
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

HOUSE OF ASSEMBLY

Monday, 18th June, 1979.

Pursuant to the adjournment, the House of Assembly met at 10.15 a.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, J.P. (Speaker); Rt. Hon. E. W. BARROW, LL.D., (Leader of the Opposition); Mr. R. St. C. WEEKES, J.P.; Hon. L. S. CRAIG, (Minister of Housing, Lands and the Environment); Hon. C. L. BOLDEN, LL.B., (Minister of Communications and Works); Mr. D. A. C. SIMMONS, LL.M.; 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. B. M. TAITT, M.A.; Hon. L. R. TULL, M.A., (Minister of Education and Culture); Mr. L. L. SISNETT; His Honour E. E. ALLEYNE, LL.M., (Deputy Speaker) and Dr. R. C. HAYNES, M.B., Ch.B., M.R.C.P. (Edin.)

Prayers were read.

Mr. SPEAKER: The Minutes of the Meeting of Tuesday the 15th day of May, 1979.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, I understand these Minutes have been circulated and subject to any observations as to errors by any hon. members I beg to move they be confirmed.

Rt. Hon. E. W. BARROW: Mr. Speaker, I take it that we are referring to the Minutes on which consideration was deferred on the last occasion and I had intimated at that time that those Minutes had not been circulated to me and I objected to their being confirmed. I have received the Minutes of the 29th. The Minutes of the 29th

were delivered to my residence on Saturday evening. The Minutes for the 15th May are the Minutes which have been involved. I have not seen them up to now. I remember that the Hon. Prime Minister said himself that he had not seen them on the last occasion but by some over-sight now they have been delivered subsequently but not the Minutes which the Leader of the House is asking to be confirmed. I still await them.

Mr. SPEAKER: I believe that the complaint of the Hon. Leader of the Opposition is an isolated case. I certainly will investigate the matter to see what could have taken place but I have been advised that other hon. members have since received theirs.

Mr. TAITT: Mr. Speaker, with regards to the Minutes of the 15th of May, I have not received those Minutes myself. I do not know what the problem is but I have received the Minutes of the 29th, not the Minutes of the 15th.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, I have made a very careful check with the Clerk and due to the fact that two other hon. members of the other side have not received theirs I would move, Sir, that my Motion be withdrawn and that these Minutes be deferred and that we will have a further investigation.

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

Rt. Hon. E. W. BARROW: Mr. Speaker, I am not trying to obstruct the business of the House but if we could only be given copies on this side and any other hon. members who have not received copies of these Minutes we would be glad to consider them and support the passing of the Minutes as they are not usually long at a later stage today and as soon as possible but with one guarantee that we would be getting them and they would be delivered to us here in your presence, Sir, then we could not say that we did not receive them.

(Certain remarks made by the hon. member for St. Philip South were ordered to be expunged from the records by Mr. SPEAKER at this stage).

Hon. L. S. CRAIG: Sir, just briefly, for the past 13 years there has been this problem and during the time when I was in the Opposition and now that I am in the Government of hon. members receiving their copies at most times late, not only Minutes, Sir, but sometimes Bills and other materials. I want to make it abundantly clear that it is grossly unfair for the very seasoned and hon. member for St. Philip South to say that there is some ulterior motive.

The Government has nothing to do with any copies of the Minutes or Papers. We do not write Minutes. We do not send them out. It is all the problem with the printing. I recall you on several occasions yourself speaking occasionally about Minutes being late while on the other side and the problem I am told was always at the Printery. There is no big thing about Minutes being late. The member talked about if he was not here and that he wanted to see a copy of the Minutes of what took place last Tuesday. Those are not the Minutes we are dealing with. Do you expect to get Minutes of a Meeting last Tuesday and get them today? You know it does not work that way and you are just wasting time over Minutes. The Speaker says he will have the matter investigated and that should be the end of the matter.

Mr. SPEAKER: The Hon. Leader of the House has moved that further request for consideration of these Minutes be deferred.

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

Mr. SPEAKER: The Minutes of Tuesday, 29th May, 1979.

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

Dr. HAYNES: Mr. Speaker, I think that there is an error on page 4 of these Minutes, the particular line being: "Mr. Speaker called upon Dr. R. C. Haynes to withdraw an offending remark and to apologise to the Hon. House." I think that should read ".....called upon Dr. R. C. Haynes to withdraw an offending remark and to apologise to the Hon. House or leave."

Mr. SPEAKER: The hon. member is seeking an amendment to the Minutes, and I will instruct the Clerk to do what is necessary under the circumstances.

If there are no other observations by hon. members, the Minutes stand confirmed.

PAPERS LAID

Hon. H. B. St. JOHN: On behalf of the Hon. Attorney General I beg to lay the Report of the Barbados Fire Service for the years 1977 and 1978.

GOVERNMENT NOTICES

Hon. L. S. CRAIG: Mr. Speaker, I beg to give notice of a Resolution to approve the compulsory acquisition of land at Brighton and Spring Garden, St. Michael, for land development.

Also, a Resolution to approve the compulsory acquisition of land required for the construction of the Spring Garden Access Road and for further industrial development.

Hon. L. R. TULL: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of \$314,915 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. 1, as shown in the Schedule to the Resolution.

SUSPENSION OF STANDING ORDERS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Standing Orders 6, 16, 18 and 20 be suspended for the remainder of this sitting. The reason for moving that is that, as hon. members are aware, there is a Private Members' Motion before this House and we wish on this side to accord it the utmost priority, and we propose to make that item the item of the day's sitting.

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

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

PRIVATE MEMBERS' BUSINESS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Private Members' Business be now taken.

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 Mr. DEPUTY SPEAKER took the Chair.

RESOLUTION OF NO CONFIDENCE IN HIS HONOUR THE SPEAKER

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, the Resolution stands in my name and I do not think it

is necessary for me to read it, because it has been circulated with the Order Paper.

The office of Speaker is one in which is vested the authority of this Chamber of Parliament. The Speaker has certain functions to perform which are not easy for him or for any other person to discharge, all of us having human frailties. But perhaps at the outset I should quote from one of the great parliamentary authorities, Sir Erskine May, and this is the 18th edition of Sir Erskine May's Parliamentary Practice edited by Sir Barnett Cocks. I am quoting from page 225 of that volume, and it is headed: "THE SPEAKER AS PRESIDING OFFICER OF THE HOUSE OF COMMONS," and this is what is stated there.

"The chief characteristics attached to the office of Speaker in the House of Commons are authority and impartiality. As a symbol of his authority, he is accompanied by the Royal Mace which is borne before him when entering and leaving the Chamber, and upon State Occasions by the Serjeant at Arms attending the House of Commons, and is placed upon the table when he is in the Chair. In debate all speeches are addressed to him and he calls upon members to speak — a choice which is now never disputed. When he rises to preserve order or to give a ruling on a doubtful point he must always be heard in silence, and no member may stand when the Speaker is on his feet."

10.35 a.m.

"His action cannot be criticized incidentally in debate or upon any form of proceeding except on a substantive motion. His authority in the chair is fortified by many special powers which are referred to below. Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized."

I hope, Mr. Deputy Speaker, you will forgive me if I repeat that particular sentence, because it is like the famous maxim that not only must justice be done but it must be manifestly seen to be done. There is no point in carrying out justice unless the people who are the objects of its dispensation are satisfied from what is being done that justice is being done. So I repeat: "Confidence in the impartiality of the Speaker is an indispensable condition of the successful working of procedure, and many conventions exist which have as their object not only to ensure the impartiality of the Speaker but also to ensure that his impartiality is generally recognized."

The passage continues: "He takes no part in debate either in the House or in Committee. He votes only when the voices are equal, and then only in accordance with rules which preclude an expression of opinion upon the merits of a question."

I will leave out the reference about the Speaker's seat being uncontested, as it does not apply to Barbados, and I will continue reading from May's about the duties of the Speaker: "It is the duty of the Speaker to preserve the orderly conduct of debate by repressing disorder when it arises, by refusing to propose the question upon motions and amendments which are irregular, and by calling the attention of the House to bills which are out of order (and securing their withdrawal). He rules on points of order submitted to him by Members on questions either as they arise or in anticipation, but any notice of a question seeking a ruling must be notified to him privately and not placed upon the order paper. The opinion of the Speaker cannot be sought in the House about any matter arising or likely to arise in a committee. The Speaker is always ready to advise Members of all parties who consult him privately whether upon any action which they propose to take in the House or upon any questions or order which are likely to arise in its proceedings. Such private rulings of the Speaker generally settle the questions at issue, but they may, if necessary, be supplemented by rulings given from the chair."

Insofar as May's is concerned, Mr. Deputy Speaker, that is the reference I wanted to make to that learned tome, but I should like to draw Your Honour's attention to the volume title "Encyclopedia of Parliament" and I am reading from the Third Edition at page 694:

"In recent years successive Speakers have upheld and increased the prestige attaching to the Chair of the House of Commons and have successfully resisted all the assaults upon its dignity. Perhaps the most noticeable instance in this connection is the action taken by Mr. Brand in applying the closure on his own responsibility as the only effective means of opposing deliberately obstructive tactics. The usual rules have proved far less effective to ensure orderly and effective debate. It is no exaggeration to describe the development of the Speakership as a great British achievement. It is a tribute to the fairmindedness and democratic spirit of the nation that the office is held in such high regard. Today the Speaker is a House of Commons Man in the strictest sense. Once elected he foregoes party affiliation and is immune to external influences in any form."

