Peace or superior officer; or
- (d) wilfully permits the escape of a prisoner; or
- (e) uses unnecessary violence to or ill-uses any prisoner; or
- (f) pawns, sells, makes away with or wilfully spoils or damages his arms, accoutrements, clothing or any public property,

shall be guilty of an offence and liable, on conviction by a court of summary jurisdiction to a fine not exceeding two hundred dollars, or to imprisonment for a period not exceeding twelve months.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that Clause 33 be amended as follows:-

(a) by substituting the words "other member of the Force" for the words "superior officer" where those words appear in paragraph (b) and (c) of sub-clause (2);

(b) by inserting the words "without lawful excuse" at the beginning of paragraph (e) of sub-clause (2).

With those amendments, I beg to move that Clause 33 stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 35 was called. It reads as follows:-

35. The penalties which may be imposed under any regulations made pursuant to the provisions of section thirty-four of this Act shall be -

(a) by the Commissioner -

- (i) dismissal;
- (ii) reduction to a lower rank or lower rate of pay;
- (iii) a fine not exceeding ten dollars;
- (iv) confinement to barracks for any number of days not exceeding twenty-eight; punishment drill not exceeding fourteen days;
- (v) reprimand or severe reprimand; and

(b) by any other gazetted police officer -

- (i) confinement to barracks for any number of days not exceeding fourteen;
- (ii) punishment drill not exceeding seven days;
- (iii) a fine not exceeding five dollars; and
- (iv) a reprimand or severe reprimand.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that Clause 35 be amended by the substitution of the following in its place:-

35. The penalties which may be imposed under any regulations made pursuant to the provisions of section thirty-four of this Act shall be -

(a) by the Commissioner -

- (i) a fine not exceeding ten dollars;
- (ii) stopping of leave at his discretion;
- (iii) punishment drill for any number of days not exceeding fourteen;
- (iv) reprimand or severe reprimand; and

(b) by any other gazetted police officer except an Assistant Superintendent on any member of the Force below the rank of Sergeant -

- (i) stopping of leave at discretion;
- (ii) punishment drill for any number of days not exceeding seven;

(iii) reprimand or severe reprimand.

With that amendment, I beg to move that Clause 35 stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 36 was called. It reads as follows:—

Sentences of dismissal to be confirmed by Governor in certain cases.	36. Notwithstanding that an appeal is not made against a sentence of dismissal imposed by the Commissioner, such sentence shall not be carried out without the confirmation thereof in writing by the Governor.
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Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking that Clause 36 be substituted for the following:—

Complaint against certain members of the Force.	36. Subject to regulations made under section thirty-four, where any charge or complaint is made against any member of the Force below the rank of Superintendent for any misconduct or any contravention of the provisions of this Act or of the regulations, being a contravention not punishable by way of court proceedings, any of the following gazetted police officers, namely, the Commissioner, Deputy Commissioner or any Superintendent of Police is hereby authorised to enquire into the matter and shall have the same powers in respect to securing and compelling the attendance of witnesses and their examination and otherwise as are conferred upon a Magistrate under any Act for the time being in force regulating procedure before Magistrates in the exercise of summary jurisdiction.
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With that amendment, I beg to move that Clause 36 stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

On motion of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER, Mr. CHAIRMAN reported the passing of the Bill in Committee with amendments.

Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Dr. H. G. H. CUMMINS, seconded in each case by Hon. D. D. GARNER, the Bill was read a third time and passed.

SUSPENSION OF SITTING

Mr. SPEAKER: It now being 7.05 p.m., the sitting of this House stands suspended until 7.45 p.m. 7.05 p.m.

On re-assembling,

Hon. M. E. COX: Mr. Speaker, I should like to draw to your attention the fact that there is no quorum present and I ask that the Bell be rung.

On the Bell being rung, a quorum was obtained.

