
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 - 81

HOUSE OF ASSEMBLY

Tuesday, 17th July, 1979.

Pursuant to the adjournment, the House of Assembly met at 12.20 p.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, J.P. (Speaker); Mr. R. St.C. WEEKES, J.P.; Hon. L. S. CRAIG, (Minister of Housing, Lands and the Environment); Mr. E. E. GREAVES, B.A., Ed.M.; Mr. D. A. C. SIMMONS, LL.M.; Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Mr. J. G. ODLE, B.Sc., (Chairman of Committees); Mr. M. C. C. WARD; Hon. H. B. ST. JOHN, Q.C., LL.B., (Deputy Prime Minister, Minister of Trade, Tourism and Industry) (Leader of the House); Mr. V. L. JOHNSON, M.A.; Mr. B. M. TAITT, M.A.; Mr. L. L. SISNETT; and Dr. R. C. HAYNES, M.B., Ch.B., M.R.C.P. (Edin).

Prayers were read.

MINUTES

Mr. SPEAKER: The Minutes of the meeting of Tuesday, 10th July, 1979.

Hon. H. B. ST. JOHN: Mr. Speaker, these Minutes have been circulated, and subject to any observations of errors by any hon. member, I beg to move that the Minutes be confirmed.

Mr. SPEAKER: If there are no objections, from hon. members, the Minutes of the meeting of 10th July, 1979, stand confirmed.

PAPERS LAID

Hon. H. B. ST. JOHN: Mr. Speaker, on behalf of the Minister of Finance and Planning, I beg to lay the

Annual Report and Financial Statement of Account of the Central Bank of Barbados for the year, 1978.

Also, the Betting and Gaming Duties Regulations, 1979.

GOVERNMENT NOTICES

Hon. H. B. ST. JOHN: Mr. Speaker, on behalf of the hon. Attorney General, I beg to give notice of a Bill to reform the law relating to domicile.

Also, notice of a Bill to reform the law relating to children by providing for their equal status.

Mr. Speaker, on my own behalf, I beg to give notice of a Bill to provide for the training of persons for or in gainful employment in occupations in all branches of economic activity in Barbados.

On behalf of the Minister of Finance and Planning, I beg to give notice of a Bill to amend the Highways Act; also

A Bill to amend the Storage of Petroleum Act.

FIRST READING OF BILLS

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to give notice that a Bill to reform the law relating to domicile be now read a first time.

Hon. L. S. CRAIG: I beg to second that.

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

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that a Bill to reform the law relating to children by providing for their equal status be read a first time.

Hon. L. S. CRAIG: I beg to second that.

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

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that a Bill to provide for the training of persons for or in gainful employment in occupations in all branches of economic activity in Barbados be read a first time.

Hon. L. S. CRAIG: I beg to second that.

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

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that a Bill to amend the Highways Act be read a first time.

Hon. L. S. CRAIG: I beg to second that.

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

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that a Bill to amend the Storage of Petroleum Act, be read a first time.

Hon. L. S. CRAIG: I beg to second that.

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

NOTICE OF MOTION FOR ADJOURNMENT OF HOUSE ON MATTERS OF PUBLIC IMPORTANCE

Mr. SPEAKER: This morning I received a notification from the hon. member for St. Lucy that he will be seeking permission to move a motion for the adjournment of the House today under Standing Order No. 18. Permission under this Standing Order is refused. I am, however, very much inclined to urge upon the hon. member to table a motion in the ordinary process which would initiate a debate on the subject matter contained in his notification. He can rest assured that the Chair will do all in its power to see that the matter is debated.
12.30 p.m.

ORDERS OF THE DAY

Hon. H. B. ST. JOHN: Mr. Speaker, under Government Business, I beg to ask leave that Order No. 2 be the instant Order of the Day.

Mr. SPEAKER: Order No. 2 is the instant Order of the Day.

RESOLUTION TO APPROVE COMPULSORY ACQUISITION OF LAND AT WAVELL AVENUE

Order No. 2 was called – A Resolution to approve the compulsory acquisition of land at Wavell Avenue, Black Rock, St. Michael, for housing development.

Hon. L. S. CRAIG: Mr. Speaker, this is another matter which relates to the acquisition of land to assist in carrying out developmental improvements along the Spring Garden Road. A number of houses must be resited, and it is Government's policy to see that those persons in an area from which they have to be removed are closely sited to their friends and relatives. It is in that light that I seek parliamentary approval for the acquisition of two parcels of land, of which I have plans; and if members on the other side would like to look at them, I am quite willing to allow them to look at the plans if they need them.

I also want to give the House the assurance that the relevant letters have been sent and the notices have been published in respect of those persons. I say that in the light of the speech made by the hon. member for St. Michael South last week, where from the tone of his speech it appeared that he was a bit concerned that Government was acquiring people's land without writing them to notify them. I made a check at my office, and I will give the member the assurance that all relevant letters and notices have been sent and published; and it is not Government policy to move people from premises where they have been living for a very long period without notifying them.

Surely, we would not take the step of acquiring land in St. George and putting a pavilion on it, where people were living on that land for a long time, without even giving them any notification or things of that nature. This Government deals with its business in a very proper manner. I would also like to assure the House that we will not put up something and then push it down without giving people any notice. We do our business in a dignified manner.

With those few remarks, Mr. Speaker, I beg to move that this Resolution do now pass.

Hon. H. B. ST. JOHN: I beg to second that.

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

SUPPLEMENTARY ESTIMATES 1979–80, PART I – CURRENT NO. 5

Order No. 1 was called – A Resolution to grant the sum of \$85,125 from the Consolidated Fund and to place

it at the disposal of the Government to supplement the Estimates 1979-80, Part I Current, as shown in the Supplementary Estimates 1979-80, No. 5, which form the Schedule to the Resolution.