I go on to the bottom of the page:

"The Speakership in other Commonwealth Parliaments:

The tradition of the Speakership has been inherited by Parliament throughout the Commonwealth but usually with certain modifications. While from the Chair the functions of the Speaker corresponds with those of the Speaker of the House of Commons and similar ceremonial is observed on entering and leaving the Chamber, the disassociation of the Speaker from Party politics has not been achieved in so complete a manner as has been found possible in Great Britain. It is common for the Speaker to enter the political field when he is not occupying the Chair, and the continuity of office which has become the established principle of the Speakership of the House of Commons irrespective of any change of Government is not a feature of appointment in other Parliaments such as Australia and New Zealand where the Speakership is regarded as a privilege of the Party in power and the occupant of the Chair usually changes with the Government. The Speaker is generally opposed in a constituency during a general election and fights for his seat like any other candidate. In some Parliaments when the House goes into Committee the Speaker does not necessarily refrain from taking part in debate and voting in divisions. It is possible that in the relatively small Parliaments which are accustomed to a precarious majority the Speaker's vote in Committee is regarded as too important a sacrifice. Although the subject of much criticism, this system does not necessarily reflect upon the impartiality of the Chair. It is still possible for an active politician to discharge the duties of Speaker with fairness, although it is unlikely that he could acquire the full position of detachment and prestige which characterizes the Speaker of the House of Commons and which is such a desirable attribute of his office."

I preface my remarks on the subject matter of the Resolution by reference to these two eminent authors. I think their sentiments are beyond dispute; they are statements of convention and statements of law which cannot be refuted.

It is possible at the beginning of a session of Parliament and it should always be the practice that once a person has been elected to the Chair, whether by majority vote or by the unanimous decision of the

House, all persons — those who supported him and those who did not — should obey the Standing Orders of the House and the just directions given by the Chair from time to time. One does not bring a motion of no confidence in the presiding officer of Parliament out of sheer pique or irritation. It is a very serious Resolution, and as hon. members of this House the best construction must still be placed on our sentiments expressed here, as we claim at the opening of Parliament, whether it is a Resolution of no confidence or a Resolution in support of some project being carried out in an individual constituency.

10.45 a.m.

The privileges which we demand from the representative of the Crown are privileges which have to be guaranteed by the just exercise by the Speaker of the authority with which he becomes invested on the day of his appointment. I would like to say that I would be the last person, having sat in here for 28 years and having had rulings made against me. I have only been ordered out of the Chamber once, and that is during this session. I have sat here under no less than four or five Speakers. I can almost claim that I have lost count of them. There is a precedent for this Resolution.

In January, 1967, the then Leader of the Opposition who was the former Prime Minister of the West Indies and had returned to Barbados to take his seat in this Chamber as Leader of the Opposition tabled a motion of no confidence in the then Speaker, Sir Theodore Branker; and the gravamen of his accusation at that time was that the Speaker had allowed the Leader of the House to get away with something for which he considered the Leader of the House should have been disciplined.

That is in the records of this House. I think that the debate started around the 10th or 17th of January. At that time I made an objection to the Resolution as it stood, not that I objected to the Resolution being brought at all, but because the Resolution expressed certain sentiments that did not in my opinion at that time call for a vote of censure. It was a Resolution of incomplete predication. What is interesting is that the Speaker postponed his ruling for one week and then ruled that the Resolution was in order and I was wrong, and I accepted the ruling of the Chair. The Speaker ruled that I was wrong.

I think that the Speaker at that time leaned over backwards to ensure that he did nothing to preclude or pre-empt debate on the Resolution which had been introduced by Sir Grantley Adams who was then Leader of the Opposition; and I think that the Speaker, as Speaker was definitely right to do everything possible to encourage debate particularly on a matter which affected

the office of Speaker. My objection then was an objection as to form and not an objection as to substance. It was not an objection that there should be no Resolution of no confidence, but to the form in which the Resolution had been drafted.

A debate ensued on the Resolution without much acrimony, but what I wish to draw to Your Honour's attention is that there are precedents for Resolutions of no-confidence in this House. There have been at least two, as far as I can remember. The last one was in January 1967; but that particular Resolution was censuring the Speaker for not making a ruling against the Leader of the House. It was not a Resolution which sought to complain of a series of abuses of the rights and privileges of members of the House.

That is the distinction between the Resolutions. That Resolution arose out of dissatisfaction with a single ruling made by the Speaker at that time, a Speaker who at that time had spent 30 years in this Chamber; and if I may say anything against him, it is that he tended to lean over backwards to safeguard the rights of members who were not members of the Government.

There is nothing in the Standing Orders or in the Statute Law or the law of custom of Parliament which stipulates that you cannot bring a Resolution of no confidence against a single action. I am not questioning the motives of the mover of the Resolution on that occasion. God forbid that I should do so. One should be very careful not to attack an isolated slip or an isolated act of the person presiding over the debates of this Chamber, to make that an occasion for a vote of no confidence.

In other words, Mr. Deputy Speaker, what I am saying is this: Somewhere in the concluding notes on his book on Barbados and the Federation Question, Mr. Bruce Hamilton said about Barbados: "The first thing you have to recognise about them is that they are a nation because they consider themselves to be one." That was written 20 years ago. He said that the second mark in the Barbadian character is that they have an excessive tolerance for small abuses, whereas in some of our neighbouring Caribbean islands the people react violently to what we consider to be small abuses.

Here in Barbados we tend to have an excess of tolerance; and that excess of tolerance has been demonstrated from the beginning of this session by members of the Opposition — an excess of tolerance for small abuses.

10.55 a.m.

When we come into this Chamber we come in here to put the point of view of the persons whom we represent, and on a wider basis the silent majority, the

constituents in the constituency of Barbados as a country. If the rights of the representatives of the people are going to be curtailed in a whimsical manner, then there is no hope for parliamentary democracy.

His Honour the Speaker took exception to the middle of one sentence in a letter which I wrote to him, but he did not quote the letter, and I will quote it now, Sir. We have circulated with our Order Papers a statement which His Honour made on the last occasion that this House met, and before I introduce the subject matter of my letter, this is what he said:

"On the 6th of June, 1979, I received a communication from the Leader of the Opposition requesting certain information relative to the Honourable Member. At paragraph 2 thereof he wrote of "the survival of Parliamentary Democracy in this country." The Speaker found that offensive. "These words weighed heavily on me.

I directed the Clerk to reply to the letter of the Leader of the Opposition. I must regretfully observe that the contents of the letter from the Leader of the Opposition, in my judgement, were not in support of the lofty ideals and canons of Parliamentary Democracy or its furtherance in this country."

Let the letter speak for itself. This is the letter which I wrote:

"His Honour the Speaker,
Public Buildings,
Bridgetown,

Dear Sir,

It has been brought to my attention that the member for St. Michael South Central has been advised by you that he will never be able to take his seat again unless he apologises to the House of Assembly.

I am deeply concerned about this matter as it has serious implications for the survival of Parliamentary Democracy in this country, and in order that the entire situation may be fully assessed, I would be most grateful if you would grant the following requests:"

All of that is one sentence. The Speaker extracted from that whole sentence "the survival of Parliamentary Democracy in this country" which hardly constitutes one line in a sentence which took up five full lines and only contained two commas, neither one of which preceded the words which he extracted, and which I should like to read again.

"I am deeply concerned about this matter as it has serious implications for the survival of Parliamentary Democracy in this country."

I as Leader of the Opposition am writing to the Speaker of this House and telling him that I am concerned about the matter because the matter, not the Speaker, has serious implications for the survival of Parliamentary Democracy in this country. What are the serious implications for the survival of Parliamentary Democracy in this country? Without going into the merits and demerits of what took place on that day at this stage, if a person is elected to this Chamber by the vote of the people, there is a certain procedure set out in the Standing Orders whereby persons who are elected to this Chamber by the vote of the people may be disciplined. They can be asked to withdraw from the Chamber — Standing Order No. 40 — if they obstruct the business of the House too much or they do not follow the rulings of the Chair. A motion may be made that the member be suspended, but suspended for what? On the first occasion for two weeks, on the second occasion, not for the same offence, for one month, and on the third occasion for three months.

Every member entering this Chamber is or should be given a copy of the Standing Orders so that he knows the Rules by which the debates in this Chamber are supposed to be and will be conducted. I am not taking up the cudgel of the Press; members of the Press of this Island have been banned for life from entering this Chamber. We talk about the freedom of the Press. I am not taking up their cudgel because they would not take up their own cudgel, because the members of the Press were not elected by a majority vote of people of a constituency under the Representation of the People Act to come in here and represent the people of Barbados. They come in here to represent themselves and the owners of the newspapers for which they work and the people who pay for the advertisement in those newspapers. But a member of Parliament comes in here knowing his rights, and when he is told that he is not to return to the Chamber when the procedure is set out forever, it means that any Speaker or any Presiding Officer, if this is the correct procedure, can reverse the decision of the electorate because the electorate decides that that member has to come in here and represent them, and the member when he comes in here to represent them, if he does not comply with the provisions of the Standing Orders, there is a set procedure set out whereby that member knows the penalty for failing to comply. He can be asked to withdraw, he can be named, he can be suspended from the services of the House for two weeks for one month or for three months, but the penalty which is inflicted has got to be commensurate with the nature of the offence which is committed. Furthermore, there is abundant authority from which I hope to have time to quote which says that when a member is called upon to withdraw or to follow some other lawful direction of the Chair, the member is entitled to know the precise nature of the offence. The

Speaker has the right to call, if he himself is in doubt, upon the Clerks-at-the-Table to get the official record. The member then knowing with certainty, if he is contumacious after that, then he must take the consequences.

Mr. DEPUTY SPEAKER: The hon. member's time has expired.

Rt. Hon. E. W. BARROW: I am introducing a Resolution.

Mr. DEPUTY SPEAKER: That is so, but if you refer to Standing Order No. 30(7)...