POLICE SERVICE COMMISSION BILL

Mr. SPEAKER: The next Order of the Day also stands in the name of the Hon. Premier:— To move the second reading of a Bill to provide for the establishment of a Police Service Commission and for the functions to be performed by such Commission and for other matters incidental thereto.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, this Bill is a Bill to make provision for the establishment of a Police Service Commission, for the functions to be performed by such Commission and for other matters incidental thereto. This is the last of those Bills which deal with the constitutional amendments. A few minutes ago we passed the Police Bill which is also one of those Bills in relation to the constitutional amendments. This Bill, which is now before us, makes provision for the setting up of this Commission which will consist of a Chairman and not less than two or more than four other members to be appointed by the Governor. It sets out in a negative way who are qualified to be members of the Commission. The Objects and Reasons of this Bill set out that a person will not be qualified for appointment as a member of the Commission if he is a member of either House of the Legislature or of a Local Government Council or holds or is acting in any public office, and clause 4 provides that a member of the Commission shall not within a period of one year from the date when he last held or acted in the office of member of the Commission, be eligible for appointment to any office, power to make appointments to which is vested in the Governor acting on the recommendation of the Commission.

A member of the Commission shall hold office for a period of three years unless for some reason or other at some earlier date he is removed from office by the Governor or resigns or becomes disqualified. That is set out in Clause 5 of the Bill. Clause 6 empowers the Governor to grant leave of absence to members of the Commission and Clause 7 empowers him to fill temporary vacancies in the membership of the Commission. Then there is the question of the payment of remuneration and allowances to members of the Commission; that is provided for in Clause 8 of the Bill.

Clause 9 empowers the Governor, after consultation with the Commission, to appoint a Secretary; Clause 10 requires the members and Secretary of the Commission to take Oaths of office before entering on their respective functions and duties. Clause 11 provides for the regulation of the proceedings of the Commission. Clause 12 of the Bill applies only to the offices in the Police Force, other than the Office of the Commissioner of Police, which are higher in rank than the office of Inspector. It vests in the Governor, acting on the recommendation of the Commission, the power to make appointments to such offices and to dismiss and exercise disciplinary control over persons holding or acting in such offices. In short, this Clause does not make provision for the appointment or otherwise of the hierarchy of the Police Force, that is to say, the Commissioner and the Deputy Commissioner of Police. Provision is made for the rank of Inspector down where appointments and other matters are concerned.

In Clause 13 power is vested in the Governor, acting after consultation with the Premier and the Commission, to appoint the Commissioner of Police and in the Governor, acting in his discretion, the power is also vested to dismiss and exercise disciplinary control over that officer. Clause 15 empowers the Governor, after consultation with the Commission, to make regulations. Clause 16 protects the Commission from legal proceedings connected with the performance of their functions.

Mr. Speaker, those are the main points in connection with this Bill.

I beg to move that this Bill be now read a second time.

Hon. L. StA. THORNE: I beg to second that.

The question that this Bill be now read a second time was put and resolved in the affirmative without division.

Hon. Dr. H. G. H. CUMMINS: Mr. Speaker, I beg to move that you do now leave the Chair and the House go into Committee on this Bill.

Hon. R. G. MAPP: I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. BRYAN being in the Chair.

Clauses 1 to 13 inclusive were called and passed, 7.55 p.m.

Clause 14 was called. It reads as follows:—

14. The Commission shall, for the purpose of performing its functions under this Act, have access to the Governor.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to insert a new Clause to be numbered Clause 14 instead of the present Clause 14. It reads as follows:—

"Dismissal, reduction in rank, or pay of members of Police Force not above the rank of Inspector.	14. (1) Subject to the provisions of this Act the power to dismiss and to reduce to a lower rank or a lower rate of pay of any person holding or acting in any office in the Police Force not higher in rank than the office of Inspector, is hereby vested in the Governor acting on the recommendation of the Commission."
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That as you will notice, is part of the new Clause which has been inserted after consultation with the Police Association. Then paragraph 2 reads as follows:—

"(2) Before the Governor acts in accordance with any recommendation of the Commission made pursuant to subsection (1) of this section he shall inform the person concerned of the recommendation and if the person then applies for the case to be referred to the Privy Council, the Governor shall not act in accordance with the recommendation but shall refer the case to the Privy Council and the provisions of subsection (5) of section twelve of this Act shall apply in relation to such a reference as they apply in relation to a reference made under subsection (4) of section twelve aforesaid:

Provided that the Governor, acting on the recommendation of the Commission, may nevertheless suspend that person from performing the functions of his office pending the determination of the reference to the Privy Council."