Hon. H. B. ST. JOHN: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply to consider a Resolution for the grant of money for the service of the island.

Hon. L. S. CRAIG: 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 of Supply, Mr. ODLE in the Chair.

Hon. H. B. ST. JOHN: Mr. Chairman, the object of this Resolution is to supplement Item 9 under Head 4(2) (Cabinet), Printing Department, Plant and Equipment in the sum of \$68,000 to purchase machines to replace existing machines in the Government Printing Department.

When the Estimates were being prepared, representatives of the overseas suppliers of the machines in the composing rooms of the Government Printing Department were carrying out an overall assessment of the condition of those machines. As hon. members who are familiar with the financial procedure in Barbados will be aware, every effort is made before the acquisition of new machinery to replace existing machinery for an accurate assessment of the serviceability of the equipment sought to be replaced is undertaken.

In view of the fact that these machines were machines supplied from abroad, this assessment could not take place at the time of the preparation of the Estimates. Subsequently, the overseas suppliers have carried out an assessment of the machines, and although the machines appeared to be in reasonable condition externally, upon an internal examination of the prime parts, it was found that they were subject to considerable wear and it would be inadvisable to attempt to just replace spare parts for a number of reasons.

One reason is that by replacing spare parts, there will be no guarantee that the machines would in the future operate to their maximum reliability, and secondly advice was given that the spare parts for the machines will not be available in the future, as those machines are of an age and type that they have been phased out by the manufacturers. In view of this information, a request was made for a recommendation from the suppliers, and they recommended that a modern Magnetic Card Composer machine be installed. The cost of that is \$68,000, and hence the estimates have to be supplemented by that

amount to purchase two of these machines to replace the unserviceable machines that are now there.

Mr. Chairman, I beg to move that this item for \$68,000 stand part.

Hon. L. S. CRAIG: I beg to second that.

Dr. HAYNES: Mr. Chairman, I would just like to make a few brief observations on this particular matter. There is of course no hesitation on this side in giving our support to it; but I think that it is most important that we begin to look and see what is happening in relation to the ever increasing demand of work on the Government Printing Department.
12.40 p.m.

There is no doubt in my mind that over the years we have seen a rapid increase in the growth of the bureaucratic red tape in this country. This in itself has resulted in the demand for more and more forms, the completion of which again and again seems to represent some form of efficiency, but in fact in many instances is nothing more than a waste of time and has little to do with productivity. I believe the time has come where in each department of Government some thought should be given before they make more and more demands on the Government Printery. I myself have been associated with a department of Government, and over a nine year period it is incredible to see the volume of paper work and the way in which this has escalated during that period almost to a point where that particular department was demanding its own printery, and I do not even know whether or not they have got that printery as yet. So I do believe, Mr. Chairman, that certainly in Government some thought should be given to this developing and escalating bureaucratic process, otherwise you will find that there is a need for more and more subventions for the Government Printing Department when in point of fact a lot of this work could be avoided if we tried to use our native wits in finding means of avoiding the kind of bureaucratic bottlenecks which have developed in other societies.

The second point I wish to make is this; that I believe that a lot of work could probably be given out to the private sector and that this should be encouraged as far as possible. However I am going to caution that we have to be a bit careful of the appearance of certain little men in that kind of operation. Nevertheless I think that that would be a trend and would probably help to reduce the workload on the Government Printery whilst at the same time increasing the efficiency where it is necessary to have such printing done.

Thirdly, as the newest member of this Honourable House, and I do not wish to concern myself with the past as I do not think that we can be delving into the past, I

would like to see a situation where the debates of this House can be ready for members within a matter of one or two weeks. I understand that at the moment there is no problem with the staff of the House in having the debates ready, but that the problem is with the Printery. If that is the case, I think it would make parliamentary life much more interesting; it would certainly contribute to better debating practices if you could reflect on what you have said in a matter of a week or two, and so help in the richness of parliamentary life. I think it is most important. I do not think that the inevitable response that in the past it took longer than a year and nine months and we are only a year now is good enough. Any administration at any time must have a particular objective to work to, and I would certainly hope that in the forthcoming year or two we will see the stage reached where we can get our debates within probably a week or two.

And so, Mr. Chairman, in those very brief remarks I have pointed to the need to carefully examine the demands on the printery consequential on certain bureaucratic habits which have accrued in this country over the years which have but little relevance to productivity, and also the question of utilisation of non-Government printeries in order to assist in this workload and probably generate more employment in the private sector, avoiding certain problems which I gather have arisen in respect of one or two statutory boards, and finally on the question of the printing of parliamentary debates I would like to see this accelerated because I think this would be for the betterment of Parliament and for the country as a whole.

Hon. L. S. CRAIG: Mr. Chairman, I had no doubt, Sir, that there would have been a contribution made by the hon. member for St. Michael South Central who surely has now styled himself as the parliamentarian on all conceivable subjects. What he said here, Mr. Chairman, is called soup being warmed up. For the past ten years between 1966 and 1976 the now Speaker of the House who was the chief spokesman on matters of that nature was urging the then Government which is now the Opposition to try to improve and to speed up the debates and things which relate to Parliament at the Government Printery. The whole problem is that the Printery has outgrown its usefulness, and the only thing the then Government did at that time after being urged on and urged on by the now Speaker of the House was to buy a piece of equipment for \$90,000 which is still lying in the yard of the Government Printery. This is how they operated at that time. The equipment is now obsolete, and the taxpayers' money has gone down the drain because of their inefficiency at the time in running the Government. What they did at the time is that they imported the equipment and yet did not have anywhere to put it apart from in the yard. The same thing happened at the Barbados Marketing Corporation. If you go up to Codrington House now, there is a plant which cost some \$300,000 lying

down there which the Government of the day imported into Barbados to improve the BMC, and when it came down the specifications were wrong. That is at Codrington House now; \$300,000 of the taxpayers money.