Rt. Hon. E. W. BARROW: I was under the impression that the Standing Orders have been suspended.

Mr. DEPUTY SPEAKER: Standing Orders Nos. 6, 16, 18 and 20 were suspended. Standing Order No. 30 has not been suspended.
11.05 a.m.

Rt. Hon. E. W. BARROW: I should like to read my version of the Standing Order.

"In a debate on any matter of Private Members' Business, the speech of a Member shall not exceed 30 minutes, provided that this time limit shall not apply to a Member in moving a motion of "No-Confidence" in the Government and a Minister who speaks in final reply to such a motion, and provided also that the mover of a motion shall, subject to Standing Order No. 29(2), have a right of reply, such reply not exceeding 30 minutes."

Mr. DEPUTY SPEAKER: I can only comply with the Standing Orders.

Mr. TAITT: Mr. Deputy Speaker, I wonder if the hon. member will give way. I should like to move the Suspension of Standing Order 30(7). What the hon. member is saying is of importance and under the appropriate Standing Order it is known that an hon. member may move that the hon. member may continue to be heard for an extended period.

Mr. DEPUTY SPEAKER: My ruling is that the time for the Suspension of the Standing Order has long since passed. Standing Orders, 6, 16, 18 and 20 were suspended. It is my duty as Presiding Officer to adhere to the Standing Orders especially in the light of the Motion before the House. My ruling is that every member is entitled to 30 minutes except the mover of the Motion who has another 30 minutes to reply.

Mr. TAITT: On a point of order, Sir, I am moving under another Standing Order that the hon. member be heard beyond the time stipulated in the Standing Order.

Mr. DEPUTY SPEAKER: Order please. My ruling is that the mover of the Motion has had his half hour.

Rt. Hon. E. W. BARROW: I do not think that you would mind my saying that the Chair is correct. I would like to say that I was under the impression that this Standing Order was also suspended. I regret that due to an over-sight on our part we did not check the Standing Orders.

Mr. DEPUTY SPEAKER: Order please.

Rt. Hon. E. W. BARROW: I said your ruling is correct, Sir.

Mr. SANDIFORD: Mr. Deputy Speaker, Sir, I rise to second this Resolution and in so doing I wish to indicate that like all of the members on this side of the Chamber that I have the highest regard for the Office of Speaker, the powers that are placed in that office and in the dignity that should be attached to that particular office. The Speaker is indeed the person who should guide debates in this Chamber and if I may refer to a Statement made by Mr. Speaker Hinds, on the last occasion that this House met he indicated that no Speaker, no member of Parliament is above the law and Custom of Parliament and I fully and wholeheartedly endorse that statement as applying to all members of Parliament.

By law and Custom of Parliament the Speaker has many duties to perform including maintenance of order in the debates, allowing members their due time during debates and in ensuring that no unwarranted aspersions, allegations, slurs or innuendoes are made against any hon. member. I believe, Mr. Deputy Speaker, that the main characteristics of the Speaker of this Assembly is and should be a high level of impartiality and rights of all members, particularly the members of the Opposition should be fully respected and protected by the Speaker.

I believe too that members should be enabled to exercise their fundamental rights and privileges as guaranteed in the Constitution and the Law and Custom of Parliament, those privileges and freedoms which are claimed by the Speaker at the commencement of Parliament on behalf of all members and I refer to those ancient and undoubted rights and privileges, in particular those of freedom of speech in debate, freedom from arrest and that the most favourable construction should be placed upon all those proceedings.

The occasion for this particular Motion of "No-Confidence" in his Honour the Speaker is the incident on the 29th of May, 1979 when the member for St. Michael South Central was requested and ordered by the Chair not to take his seat again in Parliament until he had apologised. I refer again to a Statement in the words

of His Honour the Speaker on that day. I repeat "No member of this House is above the law and Custom of Parliament".

Now I am submitting, Mr. Deputy Speaker, that these words apply to you as well as they apply to me. No member including the Speaker of this Assembly is not above the law and the custom of Parliament. When the Speaker rules, he must rule within the context of the Standing Orders of this Chamber and when he goes outside of those Standing Orders, he is acting *ultra vires* when he goes beyond the law and custom of Parliament. He is acting *ultra vires* and this action can be questioned and there can be disagreement about what he says and what he does and this is the occasion for this particular Motion that is before us.

11.15 a.m.

We are submitting that the action of the Speaker on that occasion exceeded his authority, because under Standing Order 40 in terms of asking members to leave the Chamber the Speaker's authority is limited, by Standing Order 40(2)(a), which states that the Speaker or the Chairman shall order any member whose conduct is grossly disorderly to withdraw immediately from the House during the remainder of that day's sitting. Any proposal, any order that a member should not take his seat again in Parliament is contrary to any power vested in any Presiding Officer in this Chamber, and I am submitting respectfully that the Speaker on that occasion exceeded his authority and that he was not acting in accordance with the Standing Orders of this Chamber.

There are of course other antecedents to this type of action. We believe that the main quality of the Presiding Officer of this Chamber should be one of impartiality and one in which the rights of the Opposition are given full protection. There have been instances in the past in which it appears that the customary impartiality which one would expect from the Chair has not always been given to hon. members. The member for St. Michael South Central was asked to apologise. I recall on one occasion there was a debate in this Chamber and the time allotted under the Standing Orders for that particular debate had not been exceeded, but the member for St. Thomas got up and moved that that time had expired and that the debate should come to an end. As soon as I checked the time I got up and I raised the matter and pointed out that full debating time had not yet expired. As far as I can recall, approximately half an hour of debating time still remained, but the member for St. Thomas moved that the debate should be closed. I drew this to the attention of the Presiding Officer, I raised it as a matter of privilege. The records of the House would show that the time for the debate had not yet expired. The rights of those members who had not yet spoken during that

debate were extinguished, that freedom of speech which the Presiding Officer claims on behalf of all members of Parliament was brought to nought, and up this day in spite of the matter being drawn formally to this Hon. Chamber and to the Presiding Officers no apology has been forthcoming in which the rights of members of this Chamber were clearly extinguished by the actions of the Presiding Officer. No apology where a clear extinction of the rights of members had taken place.

Mr. DEPUTY SPEAKER: The Chair must not, and does not desire to, get into the debate, but in the interest of public debate can the hon. member state the specific incident and its place in Hansard?

Mr. SANDIFORD: I can only indicate, Mr. Deputy Speaker, that this was on the 17th January, 1978, to the best of my recollection. I do not have the actual pages of Hansard on this occasion.

There have been other occasions, Mr. Deputy Speaker, in which the rights of the Opposition have not been treated with the type of care and concern and consideration that one would expect. There was an instance, on the 23rd November, 1977 — and this relates to television cameras — in which a member, the then Leader of the Opposition, complained that there were TV cameras in Parliament and that he considered this as a discourtesy to members of the Opposition because those cameras were brought in without the courtesy of advising the Opposition on the matter.

With all due respects to the member for St. Thomas — and I did research his speech quite carefully — I must say that on that occasion he did intimate that perhaps the Presiding Officer could institute some machinery by which requests on the part of the media could be communicated to the Leader of the Opposition. I believe the member for St. Thomas and the Prime Minister saw the problem, and he suggested machinery by which the matter could be resolved, but of course far from any action being taken on those matters we have had at least one more instance in which this type of lack of concern for the rights and privileges of the Opposition has not been given due regard.

There was an instance on the 23rd November, 1976 in which the then Leader of the Opposition, Mr. Frederick Smith, again found television cameras, as he put it, in the well of the House, and he complained, he registered his protest. He said he saw strange men in the well of the House, he registered his protest. The Speaker indicated that the point made by the then member for St. Michael South Central was well taken but that the cameras were in here with the permission of the Speaker and that it did not encroach upon the

rights and privileges of the member for St. Michael South Central.
11.25 a.m.

Note, it is the Speaker who takes it upon himself, without the necessary consultations and the courtesy to and involvement of hon. members, to extend and expand and stretch the powers of the Standing Orders and customs of Parliament. But it cannot work like that. The Speaker of this House of Assembly or the Speaker of the House of Commons cannot make the rules as he goes along and expand practices, customs and functions as he goes along, without some type of agreement of both sides of the House. It must be realised that the Speaker is no Pope or Archbishop; he is no Indian Guru or no Ayatollah; his task is to preside over the proceedings of this Chamber in accordance with the Standing Orders, and if he exceeds those Standing Orders then, like any other member, he is guilty of an offence as well; and our method of dealing with this matter is by bringing a motion of no-confidence.

Now I was referring to an incident on 23rd November, 1976 when the Speaker ruled that he had given permission and it was nothing to do with the Leader of the Opposition. Again, that is why those of us who do not listen carefully to the words of the hon. member for St. Thomas may find that they tend to misquote him; there is always some particular phrase in which there is some out in what he says. He got up and suggested to the Chair: "I propose that Your Honour can institute some machinery....."

Mr. DEPUTY SPEAKER: Is the hon. member quoting the words of an hon. member?

Mr. SANDIFORD: Yes, the debate of 23rd November, 1976. The member said: "If I may respectfully say so, perhaps Your Honour can institute some machinery by which requests on the part of the media are communicated to the Leader of the Opposition; and if I can throw out a suggestion, perhaps the Clerk of the House can be instructed in future to let the Leader of the Opposition know when such requests are made." That is a suggestion coming from the Prime Minister, the hon. member for St. Thomas, recognising that the rights of the Opposition should be taken into account and indicating to the Speaker that it is right and proper so to do.

But this is Mr. Speaker's reply: "With due respect, Mr. Prime Minister, I think I have already ruled on that matter." And that was the end of it. A reasonable suggestion — sometimes the Prime Minister is reasonable. You may not be able on all occasions to see that reasonableness with the naked eye, but he is reasonable

on occasions. But the Speaker, very intransigent in these matters, did not yield one inch — if I may stick to Imperial measures.