Well, Sir, I think that speaks for itself. Although an officer may have the right to appeal to the Governor, he may ask that the appeal be sent to the Privy Council after it has been heard by the Governor or referred to the Commission. And then it goes on "Provided that the Governor, acting on the recommendation of the Commission, may nevertheless suspend that person from performing the functions of his office pending the determination of the reference to the Privy Council."

I beg to move that Clause 14 as amended, stand part.

Hon. R. G. MAPP: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 14 renumbered 15, was called and passed.

Clause 15 renumbered 16 was called. It reads as follows:—

The Governor, after consultation with the Commission, may make any regulations which he considers necessary or expedient for providing for all or any of the following matters —

- (a) the exercise by the Commission of additional functions;
- (b) consultation by the Commission with persons other than members of the Commission;
- (c) the organisation of the work of the Commission;
- (d) the time and manner for making application for a reference to the Privy Council under subsection

(4) of section twelve and subsection (3) of section thirteen of this Act and all matters incidental to such references;

- (e) generally, for giving effect to the provisions of this Act.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 16 as follows:—

- (a) by the substitution of a comma for the word "and" appearing immediately after the word "twelve" in the third line;
- (b) by the insertion immediately after the word "thirteen" in the fourth line of the following words — "and subsection (2) of section fourteen".

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 15 renumbered 16 as amended stand part.

Hon. R. G. MAPP: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 16 renumbered 17 was called and passed.

Clause 17 renumbered 18 was called. It reads as follows:—

Any person who, in connection with an application by any person for appointment to any office, power to make appointments to which is vested by this Act in the Governor acting on the recommendation of the Commission, or with any matter upon which it is the duty of the Commission to make recommendations to the Governor under this Act, wilfully gives to the Commission or to any member thereof or to any person or body of persons consulted by the Commission pursuant to the provisions of any regulations made under section fifteen of this Act, any information which is false or misleading in any material particular, shall be liable on conviction by a court of summary jurisdiction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I am asking leave to amend Clause 18 by substituting the word "sixteen" for the word "fifteen" appearing in the eleventh line.

There being no objection, leave was granted the Hon. Premier.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Clause 17 renumbered 18 as amended stand part.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Clause 18 renumbered 19 was called and passed.

Clause 19 renumbered 20 was called and passed.

Clause 20 renumbered 21 was called and passed.

Clause 21 renumbered 22 was called and passed.

Clause 22 renumbered 23 was called and passed.

Clause 23 renumbered 24 was called and passed.

The Schedule was called and passed.

Hon. Dr. H. G. H. CUMMINS: Mr. Chairman, I beg to move that Your Honour do now report the passing of one Bill in Committee with amendments.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.
8.05 p.m.

Mr. CHAIRMAN reported to Mr. SPEAKER who reported accordingly.

On separate motions of Hon. Dr. H. G. H. CUMMINS, seconded by Hon. D. D. GARNER in each case, the Bill was read a third time and passed.

COMMITTEE OF SUPPLY

Mr. SPEAKER: The next Order of the Day stands in the name of the Hon. Leader of the House: To move the House into Committee of Supply to consider the grants of sums of money for the service of the Island.

Hon. M. E. COX: I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division.

Mr. SPEAKER left the Chair and the House went into Committee on the Supply, Mr. BRYAN in the Chair.

SUPPLEMENTARY ESTIMATE 1961-62 No. 13

Hon. F. E. MILLER: Mr. Chairman, I want hon. members to regard this Resolution as a humanitarian approach to the case. It is for the sum of \$2,005 and it is in connection with a rather unfortunate circumstance which occurred to a patient by the name of Mr. Ulric Nathaniel Blenman at the General Hospital. The case dates back from December, 1956. I do not know whether the House, and for that matter members of the public, know what took place in this matter. This gentleman was admitted to the Hospital in December 1956 where he had the first part of an operation. The last part took place during the end of last year. For some reason or the other he suffered and sustained burns. He had what is called a spinal injection. That is a form of anaesthetic and for some reason or the other, he did not come out of the anaesthetic as quickly as he should after the operation. Anyhow, due to his general condition, there was the indication that he was not doing as well as the doctors thought he should, and they suggested that he should be given a treatment by putting hot-water bottles on his legs. He received burns as a result and the lower thighs are still anaesthetized by this spinal injection.