Now the hon. member who has just come in — and I am going to assure him will be out soon; I am giving you a little hint, so take a hint from a guy who knows — is calling on the Government to improve the efficiency of the Government Printery. We know only too well on this side the problems that we had in getting papers early because of late printing; you have not got to warn us about that. We are well aware of that, and that is why we are seeking the approval of this Resolution today. But the hon. member must be heard at some time on all subjects and at most times wrong on them. This I am supporting and I am quite sure that I was hoping that hon. members on the other side, apart from the hon. member for St. Michael South Central, would have had a worthwhile contribution to make, but we have heard absolutely nothing from the hon. member but the old can of soup that the Speaker was trying to warm up for years attempting to warm up again. That is his contribution today.

Mr. WEEKES: Mr. Chairman, I just want to make a few comments, and to say that it is the third year that the former Government was defeated and therefore to attach the blame in full to the former Government can or may be misleading. If the former Government had retained power, those complaints which the hon. member has made in his opinion in good faith, the former Government would have corrected in carrying out their plans.
12.50 p.m.

However, we in this House of Assembly should not on all occasions reminisce on those issues when we are fully aware that the equipment which the present Government has found was there in the interest and improvement of this country but as fate would have it, the former Government was not elected and therefore I consider it my duty to clear the air of that adverse comment which might have been made.

The question that Head 4(2) stand part was put and resolved in the affirmative without division.

HEAD 10 — MINISTRY OF THE ATTORNEY GENERAL (5) PRISONS

Hon. H. B. ST. JOHN: Mr. Speaker, the sum of \$17,125 is required to supplement the Grants to Individuals in the Ministry of the Attorney General to enable increased payments to be made to prisoners while undergoing their sentences in respect of work which they carry out under the Prisoners Earning Scheme.

The earnings have not been revised for a considerable period of time and although it may be the

view of some hon. members that they are not entitled to earn anything at all, one of the objectives of the exercise is to try to rehabilitate prisoners when they are undergoing their sentences and some incentives have been granted for a considerable period of time with a view to encouraging them to learn that when they are not in prison that work is a worthy thing to indulge in.

Representations have been made by those responsible at the Prison for review of the earnings as an additional incentive and the Government has accepted the recommendation in view of the time which has elapsed since the last review of the rates of the earnings and this sum is required to permit payment at the increased rates.

Accordingly, Sir, I beg to move that the sum of \$17,125 stand part.

Hon. L. B. BRATHWAITE: I beg to second that.

Hon. H. B. ST. JOHN: There is a supplementary question. The hon. member has asked how much. I will find it for him. The present rates are, Special Grade — 60 cents; Grade A — 48 cents; Grade B — 24 cents; Grade C — 12 cents. The proposals are — Special Grade — \$4.35; Grade A — \$3.78; Grade B — \$3.27 and Grade C — \$3.52 per week. I believe that those rates were not revised since 1956 and I think hon. members would agree that there were very little incentive of pay under those rates and the Visiting Committee reviewed this matter and those are the recommendations, Sir, and the Attorney General was pleased to accept these and this is the reason for the Supplementary Provision.

There is a substantial increase in the rates based on the recommendations of the Visiting Committee and it was agreed by the Superintendent and the After-Care Committee. They helped the Superintendent in his efforts to rehabilitate the prisoners.

Mr. TAITT: Mr. Chairman, I have not very much to say on this except to say that I cannot help observing that the only other group in Barbados that has got a raise which approximates that recently received by the Ministers in terms of incentives would seem to be the prisoners. I do not know what the relationship is.

Seriously, Mr. Chairman, some time ago in 1974, I believe, we had the now famous Constitutional Debate in the Other Place and the hon. member, the Leader of the House would recall, that the then Senator, Senator Wes Hall, made one of what I considered to be the best Parliamentary speeches I have heard in any of the Chambers and it had to do with the part of the Amendment of the Constitution dealing with rehabilitation of prisoners, giving persons who went to Prison the right to vote, etc., and since then I have recommended it, not only to my colleagues who were then in the

Government but I recall that in another debate in this Chamber I have recommended that the comments made by Senator Hall at that time should be drawn to the attention of the Attorney General and I got the assurance from the Attorney General in this Chamber that he would in fact look at those comments. There were far reaching, decisive and they came from a position of experience, Senator Hall having worked in Britain in a rehabilitation capacity with prisoners and they made recommendations for Barbados Prison Rehabilitation.

Now, Mr. Chairman, I do not believe that since then I have heard any undertaking from the Attorney General that any steps have been taken to make any improvement in the rehabilitation of prisoners in Barbados. I am not going to attempt to speak at length at this point on this issue but there is one thing which I would like the Leader of the House to draw to the attention of the Attorney General. I believe that in Barbados at this time that this House should be given the opportunity to pronounce on its attitude to the punishment of prisoners including Capital Punishment.

I feel that we in this Honourable House should be given an opportunity, and the Leader of the House should set aside a day where we can debate the pros and cons of Capital Punishment and where this House representing the collective whims of the people of Barbados can express their views. I do not propose to debate that issue now having called for a day to be set aside for the issue, but I believe that in the last quarter of the 20th Century there are a number of required punishments on the Statute Books of Barbados, which are, as you very well know, Mr. Chairman, related to a different time and to a different place.
1.00 p.m.