There are other occasions, Mr. Deputy Speaker, on which the actions of the Speaker have been very whimsical. I wish to revert to an instance relating to the Head "Statements by Ministers". It is in accordance with the functions of Parliament that statements by Ministers, precisely because they cannot be debated at that particular time, are not supposed to involve highly contentious or controversial material and should not be put across in any provocative, partisan manner. But on the 23rd November, 1976 — we have to draw these things to attention because we are being a very long suffering Opposition and never wanted confrontation (Asides).

Mr. DEPUTY SPEAKER: Order, please.

Mr. SANDIFORD: I would like to indicate, Mr. Deputy Speaker, that a statement highly contentious and controversial and with a lot of political content was accepted by the Chair as a statement. I am submitting that such a statement in which the Democratic Labour Party administration was unfavourably compared with the present administration and a lot of highly contentious matters put into that statement — I am submitting that such material should never have been admitted by a presiding officer of this House. If we are operating and administering a Westminster type Parliament, we have to see that we stick to the conventions; and where we want to extend or create our own conventions there should be discussion and consultation with both sides of the Chamber. We have such material in that statement as "profligate spending at election time." This is highly contentious and a statement by a Minister should not bear such a characteristic.

Mr. Deputy Speaker, I wish to choose just one more example to indicate the partiality which has come from the presiding officer of this House from time to time. I go back to 1976 again. There was an occasion in which the hon. member for St. Michael South East was speaking and he used the following words "I could never have imagined the Leader of the Opposition to be so malicious in his statements and comments."
11.35 a.m.

Mr. DEPUTY SPEAKER: Please supply the page.

Mr. SANDIFORD: I do not have the page, but I said that the date was the 26th October, 1976 — the debates of this Chamber. I objected to the word "malicious" being used in respect of the then Leader of the Opposition as being insulting and imputing improper motives. I drew it to the attention of the presiding

officer. The presiding officer said that the member for St. Michael South Central did not object.

At this stage certain words were ordered to be expunged from the record.

Mr. SANDIFORD: I draw attention to occasions on which the rights of Opposition members have been curtailed in debate. I wish to refer to the second clause of this Resolution relating to unbecoming references from the Chair in respect of former and existing members of the Official Opposition. I wish to deal with one instance and it relates — this is on the 16th May, 1978 and I believe that it is on Page 868 if you wish a precise reference. It is on that page of the debates of this Chamber. The Speaker is speaking and it is on the resignation of Mr. F. G. Smith, and the Speaker said: "He has never yet been able to identify himself with anything or taken the initiative at any stage of his parliamentary life to help grapple with any of the problems facing this country, whether it is unemployment, inflation, or for that matter, or doing good for the people as a whole." He continued: "What is certain is that after the shouting died down, he was the benefactor. He gained the sympathy and not the people."

I am submitting, Mr. Deputy Speaker, that comments of that nature about a member of this Chamber, particularly at the time of his departure from this Chamber represents a departure, a serious departure from the high standards that you would expect from the presiding officer of this Chamber, and I am submitting that in terms of this instance to which I have drawn attention, and in terms of the present instance in which the Speaker has clearly exceeded his authority, that this motion is deserving of the support of all members of this Hon. Chamber. I know that they will be too weak kneed to

Mr. DEPUTY SPEAKER: That remark must be withdrawn.

Mr. SANDIFORD: I will withdraw the remark. I know that they will approach this particular matter on strict party lines. Many of them out there, or rather a number of them out there have also....

Mr. DEPUTY SPEAKER: If you are referring to hon. members on the other side, it is unparliamentary to say "a number of them."

Mr. SANDIFORD: Hon. members out there. We are all hon. members in here; but I think that hon. members out there will approach this Resolution on a strict partisan line. Some of the hon. members have themselves — if I can use the words themselves — some of the hon. members have been at the receiving end of

strictures from the Chair. (*Aside: That shows that he is fair.*) I must say deservingly so.

Mr. DEPUTY SPEAKER: The hon. member's time has now expired.

Mr. SANDIFORD: I will say in conclusion, Mr. Deputy Speaker, that they will set aside partisanship and realise that injustice has been done, and hon. members should give their fullest support to this Resolution. (*Asides*).

Mr. DEPUTY SPEAKER: Order Please.

Mr. SIMMONS: Mr. Deputy Speaker, I would like as distinct from other members who have spoken, first of all to read the charges. They are:

WHEREAS from the outset of his tenure of office His Honour The Speaker has without warrant or justification curtailed and inhibited the rights of members of the Official Opposition in debate;

AND WHEREAS His Honour The Speaker has made unbecoming references from the Chair in respect of former and existing members of the Official Opposition;

AND WHEREAS His Honour The Speaker has frequently failed to conduct the proceedings of this House in accordance with the provisions of the Standing Orders and has exercised his authority in a whimsical and partial manner and is therefore deserving of the greatest possible censure;

BE IT THEREFORE RESOLVED that this House has no confidence in His Honour The Speaker.
11.45 a.m.

Mr. Deputy Speaker, I shall now dissect that Resolution into four charges and see if so far a case has been made out. Charge No. 1 is that without warrant or justification the Speaker has curtailed and inhibited the rights of members of the Official Opposition in debate. (2) Has made unbecoming references from the Chair in respect of former and existing members of the Official Opposition. (3) Has frequently failed to conduct the proceedings of this House in accordance with the provisions of the Standing Orders and (4) has exercised his authority in a whimsical and partial manner. Those are the four charges.

The Leader of the Opposition in leading the case for the prosecution this morning began at 10.35 a.m. These are the matters that he dealt with on the charges. Firstly, quotation from May's Eighteenth Edition setting out what are the principle and the lofty ideals and expectations that one would associate with the Chair.

Secondly he quoted from the Encyclopaedia of Parliament, Third Edition, page 694, ending the quotation at 10.47 a.m. He mentioned that all members should obey the Chair and the Standing Orders. He talked of the ancient freedoms claimed at the opening of Parliament; he made a passing reference to the debates of 1967 on the censure motion brought against Sir Theodore Brancker, and he said that there is precedent for Resolutions of no confidence. He also said one should not pick on the isolated slip or act of the Presiding Officer to make that a ground for a censure motion; he quoted from Bruce Hamilton and warned us to comply with the Standing Orders. Time expired on him. He did not even move that his Resolution do now pass at the time. He gave notice last week, but this morning he did not move it in here. They have told us that it was due to an oversight that time expired on him.

Now this is a very serious debate, Mr. Deputy Speaker. We have to vote as to whether we the members of this House have any confidence in the continued occupation of that Chair by the present incumbent, and yet for half an hour no specific instance was given by the Leader of the Opposition, the Chief Prosecutor, in support of his motion this morning. I identified the four charges. No facts were brought by him, the mover, to support it. As you would say in law, Mr. Deputy Speaker, no particulars, no evidence. You are going to yet ask us at the end of the day to vote in support of something which the mover himself did not even have the facts and the evidence upon which to appear to convince this House that he had a case. In half an hour we went through May's and Encyclopaedia and the usual ramblings that we have become accustomed to, but this House, the country as a whole demands from the Official Opposition in a debate such as this specified instances which could substantiate the charges before us today. I have no doubt, Mr. Deputy Speaker, and I know maybe for the reason that he did not have enough time, but I know that the Leader of the Opposition himself once an outstanding criminal lawyer would agree that he failed to prove the case this morning.

Rt. Hon. E. W. BARROW: On a point of order, we are doing a debate on a no confidence motion. I have never prosecuted anybody in my life, and all this talk about prosecutor, I would wish the hon. member would desist from speaking about prosecution and prosecutor and making out a case and that kind of thing. I have not finished in this debate yet, and we have other members to speak, and I will ask you to invite the hon. member to refrain from importing a courtroom scene into the proceedings.

Mr. DEPUTY SPEAKER: Order, please! My ruling on that point of order is this: that hon. members may

... speak literally or figuratively or metaphorically, and I do not think the hon. member is deliberately saying that we are literally conducting a courtroom proceeding.

Mr. SIMMONS: Mr. Deputy Speaker, I will refrain from accusing him of prosecuting when he was a great defence lawyer as reputation has it. I will just refer to him as the mover of the motion. Perhaps he would prefer that. That is a mutual phrase.

Mr. Deputy Speaker, I have no apology to make to anybody for the style that I have adopted.

Mr. DEPUTY SPEAKER: You may have to make an apology to the Chair if your style is not parliamentary. Order, please!

Mr. SIMMONS: Mr. Deputy Speaker, I am grateful that this Chair today recognises an inherent power in asking a member to apologise. If ever the Chair calls upon me to apologise, I will bow to the Chair and apologise. I am glad that you recognise that the Chair has an inherent power to call for an apology.

Mr. Deputy Speaker, my submission quite succinctly is that if we make the kind of fulminations, the kind of accusations, the kind of allegations, the kind of imputations contained in this censure motion, then this House in my submission demands factual evidence and not opinions or in some instances trite nonsense to support the Resolution.

What is the quarrel with Mr. Speaker? On Wednesday, 6th October, 1976, Mr. Speaker was elected to this Chair at a time when the members of the Opposition found it necessary to delay the proceedings and keep the Acting Governor-General waiting for well over 45 minutes while before he was appointed they saw an opportunity to say the worst possible things about Mr. Speaker. From the day of his accession to that Chair, the Opposition were out to do him damage in the eyes of all of us in this House and in the eyes of the whole country. There can be no doubt that other members, Mr. Deputy Speaker, will deal at length with what was said about Mr. Speaker on that occasion, and I heard today the Leader of the Opposition say that not only must justice be done but that it must be manifestly seen to be done. He quoted the words of Chief Justice Hewitt, and yet because Mr. Speaker, in his past may have been guilty of a peccadillo for which he paid his price in society.....