It is rather unfortunate and treatment to this individual has been going on, as I have said, from 1956 until the end of last year when the last part of this major operation took place.

Sir, we had the opportunity of discussing with this gentleman this operation and the Government feels that this gentleman, having lost earnings through his illness, should be given some sort of compensation and, as a result, this Resolution is before you. We are happy in making this contribution to this man. The amount is what we think he really deserves.

I may say that it is the type of accident or incident which occurs once in a while. I do not think we should attribute blame to anybody in any way. We should not attribute any blame to the Nursing Staff. I will only say that is unfortunate that Mr. Blenman suffered as a result and the Government feels that he should be given some sort of compensation for loss of earnings, and this amount is before you.

I beg to move that this Resolution do not pass.

Hon. L. StA. THORNE: I beg to second that.

Mr. BRANCKER: Mr. Chairman, I must say that this is an extraordinary Resolution. We are asked to vote the sum of \$2,005 to enable compensation to be paid to this gentleman who sustained injuries in December 1956, which is almost five years ago. I wonder if we can have greater detail from the Hon. Minister who has introduced this Resolution and given us a hint as to the nature of the illness and who has also remarked a little on how the injuries were said to be sustained.

This gentleman, I gather, was a patient at the General Hospital. I do not remember hearing the Hon. Minister say-

ing which ward he was in, whether he was in one of the free wards and for that reason did not obtain as good care and attention as he might have obtained if he were in one of the paying wards. Perhaps I might hear from the Hon. Minister a little later. However, Sir, it is not until August 1961 that we are asked to provide this compensation and I would like to know: on what basis is this amount of compensation arrived at? Seeing that it is as a result of injuries which were sustained as long ago as December 1956, I think that the amount proposed to be voted is inadequate. This amount of \$2,005 also includes stamp duties. I wonder if the Hon. Minister would say what was the occupation of Mr. Blenman at the time he was a patient of the General Hospital and suffered injuries there, for which we are asked to provide compensation. I am not for one moment suggesting that the compensation is not deserving. As I have said, it appeared that the compensation is inadequate. Is this the amount that the gentleman suggested would be reasonable or is it the result of a compromise between the Hospital and the patient? How is this figure arrived at? It is not a round figure; it is \$2,005. Of course, it is a question of stamp duty which may have caused it not to be rounded off.

Sir, some more information would be very welcome. How long has this gentleman been a patient in the General Hospital before he sustained these injuries? For what period of time was he there? How exactly did he receive these injuries in respect of which we are now seeking to compensate him?

8.10 p.m.

During the time that he has been suffering - this again has a bearing on the matter - what about the support for his family and the people who might be entitled to receive support from him up to the time that this accident took place? Was this man insured? I am sure that the Hon. Minister will give much more information than he has so far vouchsafed to us.

Mr. TALMA: Mr. Chairman, the hon. member has given us very scanty information; he seemed to be rather timid to inform this Committee as to what has actually happened in this case, the nature of the operation and certain other particulars which the Committee is entitled to know. On the face of this Resolution, it would seem, inasmuch as the second phase of the operation took place last year and the first phase took place in December, 1956, as if an action for negligence is being threatened and a compromise has been arrived at in order to avoid any regular Court scene. This sum of \$2,005 which is not a round amount, includes the payment of stamp duties and we can realise that an action for damages has been threatened by this former inmate of the General Hospital.

Now, Sir, the second operation might have been unsuccessful. The Minister has been very brief in the information which he has supplied to us. If it is a question of an action for negligence and the matter is being settled out of Court, let the Hon. Minister say so. The Minister is not saying that either the Doctor or the Nurse is guilty of negligence; who then is guilty of negligence? The Minister? The Minister is not a male Nurse: so there must be some negligence somewhere. The Minister should at least tell this Committee how this accident occurred and at least give us some sort of feasible reason for his coming down here for this Resolution for the sum of \$2,005 without telling us how this money is being spent. We cannot vote away the people's money like that. We do not know for what we are voting. This man was burnt in December, 1956, and sometime last year and somebody has got to pay for that.....