I believe we ought to take the opportunity to do something about making Barbadian laws and punishment especially relevant to the 20th and 21st centuries. I fear that if we merely add a piece of legislation each time that all we succeed in doing is giving the impression that we in Barbados are not capable of doing this. I do not think that young people who now look at crime and punishment in Barbados can feel that this society treats its offenders in a just and humane manner. There are a lot of reports coming out — I have a few friends who visit the prison, who sit on the After Care Committee — and some of the reports they make do not make pleasant hearing. I do not believe that any Government or any political party can take the responsibility for the negative attitude that is shown by the society to the concept of after care and rehabilitation, but I believe that the political parties ought to lead the way in bringing a new approach, a new era, to this question of punishment for crime in this society.

I have read some old debates and saw some very interesting views expressed in the past about the attitude

that should be adopted towards prisoners, but everyone knows that it is perfectly possible to find oneself in a difficulty if a child, for example, runs across the road and is accidentally killed. One can find oneself in Glendairy for all kinds of reasons, and I believe that we in Barbados by now have reached the point where we can take a 20th century view, a modern view of crime and punishment.

One other point I wish to make, Mr. Chairman. Some time ago the Leader of the Opposition, the Rt. hon. member for St. John, raised a question relating to white collar crime in Barbados. The Attorney General assured us that we would hear from him some indication of the Government's thinking of steps to improve detection of and punishment for white collar crimes, but I have not heard a single word from the Attorney General and I will continue to wait to see what is the Government's view on that. (*Aside*). The hon. member for St. Michael West obviously expects me to touch on matters that do not belong here, but they have put certain issues on political platforms and I will deal with those issues on political platforms. They have answers which other people do not have and we hope that they will give these answers, but I have no intention of being drawn into a debate other than what this piece of legislation calls for.

Dr. HAYNES: Mr. Chairman, irrespective of what Glyne Murray or Henry Christopher or Christopher Wren, I put it that way, or what any hon. member might think I will at all times speak in this Chamber on any matter on which I feel strongly or on which I have specific information and where I feel I can make any contribution in any area.

I am pleased to note that there is this increase for the prisoners in this country. I certainly regard this as long overdue, but we must see it in its proper perspective. We must see it in its proper perspective because it represents only a very minor area in the whole process of dealing with the question of prisoners in any society.

Nor at any time will I be constrained in taking any position on the floor of this Hon. House in relation to what obtained in the past. I will always speak in terms of what I feel should take place now and take place in the future, and will not be in any way affected by past history. I entered this Chamber, Mr. Chairman, about a year ago, and that is the beginning of my contributions in this Hon. House. I think myself from what I have observed and what I have learnt that there is a need, for example, for an upgrading of the physical environment in which the prisoners in this country are kept. I understand that there is a need for a review of the type of punishment meted out at that institution for those who may well be deserving of punishment, but there needs to be a review of that whole process.

I understand there is also a need for a clear definition of the human rights of prisoners. I believe as we move into this part of the century and we note very carefully what is happening in the Caribbean, I think that it may not be too long before we have to consider the rights of political prisoners, particularly now that we have a Defence Force, etc. and the possible consequences of that. However, there are some specific areas of concern.

People go to prison for different reasons. I have no doubt that there are some people who will always be criminals in any society. I think that there is a need at all times for a proper psychiatric and psychological evaluation of every prisoner in order to determine what can be done for that particular individual. I think, Mr. Chairman, that there is a need to step up the social services made available to prisoners in the effort for effective rehabilitation. I think there is a need for the teaching of a wider variety of skills within these institutions because if we are being serious about rehabilitation it is most important that after having these psychological and other testings for the particular aptitude of an individual, what would give them their own life or would give them fulfilment for life could be properly determined and that facilities wherever possible should be available so that when he walks through the doors of that prison he would be walking into an occupation that is appropriate.

Then of course there is also the need for the upgrading of the After Prison Service, which I gather exists to some extent, but I do not need to go through the kind of problems that prisoners face when they have to be re-absorbed into the society, the kind of assistance that is given to them at that point in time by being adequately prepared whilst there in the institution.

1.10 p.m.

I think that everybody on both sides of this House will recognize that apart from the question of punishment there is the question of rehabilitation. But it is also necessary for hon. members of this House to define those areas as they see them in order that we can get down to serious work on the problem. From time to time in my profession I have been called upon to examine persons who have been arrested and who have been in custody for some time, and although we are all aware that complaints of brutality should always be looked at with caution, bearing in mind the problem faced by those people responsible for protecting us from the dangerous elements in the society, I have a suspicion this is an area that probably requires some examination. I am not totally satisfied that a person arrested and in custody always receive the level of treatment which should be accorded him.

I am also concerned that there is a debate raging widely in New York at the moment on the question of

the availability of bail. From time to time one comes across instances — and I believe members of the legal profession who are members of this House will be aware — but certainly one should not be in the situation where the social and economic position of a given individual was of significance in his capacity to obtain bail. A more progressive position has been taken by a well known New York judge recently on this matter. There it was not only a question of the social position of the individuals but also there was a racial component, which I do not think operates in this society, but there is that particular element that needs to be looked at.