Mr. DEPUTY SPEAKER: The hon. member is out of order. The Resolution speaks about the conduct of His Honour the Speaker as Speaker. You must stick within the four corners of the Resolution.

Mr. SIMMONS: Mr. Deputy Speaker, are you drawing my attention to the fact that I am inhibited in referring to what hon. members on the other side have said about Mr. Speaker in here in a previous debate? I just want some guidance.

Mr. DEPUTY SPEAKER: My ruling is that this Resolution deals with the conduct of His Honour the Speaker from the outset of his tenure of office. You cannot go outside that to deal with the conduct of His Honour the Speaker.
11.55 a.m.

Mr. SIMMONS: I would only say that from the outset of his tenure of office on the 6th October, 1976 he was a victim of violent attacks, oral attacks in here by members of the Official Opposition.

Mr. Deputy Speaker, the second speaker for the Opposition, the hon. member for St. Michael South tried to be more specific and to identify and to particularise instances in support of the charges in the Resolution but one of the key words in the Resolution is that the Speaker exercised his authority with partiality and yet it was out of the mouth of the hon. member for St. Michael South himself that we heard towards the end of his speech that His Honour the Speaker, and I am not quoting now, has had the courage and impartiality to impose some of the severest strictures on members of this side.

Now you can see why there can be little point in continuing this debate because his case has collapsed. It started with the Leader of the Opposition and in the very end of his speech he conceded that in his manner and the conduct of the business in this House of Assembly His Honour has been impartial and fair. (*Asides*). I am not answering who said that.

Mr. DEPUTY SPEAKER: The hon. member must not respond to remarks thrown across this Chamber. Please address the Chair.

Mr. SIMMONS: I was expecting to find, Mr. Deputy Speaker, a long list of particular instances from 1976 to 1979, the 18th of June, or the 29th of May dealing with the hon. member for St. Michael South. His first complaint is that by requesting the hon. member not only to withdraw but to apologise, His Honour the Speaker's action "On that occasion exceeded his authority because of Standing Order 29".

Your Honour has already this morning indicated that Your Honour can make an hon. member apologise, and I would like to say this, Mr. Deputy Speaker, that because we have Standing Orders it must not be presumed that the Standing Orders themselves are conclusive of any and every matter that happens in this

House of Assembly because as I understand it, just like the rules of the Supreme Court, where the local rules are silent on a particular issue guidance and assistance can be found in authority beyond the meaning perhaps to some extent that Parliamentary Practices might be irrelevant if that were not so but it must be that where our rules are set we can look for guidance in the treatises such as Mays and the Encyclopaedia and so on.

Mr. Deputy Speaker, it must be right that if the hon. member offends the dignity of the House to such an extent that mere withdrawal is not enough, but some other act of contrition may be opposite in the given circumstances that it would be to the inherent jurisdiction of the Chair itself to demand a further act of contrition, as I have said, such as an apology. It would happen. Now the question of an apology I will deal with that later on.

In my submission, the first point made by the hon. member for St. Michael South that in demanding an apology His Honour was acting *ultra vires* of the Standing Order is not sound if one would accept the principles that where the rules of the Standing Orders are silent one can seek refuge in principles, practices, and the laws and customs of Parliaments outside Barbados but other members, even members on that side including the hon. member for St. Lucy have apologised in this House before. I am told, Mr. Deputy Speaker, that even Mr. F. G. Smith at one time Leader of Her Majesty's Opposition was not too big to apologise but we have a scene where the hon. member for St. Michael South Central now feels that it is not within his province to apologise in here. I think it is systematic of a small person who does not have the grace when in full knowledge of his transgressions he refuse to bow or to bend a little.

The second charge laid by the hon. member for St. Michael South relates to what he called instances in the past when it appeared that the customary impartiality had not always been given to hon. members. Mr. Deputy Speaker, he recited an instance in a debate where it is alleged, the debate has not been produced, the page or the date, but the hon. member for St. Michael South recalls, and I am not challenging his veracity I never have done so.

Mr. Deputy Speaker, what he claims is that on some occasion he thought that the time for the debate had not come to an end but the Chair just ruled. In these circumstances we should have wanted to have from the hon. member for St. Michael South some copies of Hansard with the times recorded or better evidence which he cannot today give us. He cannot give the Hansard page number, the date of the report and so on. It is quite possible that on an occasion the Chair may miss. I am not saying His Honour the Speaker, I

am using the word "Chair". The Chair may miss five minutes or ten minutes where a member goes over his allotted time and so on.

12.05 p.m.

There are not matters which would necessarily suffice for a vote of no confidence against the Presiding Officer, these are matters which as the Latins would say are *deminutio*, trivialities, *minutiae*, and these are matters which are before the House as instances of the Speaker's conduct that he should be worthy of the highest possible censure. I am satisfied that the two members who have just spoken on the other side are catching at straws, and I go further. As I understand it, the office of Speaker invests the incumbent with all the authority to determine the proceedings in this Hon. Chamber. That mistakes are made from time to time in any Chamber in any part of the Commonwealth which has a system analogous to ours cannot be gainsaid. I am not — and I am going to say this for those who write down what I say — I am not referring to the Speaker this time, I am making a general statement. All of us are human, all of us are subject to error, but as I understand it, Sir, even the question of security for this Hon. Chamber is left exclusively within the province of the Speaker's jurisdiction. There is no need for the Speaker in determining what are necessary and requisite security arrangements for this House and for hon. members, *a fortiori*, to consult the Leader of the Opposition. You may say it might be a courteous thing, but there is no obligation, and if the Speaker in all our interests and in the names of us all determines the procedure or course of conduct which does not derogate from our basic rights and freedoms, then it seems to me that that behaviour is well within the purview of the Speaker, and he is entitled in those circumstances to take certain decisions.

It is in that context, not by reason of the fact that the Speaker allowed television cameras to be present in the House of Assembly on the 23rd November, 1976, this was in breach as I understand it of Parliament, a breach of the ancient freedoms which were claimed on our behalf on the 6th October, 1976. But as I said, just as the Speaker is entitled to determine and to fix the security for this Chamber and for hon. members, surely his permission would have to be sought for the cameras to be placed in here, and if he gave his permission, then surely one cannot quarrel that he exercised it in an arbitrary fashion when he is the one who is vested with the authority to determine those things. As I say, you may quarrel that the Leader of the Opposition could have been consulted; that does not go to the root of the matter if one concedes that the Speaker has the full authority to act in the interest of all of us in here.

Even assuming there has been no real complaint since 23rd November, 1976, these are now members of

the Opposition scraping the barrel for something to say, bringing a Resolution, not even aware apparently of the time limits imposed, and being caught down the crease, Sir, run out.

Mr. DEPUTY SPEAKER: In another five minutes.....

Mr. SIMMONS: My time will run out, yes. No one on the other side thus far has been able to identify any occasion on which Mr. Speaker, apart from the question of whether he should ask for an apology or not, any occasion on which Mr. Speaker misinterpreted the Standing Orders or acted in breach of them. No one on the other side thus far – and that is one of the charges – that he has frequently failed to conduct the proceedings of the House in accordance with the provisions of the Standing Orders. What is frequent when all that can be proffered today is one instance where His Honour asked for an apology, and it is assumed by the hon. member for St. Michael South that because our Standing Orders are silent on the question of an apology then Mr. Speaker was in breach. No case.

This Resolution, in my submission has been brought – and I will quote the words of the Hon. Leader of the Opposition in 1967 – by the Leader of the Opposition and his scattered army of discontents. That is what was said in 1967 in a similar debate when he was high in his praise for South Africans. Mr. Deputy Speaker, at no time has the Opposition been able to convince this House that His Honour the Speaker is worthy of censure. The Opposition is searching for an issue to create a confrontation between the ordinary people of this country, and the danger is this, that last Tuesday His Honour delivered a statement from the Chair allowing the hon. member for St. Michael South Central to take his seat. They got up under the Head 'Private Members' Notices' and gave notice of this Resolution. The matter was effectively killed, there was no confrontation, but they had brought down their crowd outside looking to have violent confrontation and what happened? The matter was defused, plug pulled out. Having been allowed to take his seat, there is now no issue, the Opposition for no other reason walked out of this House of Assembly downstairs to be embraced by their fellows. The hon. member for St. Michael South Central was on television being hugged by Eric Sealy and then made a statement from the steps of the Office of the Leader of the Opposition with Eric Sealy under his armpit like a deodorant.

Mr. DEPUTY SPEAKER: The hon. member's time has expired.
12.15 p.m.

Mr. WEEKES: Mr. Deputy Speaker, I would like to clear the air about certain remarks I have heard before I make my speech. I came here with the understanding that the procedure which was taken during the debate with a similar resolution in 1967 when there was no time limit would be followed on this occasion. And what grieves me here today.....

Mr. DEPUTY SPEAKER: The hon. member is out of order. The Chair has already ruled that the instant Standing Orders apply and Standing Order 30(7) is the Order which covers this proceeding. To say or to criticise that is a reflection on the Chair. I can only be guided by the Standing Orders.

Mr. WEEKES: I appreciate your ruling, Sir, and am fully aware that you are being guided by the Standing Orders. But what I am referring to now is not something which happened here today; I am referring to when a vote of no-confidence was moved in this House in 1967. I am not questioning your ruling and I am not criticising anything which has happened here today; I am only reminiscing of what occurred in 1967. At that time the mover of the resolution was given the opportunity to speak without a time limit. Therefore when one gets up and criticises the mover who still has half an hour to reply, I think it is very unfair.....