Mr. Chairman, it appears to me that there is a prospective action for negligence. The very mention of stamp duty charges in connection with the payment of this compensation gives an indication that there is such an action. That is how it seems to me, but the Minister need not be so timid in this matter. Let us have the information; the Minister has a reasonable Opposition in spite of numbers who will vote for whatever is reasonable.

Hon. F. E. MILLER: Mr. Chairman, I shall attempt to answer the questions which have been asked by hon. members. I do not know why the hon. senior member for Christ

Church should assume all of these things. This Resolution is not the result of a compromise in respect of any threatened action; far from it. This man was admitted to the General Hospital and was placed in a charity ward, namely Ward III. The hon. junior member for St. Lucy was wondering whether the treatment in the charity Ward was as good as this man would have received in the Pay Ward. I should like to tell the hon. member that the medical treatment would apply equally as well in both places. Ward III is a surgical ward. This man was admitted to the Hospital for a major operation. The Doctor who handled the operation was called in suddenly to give this gentleman an injection so as to take off his blood pressure because he was failing and would probably expire. They used hot water bags on his legs and it was from the use of the hot water bags that he sustained some burns. There was no threat of any action; there was no talk with any lawyer or anything of that sort. This man used to work at a sugar factory and the investigation and examination revealed that his earnings on the average were \$1,400 per annum.

This matter was computed on a 50% basis and that is how we arrived at this figure. The last phase of the operation was done last year. I do not want to disclose what would be regarded as the man's private affairs. This occurrence was quite normal; it was the sort of thing which could happen in any institution. This man was admitted to the Hospital and one of the Nurses revealed his condition and he was rushed to the Surgery. He sustained some burns when some hot water bags had to be used. It was the last phase of a major operation to save his life. We asked the Attorney General to examine this case. I repeat that there was no question of any threat of an action or of any talk with any Solicitor or Lawyer. (Mr. CRAWFORD: Which parish is he from?) I do not think that the hon. member should ask that question; it is sufficient to know that this man was sick and he was a patient at the General Hospital. I do not think I should disclose this man's private affairs. He was admitted to a charity Ward and he was rushed to the Surgery for a major operation.

8.25 p.m.

A couple of hours after we discovered that he was fading, and the doctors thought that he should be given the normal treatment which is an injection, and they usually augment that with hot water bottles. As a result, he sustained burns on his feet. Over the period of four years and after the final major operation which was handled by the Surgeon Specialist, we realised that he had lost wages and Government felt that he should be given some sort of compensation. There was no claim made by the man in question or from any Solicitor or Lawyer. I took up the case in the Ministry and referred it to the Cabinet and we were satisfied after discussion that the particular case merited compensation, and

here is this Resolution before the House to give compensation to this man who, I think, is really in need of it after a long period of illness.

I hope, Mr. Chairman, that I have answered the questions, but if I need answer any further questions, I would be rather anxious to do so.

Mr. CHAIRMAN left the Chair and Mr. SPEAKER took the Chair.

Mr. SPEAKER: It now being 8.30 p.m., this is the moment of interruption.

Is the matter now under discussion considered to be controversial?

Mr. TUDOR: Yes, Mr. Speaker.

Mr. SPEAKER: Then it may not be proceeded with.

Hon. Dr. H. G. H. CUMMINS: I thought perhaps that if I gave the Committee a few words of explanation, the matter could be settled if they would accept that.

Mr. SPEAKER: For the House to go back into Committee, the matter will need to be non-controversial.

Mr. TUDOR: On a point of order, Mr. Speaker, if we allow the Hon. Premier to make his statement, would we be able to debate it if anything arises from it?

Mr. SPEAKER: If the matter is deemed to be non-controversial, it may be proceeded with.

Mr. TUDOR: It is controversial.

Mr. SPEAKER: The matter is deemed to be controversial; so it cannot be proceeded with.

ADJOURNMENT

The Order Paper having been fixed.

Hon. M. E. COX: Mr. Speaker, I beg to move that this House do now adjourn until Tuesday, 22nd August, 1961, at 12 noon.

Hon. D. D. GARNER: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

8.35 p.m.