There is one other point I want to make. I have been very concerned recently about certain aspects of capital punishment. I hold the view that this is not only a matter that should be examined but that we as legislators must at all times try to isolate ourselves from certain elements of barbarism, bearing in mind particularly the kind of society in which we live, where probably over 99% of the people who go into Glendairy are people from the lower socio-economic groups. I believe that there is also concern about certain happenings involving teenagers and very young people in Barbados, and I believe that the time has come that this whole matter of capital punishment has to be looked at. I know what my position is — I am against capital punishment. It is not a position that will necessarily endear me to the majority of people in this country, but looking at the experiences in other societies — and in this matter we are not necessarily paving the way — there are some countries where capital punishment has been totally abolished and in others retained only in part. I know that in Barbados we have gone a long way in utilizing various measures in trying to get around to this problem, but it is a matter to be dealt with in the light of what is happening in this society in the 20th century. My appeal, Mr. Chairman, is therefore really this: Firstly, for an involvement in the humanizing of the whole system of punishment of prisoners; secondly, to put into operation many of the skills you have available within the society in order that those unfortunate persons can be helped back to a normal productive life and not along the path of crime; and thirdly and most important I wish to make it clear that there is grave difficulty in any society in reaching a consensus as to what could be done in this area, how far we could go along the line of punishment and rehabilitation. I am aware that it is a serious matter that requires careful evaluation because you can find yourself in a situation where instead of getting a reduction in the incidence of crime and more effective rehabilitation, you may find yourself in a situation where you are making it easier for people to commit crime. I am therefore aware that this is a matter which requires serious thought. But the areas I am speaking of are areas that have concerned me for a period of time — for at least ten years. I believe at one stage I even went to the point of writing a letter to the Attorney General with regard to brutality to a

prisoner lying in hospital handcuffed, and by refusing to examine the patient in that condition I nearly got myself in trouble.

I believe that it is in this hon. House that we must address ourselves to these problems because we do not know who will be the prisoners of tomorrow. And it is my feeling that we often do not address ourselves to these serious problems despite the fact that almost every developed society has recognized the problem and tried to do something about it. But we try to evade the problem, and not until a sufficient number of people from certain classes in this society feel the rough arm of justice we will find ways in this society to promote better conditions for prisoners. This is one of the problems we have in Barbados. So long as the vast majority of people come from the disadvantaged groups, then you will not see letters in the Press, you will not see any demand for reform in this particular area.

So, Mr. Chairman, if I have made some slight contribution to this debate, I hope it is in the area of humanizing the system and pressing for reform in the matter of rehabilitation, but without prejudice to the basic principles involved in the protection of the society from criminals and to the role which punishment might play in the process of reform.

1.20 p.m.

Mr. SIMMONS: Mr. Chairman, some of the sentiments expressed by hon. members on the other side are not new to this House, and certainly not to my ears. I am concerned that the hon. member for St. Michael South Central should say early in his speech that he will not be affected by past issues. He is not concerned with the past; but towards the end of his speech he indicated that there were certain areas of crime and punishment with which he was concerned, and has been concerned for a long period of time, as much as 10 years. I would prefer to respond to the hon. member for St. Michael South Central before I deal with some of the principles of punishment and some of the ways in which the regime could be liberalised in relation to prisoners in Barbados.

There was a suggestion or a reflection on magistrates and judges in the context of what was said by the hon. member for St. Michael South Central in reference to the availability of bail. He himself, I do not believe, realised and was fully conscious of what he was suggesting. He made the comment that the availability seems to depend upon the social or economic position of the person who was applying for bail, and he says that these considerations should not influence the question of that person's admittance to bail.

What the hon. member did not appreciate, Mr. Chairman, is that the question of bail is essentially a matter of the discretionary exercise of power by the presiding officer, be he magistrate or judge; and therefore implicit in his comment was that the presiding officer in the exercise of his discretion would take into account a

person's social and economic conditions, and to that extent magistrates or judges would be having regard to irrelevant considerations and perpetuating a system of class. That is implicit in what the hon. member said. I do not believe that he realised that it could have that connotation. I do not believe that I have done any violence to the point made by him.

I would like to assure him from my experience at the Bar that these considerations do not apply to the persons holding judicial or magisterial offices in Barbados today. I would like to make that positively clear. What I would like to say is that in some instances the requirement of a surety is perhaps asked in circumstances where a surety need not be asked, or the quantum of the surety is high; but that has nothing to do with the exercise of the discretion, because when it comes to the question of recognisance or a surety, the magistrate or judge has already dealt with and disposed of the issue of bail, and has granted bail; so that it has nothing to do with the exercise of discretion as to whether a person is from the upper echelons of society or otherwise.

I will say that since we have had a written Constitution, and since there has been disquiet throughout the world and especially in England about the principles of bail, and since there have been a number of cases dealing with the question of bail, and since there has been a spate of legal articles written on the concept of bail, magistrates in Barbados certainly have become more concerned about the principles of bail, and are prepared to grant bail more liberally in pursuance of the constitutional provisions in Chapter 3 of the Constitution which guarantees the liberty of the individual and certain basic freedoms; and so magistrates and judges are very conscious that a person's freedom is a prime requirement for his continued existence in society; and they are prepared, as guardians of the Constitution, to ensure that the provisions dealing with the freedom of the individual under the Constitution is given the widest possible construction and effect.

I do not think that there is any problem in regard to bail before the courts today. In respect of the concept of punishment itself, there are many aims of punishment. I will hesitate before I appear to be lecturing this hon. House, on the aims of punishment. I think that we will all agree that the contemporary view in penology is that one should seek the rehabilitation of the criminal or the rehabilitation of the offender and the subsequent reabsorption into the society. That ultimate aim, having regard to the other aims of punishment which must form some amalgam and the punishment handed down by the Court because when you punish a man, and you hope as a sentencing tribunal that that person will sublimate and can be rehabilitated in the society, it seems to me that you have to consider that perhaps subconsciously you are also seeking to deter others or seeking to deter the man

himself in the future and affecting some justice especially in regard to offences against the person in that you are seeking by punishing the offender to give some solace to the victim of the crime.