Hon. L. S. CRAIG: On a point of order, Mr. Deputy Speaker, may I draw to the attention of the hon. member for St. Philip South that the Standing Orders which we now operate give half an hour, and the 15 minutes were brought in by the Opposition when in Government in 1973. So what are you blaming us for?

Mr. WEEKES: Mr. Deputy Speaker, I appreciate the remarks of the hon. member but I am saying that the Standing Orders should be suspended. *(Laughter)*.

Mr. DEPUTY SPEAKER: Order, please. The hon. member ought to confine himself with the motion which is before the House.

Mr. WEEKES: Yes, Sir. Mr. Deputy Speaker, in making my contribution here today on this resolution of no-confidence, I hope to express myself impartially. I am reminiscing on the duties which were performed by previous Speakers, having sat under the guidance of four Speakers in this House. Consequently, I feel that I am in a position to let the new comers to this House know what occurred in those days. And I want to say this, our predecessors laid the foundation for democracy in this country and it is my humble opinion that if democracy in this country is to survive we must not even attempt to muzzle the Opposition in this House.

Now, Sir, while we have the Standing Orders which govern us in here, it is the prerogative of the Speaker to use his discretion at all times with those Standing Orders. If a Speaker — and I am referring to any Speaker — feels that the Standing Orders should apply to us, it is my opinion that they should apply to all members of Parliament.

Now, Sir, in dealing with this Resolution of no-confidence it is quite noticeable that when members of the Government — and I am speaking from my conscience and observation, nothing to do with what is published in the newspapers, this is Reynold Weekes being governed by his conscience — I have observed during the last two and a half years that members of the Government are allowed to get up in here and attack the members of the Opposition and not one word is said about it. When the Opposition get up to defend themselves, all the Standing Orders are drawn to their attention. And you tell me that we are afforded the tradition of democracy in this Parliament? I say no.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, on a point of order. There are rules governing the conduct of debate, and in a motion such as this I respectfully submit to Your Honour that a member cannot get up and make an attack of the sort just made without specifying instances.
12.25 p.m.

Mr. Deputy Speaker, we cannot conduct a debate by just talking at large that when the Government gets up and attacks the Opposition nothing is said, but when the Opposition attacks the Government the Standing Orders are quoted. You cannot conduct a debate on the basis of wild and unsubstantiated statements.

Mr. DEPUTY SPEAKER: I have already indicated to the hon. member for St. Philip South when he was on his feet that I wanted the hon. member to give particulars; and I am ruling him out of order if he cannot substantiate these statements.

Mr. WEEKES: Thank you, Mr. Deputy Speaker. I hope that other hon. members will be asked to do the same.

Mr. DEPUTY SPEAKER: That is an attempt to reflect on the Chair. I will try to keep an even hand on the proceedings.

Mr. WEEKES: I apologise to you, Sir. I having served in here for four terms I have never had a Speaker treating me discourteously or anything like that.

Mr. DEPUTY SPEAKER: The hon. member must withdraw that statement. I rule that because it seeks to

praise the Chair. Do not let yourself be drawn into cross talk.

Mr. WEEKES: I am sorry, Sir. Having sat in here for such a long period, I have witnessed how Speakers perform their duties. On numerous occasions Speakers have referred to remarks of previous Speakers as border line cases; but they have never attempted to bring about chaos, confusion, hatred, animosity or ill will with members of this House. I know that you will allow me to say this. When another Speaker of this House attempts to muzzle the Opposition — I use the word "another", I am not referring to any particular Speaker — but if another Speaker attempts to muzzle the Opposition in the House, and especially in this age, I will give the warning that it will lead to chaos and confusion, and might well end in rebellion.

Mr. Deputy Speaker, it started when people were brought in here and sat in that Chair. If you want to know when it started, it started then. (*Asides*).

Mr. DEPUTY SPEAKER: Order please. Will the hon. member address the Chair and not be drawn into cross talk.

Mr. WEEKES: Mr. Deputy Speaker, I am here to express my feelings regardless of whom it pleases.

Mr. DEPUTY SPEAKER: The hon. member must please the Chair in so far as the conduct of his speech is concerned; and attempt to say that you will conduct yourself in any way that you please.....

Mr. WEEKES: With exception of you, Sir. (*Asides*).

Mr. DEPUTY SPEAKER: Order please.

Mr. WEEKES: If I have said, Sir, that it has started already, I am saying with all due respect to any person who intimated to me that it has started already — I am reiterating, Sir, that it started already when other people who are not members of Parliament were brought into this ancient and Honourable House and were put in the Speaker's Chair to sit.

Mr. DEPUTY SPEAKER: My ruling is that those remarks must be withdrawn. In my ruling they are offensive to the Chair and the dignity of the House. Please confine yourself to the four corners of the Resolution.

Mr. WEEKES: Yes, Sir. I will do so. When we consider what is happening in our countries in the Caribbean we have to be very cautious in allowing ourselves not be involved in certain issues which could lead to a downward trend in democracy, and therefore,

what I am saying today is that we in this ancient and Honourable House must do all we can to uphold the high position of this House. And, Sir, the main spring of this House is the Speaker, and therefore you would expect any Speaker who is appointed in here to be impartial and represent the interests of the minority; and to do his utmost at all times to diffuse certain issues which come before this Honourable House.

Failing to do so, we are not setting forth a good example, to even the pupils and the youngsters of this country to emulate; and I would like to say that the future before us appears not to be a rosy one, but with co-operation and good will we can succeed. I do not share the view of certain people who feel that certain things which happen in the Caribbean may happen here. I am saying that the average Barbadian is very intelligent, and therefore, if we in this House do not attempt to interfere with the ballot box we will always get very, very good Governments.

12.35 p.m.

I, Sir, am here with my experience to see that the interest of the masses is represented. Let us get to the topic, the subject we are dealing with, what caused us to meet here today. I think with my experience I am going to analyse the situation to the interest of those parliamentarians who are not aware of the issues in this matter and also for the general public. Now it is the first time since I was in this House that I have heard or seen that an apology was made in the Speaker's Chambers. Regardless of who you are, regardless of your vocation, regardless of the funds you own, when an apology was made in the past the hon. member had to come to this House and apologise to this House, and therefore it creates a doubt in my mind about the precedent which was created on that particular issue. It also creates a doubt in my mind that an apology was ever made, because if an apology was made, in my opinion the hon. member would never have had to call meetings in his constituency to explain the matter to his constituents. The Speaker of this House in his reply to the hon. member in a letter never stated from what I have read in the newspapers that the hon. member had apologised to him, and therefore for me to come in this House and to hear that an apology was made in the Speaker's Chambers, Mr. Deputy Speaker, I am very perturbed and upset about that precedent and I hope that while it appears to me that the matter has been settled amicably, I do hope that it will never happen again.

Now it is said that if the Speaker was not capable of defusing the whole issue by coming in here and informing us of that apology, what would happen. Now I am going to ask a question. What I am asking those writers to answer is this: what would have happened if the Duffus Report had stated that....

Mr. DEPUTY SPEAKER: Order, please! The hon. member must stick to the Resolution before the House. Duffus has nothing to do with this debate.

Mr. WEEKES: Yes, Sir. I accept your ruling, but I am leading on to matters pertaining to what occurred and what caused us to be meeting here, and therefore if that report had stated that there was corruption, I am asking those writers to write and say what would be the repercussions in this Island if we in the Democratic Labour Party had taken it the wrong way and they did not intend to let democracy function well when people came in here and invaded this Honourable House and sat in the Speaker's Chair. It is as simple as that. So long as you start fire and you do not have good firemen, it is going to keep on burning until judgment. Therefore we, Sir, have got to look at this no confidence vote. As some people are saying, as everybody knows, it will be defeated because there are only seven members on this side and I would say it would be a silly Government which did not defend the Speaker who is a member of their party. Putting me in their place, I am saying that I would vote for him and commend him for all that he did; but speaking as a member of the Opposition, and he having been appointed by the Government Party, I am saying, and I hope that it will not fall on deaf ears, that in future if we are to abide by the Standing Orders of this House, we should not castigate Harry and not Bob.

Sir, regardless of what has happened I am only hoping that after this discussion in this Honourable House both sides of this House will work in the interest of the people and will not allow certain differences or political affiliations to upset the healthy condition which exists in this country. It is known that we are recognised as the freest country in the world, and therefore, Mr. Deputy Speaker, we in this House do not display special interest in the affairs of this country and cause ourselves to do harm to it, and it can be done in here, if you get rulings which are contrary to the Standing Orders, if you get certain members being able to make statements and others cannot reply, Mr. Deputy Speaker, judgment will start in here.

12.45 p.m.

When I say that there will be problems, I do not mean that we are going to fight in here but what I mean is that on these various platforms you are going to hear various attacks on Tom, various attacks on Bob and then those people who are delegated and especially those who are yard-fowls, you are going to divide the country completely in two and polarisation will come for this country.

Mr. DEPUTY SPEAKER: The hon. member's time has expired.

Mr. WEEKES: In ending, Mr. Deputy Speaker, if at any time I have slipped I apologise to you and I do hope you will accept my apology in good faith.

SUSPENSION OF SITTING

(Dr. HAYNES rose to speak).

Hon. H. B. St. JOHN: Mr. Deputy Speaker, the hon. member has established his position but we started earlier today and I am obliged that we do not go over four hours without a break. The hon. member will be entitled to speak as soon as we resume and I beg to move that this Sitting be suspended until 1.45 p.m.

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

The question was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER suspended the Sitting accordingly.

On Resumption

Mr. DEPUTY SPEAKER: The Sitting is now resumed.