There are a number of aims of punishment which interlock with a sentence as imposed; but the ultimate target and goal of any progressive contemporary tribunal which is charged with the responsibility for sentencing offenders who have transgressed is obviously to ensure that when the person sentenced ultimately returns to the open society he is in a position to perform usefully within. And so, this Resolution, Mr. Chairman, is most timely. As I understand it the wages — they call it wages — the pittance which these prisoners were getting since 1956 of between 60 cents and 48 cents a week cannot assist much in the ultimate fulfillment goal because when a man leave prison, he now has to return to a society that he has not seen, be it for twelve months, four years or twelve years.

1.30 p.m.

I am assuming of course that this man has imbibed some of the training while he has been in prison and genuinely, subjectively desires to make his way and to function as a normal person in society again, and on the basis of these two assumptions sixty cents a week for what he has done cannot go far in terms of giving him money to rent a house if he has no immediate family who may wish to take him, then to buy clothes and have some wherewithal to keep him going pending the finding of a job. Matters of crime and punishment, Mr. Chairman, tends to evoke very subjective and personal attitudes even in this House of Assembly. Mr. Boxill when he was in here had what I would consider a very reactionary approach to crime and punishment. There are members on this side who do not share my view or indeed the views of the Attorney General whose ideas I believe coincide with mine at points, and there can be no quarrel because crime and punishment and the criminal aspect of it are very emotional, and people are very often carried away by emotion rather than by proper consideration of facts and a sympathetic attitude.

I believe, Mr. Chairman, that those who have visited the exhibition which has been put on for the last couple of years at Queens Park and who have paid attention to the work, the joinery work, the carpentry and so on put out by the prisoners, realise within themselves that within the prison resides a reservoir of talent which has to be properly channelled. While they are under supervision and direction within the prison they can produce according to a specific plan, but when the prisoner is released on his own, tainted by the fact of imprisonment, shunned, by those who know that he has been to prison, it is very difficult for him to find his feet within the labour market, and if he is not harnessed on his release from prison and those talents which we have seen over the last

couple of years displayed at Queens Park House given some area for expression, then the offender in my submission, Mr. Chairman, is likely to slip back into crime, and of course would be an easy target for the police, and this is very crucial.

A number of persons who have been to prison have told me that on their release they are harassed, watched, trailed and surveyed by the police forces, and if you were a man who had done time for house-breaking and there was a breaking reported in St. John and you lived in Brittons Hill, you could bet your life that the police is going to come for you first on the assumption that you have a link with that offence, and this is why I believe that the after-care services need to be differently and better coordinated, to the extent that there should be a department to which the prisoner will go immediately on his release, and that department would have the responsibility for a number of weeks to supervise the prisoner while he is a member of open society and try as much as possible in having him fixed up with a job. If there was this supervision after prison, I believe that a lot of people who feel themselves unreasonably picked on by the police would be in a better position to defend themselves when they are apprehended by the police, because they would have somebody who could vouch for them, but at the moment I believe, with some justification, that there are prisoners who feel themselves, as I said justifiably, harassed by the police and not given a chance to settle down in society.

I think the sum of \$4.32 or whatever is proposed in this Resolution is a matter which I believe should have been put in the Addendum to the Resolution, but it is proposed to make that substantial increase and I think it will be money well spent. I believe that it would provide some financial back-prop for a prisoner when he comes out of prison to find that he has some accumulated earnings which can keep him going for a period of time.

As regards the physical conditions at the prison, I have no direct contact with the physical conditions inside the cells, Mr. Chairman, but I was at the Prison about three weeks ago and I must say that the exterior of the prison, the walls, the gardens and the grounds and so on are beautifully kept. Admittedly there is a ready pool of labour which has to operate under a very stiff regime, but nevertheless I was impressed by the vegetables that I saw growing there. I was told that they have a number of dairy cattle and so on and produce their own milk. They virtually feed themselves to a large extent, and I know that if it is not said in this debate, at some time it will be said or has been said in the past, why should we pay the prisoners \$4.32 a week when they are living up there free? That is a very blinkered and myopic approach to this matter in my view, Mr. Chairman. They help themselves, but I do not believe that they can totally satisfy their own needs and wants from the vegetables, the bakery shop and whatever they have up there. I think we have to understand that where a person is sentenced

to a term of imprisonment, it is society that is exacting that punishment, and we have a responsibility as society for ensuring that these people do not die in prison, but live as human beings in prison with of course certain basic liberties restricted, and therefore it is our responsibility on behalf of society to ensure that the prisoners are properly fed and clothed. That we give them something for the work they produce during the week is separate and distinct from that, because that goes towards the time when the man leaves society, and if we want to protect ourselves against the criminal in future or that particular criminal, we have to ensure that we give him something which will remove the allurements for him to go and steal or break and enter somebody's house by giving him some money to go out of prison with, and these are the two planks of our responsibility, when he is in there and when he is released. We have in my view to ensure when he is there the regime is tough, but it is not barbaric, and when he comes out we must be prepared to give him a springboard in terms of money which he has earned when he is in there so that he may be able to launch off in society again and take his rightful place having paid his debt to society. I think that is the way the matter should be approached.

Mr. Chairman, I have made pleas in this Chamber on several occasions for some psychiatric help to be given to the prisoners and indeed for a full time person to be attached to the Government Industrial Schools and to the Prison. I do not believe that in contemporary Barbados and in modern penological thought that you can feel that you are doing enough if psychiatric and psychological assistance can only be provided for the boys at Dodds and the people in Glendairy on a part time basis.
1.40 p.m.

You cannot do group therapy and these kinds of techniques on a part-time basis and I regret the absence of the Attorney General today who could probably give us in more detail. I know where he is but a detailed insight into what our Government's plans are for bringing this in line with techniques that are being used in other parts of the World, could be given by him.

In other parts of the World, for example, I know they have got what they call a Supervision order which has been in operation for a couple of years now which is a form of probation for the persons who spend a sentence. It is a non-custodial punishment. I believe it falls to the Probation Officer who has to do some useful work in the open society. I do not know how successful the Supervision Orders have been but I have reason to believe they are highly satisfactory and I expect that this system should be extended so that to some extent this Government should seek to widen the scope of non-custodial orders which come in the area of punishment.

The problems in the Prison are the problems of any Prison throughout the World. I must say that when I go

up there, Sir, I am impressed by the sense of discipline, order, good behaviour, good manners and so on of the prisoners. If members would go there from time to time they would get a shock. I have never noticed any bad behaviour. When I was at Dodds in March this year on one Sunday it was as though no visitors were there at all. The fellows were doing their own thing. They were busing, fighting, and getting on as they like. I was there talking to them but it did not matter.

At the Prison the regime is tougher. I believe that the men there pay some heed to what is being instilled in them. There is a noticeable difference between the two Institutions, although I understand that in the last three or four weeks the behaviour at the Industrial Schools have improved and all hon. members will be pleased to hear this and the boys are a lot more disciplined and responsive to discipline now. We can only hope that the recent trend at Dodds will continue because for a very long time (*Asides*). The Hon. Minister is asking me about the homosexual problems at Dodds. I would not know. All I can tell you, as I said here in a debate earlier this year, that in any Boarding School in Barbados there is homosexuality.

Certainly when I was at Lodge School they had it up there. I am not calling names in here. They told me Harrison College. That was not even a Boarding School. You have it at all the Institutions in the States in America. I have no doubt that you have it at the Prison, Sir. We have to learn to live with that.

As I explained in here in a debate when you throw together a group of men or boys that are adolescent you will find homosexuality. That is not so much a problem as when they vent their frustrations against Government property as they were doing at Dodds breaking up windows, chairs, desks, tearing up their clothes and the beds.

I believe, Mr. Chairman, that it is necessary for the Government to make a profound attack on the question of punishment both at Glendairy and at Dodds. I believe, Mr. Chairman, and I am sorry that the Attorney General is not here but I am tempted to say that it is useless for any of us calling again for a borstal type of Institution to meet the requirement of boys between 15, 16 and 21.

That has remained for as long as I was a boy and my father was in charge of the Government Industrial School and neither of the Governments have to my knowledge, yet tackled it, but I think it is true, Sir, because the little fellows at Dodds who are giving the trouble are no more than 12 or 13 years old and small in size too, not like the big fellows they had at Dodds when I went there in 1948. There are little fellows up there but they are wicked. (*Asides*.) Yes,

I went there in 1948 and lived there for 12 years. I had a room in the house provided for the Superintendent there. Nevertheless, this is a subject that I like.

I have had a long experience with these sort of people. I was able to see Dodds changed from being an Institution — for the boys at the Government Industrial School and this goes back to 1960 were working in the Plantations in the days of the cow carts; very few of us will remember the days of the cow carts — to a school under my father's principalship in the 1950s and 60s and I believe it served some useful purpose for them. Much of the emphasis given to the Industrial Schools in those days came from the hon. member for the City's father who was the Minister of Social Services in those days in the then Government who was very sensitive and alive to the problems of delinquents and gave the necessary support.

Mr. Chairman, I believe I should wind up now but I would expect that the time would come shortly when the Attorney General will find it possible to let the House know what are the Government's plans about Borstal Institutions or such a type of Institution and also the question of the efficacy of the Supervision Order.

Mr. CHAIRMAN: The Minister will wind up.

Hon. H. B. ST. JOHN: I just want to say that I am very glad that this Resolution has led hon. members to speak on the merits and demerits of modern punishment in relation to crime. All societies at some time or another have to carry out a review as to the effectiveness of the significant provisions for dealing with punishment.

I believe, Sir, that World wide there are profound differences of opinion on such matters as Capital Punishment, such matters as to how to deal with young offenders, such matters as to how to deal with criminals and things of that kind. All I want to point out, Sir, is that in Barbados we have in a population of approximately 250,000 people a Prison population of somewhere in the vicinity of 234 at Glendairy Prison. As a matter of fact in relation to the Women Prison, I believe that the average number of prisoners there hardly exceed two or three over a 10 year period so that from this point of view of the number of prisoners per thousand per population I believe we have a very good record.

Now I cannot promise hon. members that I can tell them as to what plans the Ministry of the Attorney General has in relation to modernising the sentences but I do know that it is a subject matter on which the Attorney General presently holds very great and strong views.

1.50 p.m.

I know that he is a very strong advocate of modernising the punishment that is in existence, and as an illustration of this, in 1977 for the first time, the Attorney General initiated a Prison Arts Exhibition which was a resounding success. Indeed, from the file, part of the background information for the justification of this increased especially with the 1977 Exhibition when over \$24,000 worth of orders was received, and by April 1978 \$6,500 worth was actually delivered and paid for in respect of those years. This Exhibition was initiated in 1977, according to this file, for the first time at the instigation of the Minister. In addition to that, there is a tremendous amount of effort being made to widen the scope of the skills that are taught.

Mr. TAITT: If the hon. member will give way on a point of order, I think that that file is obviously wrong. Unless they mean it was the first time for a prisoners' exhibition *per se*, but all of us are aware that the Annual Exhibition always had some prisoners' work, and with the doing away of the Annual Exhibition the work used to be included in the Furniture Exhibition of the BMA, and I think this one was the first prisoners' exhibition, as I said. I am just saying this for the benefit of the hon. member who is obviously guided by the file.