Dr. HAYNES: Mr. Deputy Speaker, it is unfortunate that I have to rise to speak in this debate without the benefit of the transcripts of the incident which occurred in this Honourable House on May, 29th. I believe that in this transcript one would find what is the subject of complaint in the Resolution in the Motion now before the House.

Now on May the 31st, I wrote the Speaker of this Honourable House and asked him if he would make available to me transcripts of all the comments which I made in the House on that day after the end of my speech. I wrote to him again on June 5th asking not only for the comments but also in their full context. I received a letter from the Speaker of this Honourable House on the 6th June in which I was informed that the contents of those letters were receiving his attention.

I wrote a subsequent letter, I do not have a copy of it here, a few days ago and I still have not had the benefit of the transcripts. I also came here this morning very early, just after 9 o'clock to try to get access to that transcript. However, I wish to make it clear that any statement that I may make in regard to the particular incident will be from my memory and consequently if there is any error in the terms of the comment or otherwise then I cannot help that.

Now there has been a very gross misrepresentation of the issues involved here not only by the members but by certain individuals. In particular, Mr. Deputy Speaker, I have been a member of this Honourable House of Assembly for just over one year now but on no occasion, I repeat on no occasion, not even on the 29th of May, have I treated the Speaker of this Honourable House other than with the courtesies demanded by the traditions of this Parliament.

Secondly, Mr. Deputy Speaker, I wish to make it absolutely clear that it is not a matter of being too big or too small to make an apology. If I had used any offending words or if I had offended any of the Standing Orders of this Honourable House of Assembly I would have been the first person to apologise. An apology itself does not take anything off you but I would indicate very clearly why I would be failing my duty as a Parliamentarian if I had responded to the kind of ruling which the Speaker made in this House of Assembly.

On that particular day I was most certainly not in breach of the Standing Orders. However, the whole matter in my view arose out of a misunderstanding, I repeat, a misunderstanding of what I said by the Speaker. Now, Mr. Deputy Speaker, the particular words as I recalled were "it is criminal behaviour the member is accusing me of". I was not referring to anyone as a criminal. I did not call anyone a criminal and indeed the term "criminal" has not been used in this House in a descriptive way so therefore there can be no question of my having committed an offence under this Standing Order. I wish to make it clear that the Speaker of this Honourable House I think did not hear what I said properly at that particular time.
1.50 p.m.

The Speaker therefore asked me to withdraw, then later said: "...and you will turn and apologise to this House for that behaviour." Now any kind of penalty exacted of any hon. member must be reasonable and must be consistent with the offence that he is supposed to have committed. While standing, I asked the Speaker of this Hon. House whether he had heard what I said. Reaction: "Do not question the Chair, just do as you are told, apologise or leave." That is where the problem arose. Mr. Deputy Speaker, I complied with the second request, I was ordered to leave the House, which I interpreted to mean leave for the day's sitting, which is consistent with the Standing Orders of this House. I therefore left this House.

Later that day, or soon after that incident, I spoke to the Speaker because I was still convinced that there was a misunderstanding, and I brought to the Speaker my concern, I repeat, my concern that his actions may have been based on a misunderstanding of what I said. Now,

whilst I was leaving I heard the ruling which is incorporated in the statement by the Speaker to the effect that the hon. member would not take his seat again in Parliament until he had apologised. The question is, if someone is asked to apologise he has to apologise for something, he has to apologise because he has committed some kind of offence, because he has used some kind of language that is offensive or offend the Standing Orders of this House, or because he breached the Standing Orders of this House, but the issue involved in this whole exercise was the ruling by the Speaker that I would not take my seat again in Parliament until I had apologised.

Mr. Deputy Speaker, I wish to draw to your attention that the Standing Orders of this Hon. House are made under the Barbados Independence Order, 1966, section 50(1) which says: "Subject to the provisions of this Constitution, each House may regulate its own procedure and for this purpose may make Standing Orders." That is the Constitution of Barbados. It does not give the Speaker the authority to make any Standing Order, it does not give the Speaker the authority to put anyone out of this House at any time except in accordance with the Standing Orders made by this Hon. House, and indeed, Mr. Deputy Speaker, Parliament itself under Standing Order 40 has been most circumspect in prescribing in particular the disciplinary steps that must be taken by the Speaker of this House. It gives the Speaker the authority to order a member to leave for the remainder of the day's sitting if his conduct is grossly disorderly, I repeat, grossly disorderly. Notwithstanding the fact that there was no grossly disorderly conduct in the House on that day by anyone, nonetheless I complied with the order of the Speaker.

These Standing Orders further make it absolutely clear that the next disciplinary step which the Speaker can take if he decides that that is not enough to deal with a particular situation would be to name the member immediately after the commission of the offence. He would have to name the member, then on a motion from this House carried by a majority of members present, then such action as suspension for various times as prescribed here, and indeed Parliament itself has again been most circumspect in limiting its own authority. That is, it says very carefully that a member can be suspended for two weeks in the first instance, four weeks in the second instance, and three months thereafter, presumably within a given Session.

Standing Orders of this kind have been made because Parliament itself would not wish to deprive a member of this House of his right to come in here for any length of time and therefore deprive his constituents of the right to representation. Furthermore, from all rulings that I have been able to trace, it was quite clear that any suspension of any member, whether it be for two weeks or otherwise, would necessarily expunge the

offence. In other words, the Speaker of this House took upon himself not only to make a ruling that is completely out of keeping with the Standing Orders of this Hon. House, but went even further than Parliament itself by making my return here conditional on some factor, whereas even if Parliament itself had decided to suspend me it would not normally have made my return to this House conditional on any other factor whatsoever. This is the central issue, this is the issue involved.

My refusal to apologise was based on the fact that the Standing Orders are part of the Laws of Barbados, these are not rules that are just made for a sixth form debating society, these are made under the Constitution of Barbados. Quite clearly no Standing Order can be made which is repugnant to the Constitution of Barbados, as is clearly set out in that Independence Order. Consequently, if I had complied in any way with what was an illegitimate order, then as a member of Parliament and as a legislator I myself would have been guilty of not carrying out my duties as a member of Parliament, when one of my primary duties is to uphold the Constitution, uphold the laws of this country, and represent my constituents in Parliament according to the law. If I had done that, Mr. Deputy Speaker, then I would have failed miserably in my duty as a parliamentarian to my constituents and to this country as a whole. I made a stand and I am satisfied that in making that stand it can only be for the future betterment of parliamentary democracy in this country, and democracy in the wider sense.

Much has been said about my going to my constituents in order to explain the matter. I do not know if the Press realise that this Parliament constitutes the highest court in this country and that there is no appeal against decisions taken in this House of Assembly, and that the only place you can appeal is to the people of this country. If you are wronged, that is the only place you can appeal.

2.00 p.m.

I reckoned it my duty to go to my constituents and explain to them exactly what the situation was.

Now, Mr. Deputy Speaker, much has been said about whether I apologised to the Speaker or not. I want to make it absolutely clear that I made no apology for any misbehaviour in this House, because there was none; there was nothing to apologise for. What I did was to make sure that out of common decency I did not take the issue to the public before I had taken further steps when not allowed to do it in here. I accorded the Speaker the courtesy of trying to tell him that he did not hear me properly. But that is being misused. However, I think I did the right and gentlemanly thing.

There is a term "whimsical" in this Resolution. Now when the hon. member for St. Lucy was asked sometime ago to apologise to this Honourable House, he came in here while the House was in Committee. Immediately progress was reported and the Speaker took the Chair and the hon. member for St. Lucy had to apologise here in this Chamber before this House.

Another example — and in this connection I wish to read from the House of Assembly debate of Tuesday 11th April, 1978, page 843. The Speaker is speaking:

"Mr. Speaker: During the recess several approaches from both sides of this House were made to me indicating that the Leader of the Opposition was sorry for what had taken place earlier in the day and that he was willing to tender an unqualified apology for his misbehaviour. I gave instructions that any such apology should be put in writing and I should be given a draft thereof for my approval during the recess before resumption. I came here expecting the Leader of the Opposition to tender the apology, a draft of which I now have in my possession. I find that the Leader of the Opposition has chosen to leave the Chamber rather than tender the apology."

Mr. DEPUTY SPEAKER: Are you reading from the debate?

Dr. HAYNES: Yes Sir, the debate of 11th April, 1978, and this was the statement by the Speaker to this House on that particular date relative to an apology from the hon. member for St. Michael South Central.

Mr. DEPUTY SPEAKER: But you had prefaced your remarks about the hon. member for St. Lucy.

Dr. HAYNES: I am finished with that. Now this is a situation where the Speaker not only had a copy of an apology in writing, but also came to the House and made it absolutely clear that Mr. Frederick Smith would have to come in here and make an apology in here. And you all know what happened on that occasion; that was the immediate cause of a bye-election in St. Michael South Central.

Now when you think of the procedural matters here, you find a situation where one hon. member has to come in here and apologise verbally. The House is actually in Committee but he cannot even take his seat. The Speaker is immediately informed and he comes in and an apology is made. In the case of Mr. Smith the apology was even made before the TV cameras.

In this present instance, I am supposed to have apologised in the Chambers of the Speaker. All I am saying is this: I do not care how my conversation with

the Speaker is reconstructed. I believe I did the right thing in bringing to the Speaker's attention my concern that he had taken this particular action on the basis of a misunderstanding. And this is where I feel that the Speaker erred very greatly, not only in misunderstanding but also in the attitude that he demonstrated in this House on that day. It is not merely a question of words.

And this business of comparing any actions with cricket. Fair enough. If an umpire gives you out LBW a foot outside the off stump, you are out; but if he is going to give you out because you made 200 runs, that is a different ball game. You cannot make up the rules as you go along. It was not a question of bad sportsmanship, it was a question of whether an hon. member of this House can be deprived of his rights to enter this Chamber, and I believe that this stand I have taken can only be for the good of the country.