Hon. H. B. ST. JOHN: That is correct, I think the file did say that it was the first time there was a Prisoners' Art Exhibition. It is a fact that the prisoners used to exhibit their furniture with the other people, but the basic position is that there is such a diversity of effort and talent at the prison that they can mount an exhibition on their own, and that is a very important thing.

Also, according to the file, they are exploring the present skills taught — carpentry, joinery, masonry, tailoring, shoe making and repairing, cooking, baking, planting, animal husbandry and tinsmithing — and they are trying to extend it to include cement block building, basic electricity, plumbing, welding, as well as motor mechanics and some other trades, so that a conscious effort is being made to widen the scope of instruction at the prison with the objective of ensuring that people who spend a period of time at the prison would be encouraged to leave the prison with a skill which would lead them into a better possibility of not returning because of the fact that there would have the wherewithal of skills to earn a living.

In every society, despite every effort, there will still be a hard core of people who will prefer to remain in prison, and as soon as you put them out they commit similar offences and go back in. There are some people who because of some psychological problem or some defect in character are criminals, and the rest of society must be protected from that kind. It is not that you want

to send these people to prison, but you have to send them to prison to protect the rest of society from them.

We also have here in Barbados some other problems such as theft of agricultural produce and things of that kind, and we have problems of vandalism. It is obvious that some new type of punishment will have to be devised to deal with that type of crime. You also have the intellectual criminals, people who falsify accounts and things like that, and in some societies some new types of punishment are being created, some giving voluntary labour to the person from whom you carried away the things so that you will understand that you cannot reap unless you sow. In Muslim countries they cut off your hands and such barbarity I do not think has any place down here, it is contrary to our tradition, but we have to tailor the punishment to suit the particular crime.

With respect to capital punishment, I am sure that there are many members on this side who would welcome a debate on this. In Barbados and in the course of the last 15 years in which I have been associated with the Legislature there have always been across the parties a profound opinion as to how to deal with this matter. I believe we have reached the stage in Barbados where the prerogative of mercy is used in such a way as to implement a modified form of capital punishment and that is the situation which we have reached. If we are to reach the stage of complete abolition I think that would have to be the subject matter of a conscious vote on a Resolution before both Houses of Parliament. I know in Jamaica there has been a profound division on this, but at the present moment I think that hon. members must be aware that both this Government and the previous Government have been using the prerogative of mercy.

Mr. TAITT: If the hon. member would give way, you will recall in my opening statement I asked whether the hon. member would be prepared to consider setting aside a special day or part of a day for such a debate. I believe that those of us who do not believe in capital punishment and those of us who believe in it ought to have the opportunity as individuals in this Parliament to speak about it, and I think it is fitting at this stage of our development in Barbados that we have such a debate so that the people in the country can give us their views rather than waiting until Jamaica or Trinidad or somebody else has done it and we do it after that. I would really like the hon. member to let us have a Resolution before both Houses of Parliament as he suggests.

Hon. H. B. ST. JOHN: I can assure the hon. member that if he brings down the Resolution time will be allotted to be as a matter of urgency, because I have no objection myself to a debate on that. I am sure that when the Resolution comes down it will obviously have

to be a matter of conscience, because I think it transcends the political parties.
2.00 p.m.

Mr. TAITT: I would like the hon. member to know that I am prepared to bring such a Resolution and will consult with the Leader of the House if he thinks it necessary, so that the wording of the Resolution might not offend the sensibilities of members of the other side.

Hon. H. B. ST. JOHN: I think that is a worthy subject matter of a debate in Parliament, because I know that there are profound differences of opinion. However, this Resolution is a step in recognition of the fact that if one wants to make use of the effort to rehabilitate prisoners while they are in prison, there should be some incentives to them to take their instruction and some profit to them after they have received their instruction and have continued well. As I said, the standard of work they did was such that remuneration was earned; and it was felt by the After Care Committee and the Visitors Committee that it would be a good thing to give further incentive by increasing the remuneration paid to them on a weekly basis, and the Government is only implementing that suggestion. I beg to move that Head 10(5) stand part.

Dr. CHELTENHAM: I beg to second that.

The question that Head 10(5) stand part was put and resolved in the affirmative without division.

On the motion of Hon. H. B. ST. JOHN, seconded by Dr. CHELTENHAM, Mr. CHAIRMAN reported the passing of one Resolution in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the motion of Hon. H. B. ST. JOHN, seconded by Dr. CHELTENHAM, the Resolution was read a third time and passed.

Hon. H. B. ST. JOHN: Mr. Speaker, that concludes Government Business for today.

Mr. GREAVES: Mr. Speaker, earlier today you intimated to me that the matter which I sought to raise under Standing Order No. 18 could be raised at a later stage by bringing a Resolution and you would give permission to bring such a Resolution before the House. I have prepared such a Resolution and given it to the Clerk and would now like to give notice of it.

Mr. SPEAKER: I did give the hon. member an undertaking that I would allow him to table a Resolution at a later stage; I did not say today.

ADJOURNMENT

Hon. H. B. ST. JOHN: Mr. Speaker, that concludes business for today. There is no Private Members' Business and I therefore beg to move that this House do now adjourn until Tuesday, 24th July. We do have some important Bills to be done, particularly the Occupational Training Bill which has come from the Senate. I assure hon. members that we are desirous of having the usual summer recess at as early a date as possible.

I beg to move that the House do now adjourn until Tuesday, 24th July, 1979 at 12 Noon.

Hon. L. S. CRAIG: I beg to second that.

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