I want to go further. I made a point about attitude. According to my recollection of what took place on that particular day — and I have not been given the transcripts, and this is another example of the attitude I am complaining about — Now listen to this, Mr. Deputy Speaker:—

"Mr. Speaker: I have heard the hon. member on that point already.

Dr. Haynes: Not on this occasion.

Mr. Speaker: No, not on this occasion.

Dr. Haynes: It is criminal behaviour the hon. member is accusing me of.

Mr. Speaker: Now you will withdraw that remark.

Dr. Haynes: I will withdraw the remark?

Mr. Speaker: You will withdraw the remark and apologise to the House."

Mr. DEPUTY SPEAKER: I hate to interrupt, but are you reading from the transcript?

Dr. HAYNES: This is my recollection of what occurred. (ASIDES)

Mr. DEPUTY SPEAKER: Order please.

Dr. HAYNES: To continue, Sir.

"Dr. Haynes: Did you hear the remark?

Mr. Speaker: Don't question the Chair; just obey the Chair or leave."

I later gathered my papers and left and there was a statement to the effect that I was offending the dignity of the House, and I understand there was a statement in the Press that I would have to come back in here on my knees. I cannot vouch for that, but that is what I heard. I am under a disadvantage at not having had the transcript which I consider essential to this debate, and I think that something has got to be wrong if I cannot have access to the transcript.

Mr. DEPUTY SPEAKER: The hon. member must withdraw those remarks; he is not entitled to the speech of any hon. member but his own.

Dr. HAYNES: I will withdraw the remark. Now there are a few questions I would like to ask.....

Hon. L. S. CRAIG: On a point of order, Mr. Deputy Speaker. It is the practise of Parliament that if a member is reading from a paper or document he should make it available to the House. As I understand it the hon. member said that he did not receive a transcript, but I am informed by the Clerk of the House that he received a copy of his speech which he is entitled to. (Asides) 2.10 p.m.

Mr. DEPUTY SPEAKER: Order, Please. Continue with your speech.

Dr. HAYNES: Mr. Deputy Speaker, the question that I wish to ask is if the Speaker of this Honourable House was of the opinion that what transpired between myself and him constituted the need for apology, immediately after the interval, when the House resumed, why did he not so inform the House? Why was I deprived of my right of being in here for the rest of that particular day? Why despite two letters that I had written to the Speaker, he did not take the opportunity to write and tell me that he considered the matter closed? This is a matter of interest, because if at that particular time anything that I had said the Speaker had interpreted as an apology, then I would have thought that it would have been his duty to come here to the House immediately after the resumption and so inform the House. And certainly, when I wrote him two days later, on the 31st and again on the 5th I am pretty sure that he could have taken the opportunity to inform me in writing that he considered the matter closed.

I think that hon. members should think on these things before coming too rapidly to certain conclusions. Mr. Deputy Speaker, the burden of my argument here in support of this Resolution is that the attitude

demonstrated by the Speaker on that occasion was the immediate cause that precipitated a very serious situation here in this country, even worse than that, and I hope that this House will take note because it may be me today and other hon. members tomorrow. Take note of that particular ruling by the Speaker of this Honourable House, and I would like to hear hon. members on the other side coming out because there can be no doubt in my mind that it was unconstitutional; that it was not in accordance with the Standing Orders, that no individual had to assume authority to deprive any member of this House of his right to enter in here and represent his constituents. It is striking at the very heart of democratic practices in this country; and indeed I believe that the people of Barbados recognise that a serious democratic right was being taken away from them and they made it quite clear that they would not tolerate this situation.

I do not wish to hear any kind of peripheral arguments from the other side. I have confined myself strictly to an offense against the Standing Orders by the Speaker of this House of Assembly; and I warn members of this House of Assembly....

Mr. DEPUTY SPEAKER: The hon. member has no authority to warn. (Asides). Order please. That authority is vested in the Chair.

Dr. HAYNES: Mr. Deputy Speaker, I withdraw the remark, but it was not in the area of a disciplinary matter or anything like that. It was purely a term that I was using, that hon. members should be cautious in not appearing to be lending their support to a ruling which they must know was in breach of the Standing Orders of this House; and if they do so in debate today, they might find themselves in a similar situation some time during this particular session. Thank you, Sir.

Hon. L. S. CRAIG: Mr. Deputy Speaker, I believe that if there is one member in this Honourable Chamber who is qualified to speak on being ill treated by former Speakers of this House, it is this member. Now you will have to bear with me, Sir. This debate, 24th January, 1967, and the Leader of the Opposition was the chief architect of it. Listen to the treatment that was measured out to me. The member for St. Philip South was the Chairman on that occasion; but I do not believe that he would have been *au fait* with what was going on at that time because he spent most of his time with a former member, Mr. Homie Corbin, at the Old City bar. So he is not in a position to say anything on this matter. Listen for this, Mr. Deputy Speaker. (Asides).

Mr. DEPUTY SPEAKER: Order, please. The hon. member is on his feet.

Mr. WEEKES: Mr. Deputy Speaker, I beg...

Mr. DEPUTY SPEAKER: On what have you risen?

Mr. WEEKES: On a point of order. I beg to refute the statement made by the hon. member for St. James. The statement is derogatory about my character; and I would let him know this now that I am not a gambler and even if I was...

Mr. DEPUTY SPEAKER: Order, please. The hon. member for St. Philip South — please contain yourself. You have made your point of order. Please take your seat.

Hon. L. S. CRAIG: I never accused the hon. member of being a gambler, Sir.

Mr. DEPUTY SPEAKER: Continue with your speech.

Hon. L. S. CRAIG: I simply accused him.....

Mr. DEPUTY SPEAKER: Do not repeat the accusation.

Hon. L. S. CRAIG: It is not an accusation, Sir I am simply leading up to events. This was in 1967. These are the persons involved — Hansard, second session of 1966–1971, Tuesday 24th January, 1967. J. C. Tudor spoke — Page 79. Sir Grantley Adams, Mr. Deputy Speaker, Sir Grantley Adams, Mr. Deputy Speaker, Sir Grantley Adams, Mr. Deputy Speaker, Mr. J. C. Tudor, Sir Grantley Adams, J. C. Tudor, Sir Grantley Adams, J. C. Tudor, Sir Grantley Adams, J. C. Tudor and it goes right down, Sir, right down, Mr. Deputy Speaker to Mr. Craig on that occasion.

The only thing I said on that day — I gave notice of a question. I tabled a question asking the Government to build a secondary school in St. James, somewhere along Folkstone or Holetown, and thanks to my colleague, it has now been completed. That was the only thing I said for the day. Mr. John Yearwood on that occasion sitting in the Chair as Chairman, according to Hansard, said that he asked the then Leader of the Opposition, Sir Grantley Adams to withdraw remarks made for the eighth time. And there was a battle of words between the Leader of the Opposition and the then Prime Minister.

Out of a clear blue sky, according to Hansard, it says there were noises and there were voices from both sides. "I name you, Lionel Craig." Do you hear the only time I spoke for that day?
2.20 p.m.

The Leader of the Opposition did not only set out to have me out on that occasion but removed the motion having me named and called on Speaker Brancker to send me out for eight sitting days when the Standing Orders had only required you to go for five. He called for eight. The Leader of the Opposition called for eight on that

occasion and Speaker Brancker had to draw to his attention that it was my first offence. He did not ask me to leave the Chamber for the day's sitting, but to go out for eight days. Look him there, the Leader of the Opposition. Now we hear about democracy being eroded.

In 1961 — it started all then — when the Leader of the Opposition, then Leader of Barbados, came into the Chamber with victory on his shoulders and the Marshal of the House got up and called on strangers in the Gallery to be quiet, the Leader of the Opposition, the then Premier, the member for St. John, told the Marshal — he stripped him of his power — that he had no power or right to call on the Gallery to be quiet, and from that day until today strangers in the Public Gallery have been involved in the debate. It started all then; he stripped the Marshal of his power. If you strip the Marshal of his power publicly and you are the Leader of a country, what do you expect to happen today?

Rt. Hon. E. W. BARROW: On a point of order, the hon. member has just broken one of the Rules of the Debate by calling you the leader of a country. You may be it one day, but you are not yet, all remarks being of course addressed to the Chair. The hon. member will not appreciate that no one has any right to call the attention of strangers except a member of the House. I was merely pointing out that the Marshal cannot get up and address the Gallery which is not supposed to be taken cognisance of unless someone get up and says "I see strangers". Do I have to go on?

Mr. DEPUTY SPEAKER: The point is made.

Hon. L. S. CRAIG: At page 846 of the debates for the Second Session of 1966–71 you will find:

"Hon. E. W. BARROW: I would just like to draw this to Your Honour's attention. I think that your Ruling must be that this is the first occasion in this Session of the House, because it is on record that the hon. junior member for St. Joseph was first suspended by a former Speaker, George Douglas Laurie Pile, from the service of the House." (Rt. Hon. E. W. BARROW: Don't shout so loud!) Tell your son that, not me. Know your place.

Mr. DEPUTY SPEAKER: Order, please! The hon. member.....

Hon. L. S. CRAIG: I must apologise, Sir. I was taken by storm by the P.P.s, the political.....anyhow.....

Mr. DEPUTY SPEAKER: Please continue with the debate.

Hon. L. S. CRAIG: ".....because it is on record that the hon. junior member for St. Joseph was first sus-

pended by a former Speaker, George Douglas Laurie Pile, from the service of the House."

That is what happened. The Leader of the Opposition then in that Session between 1966-71 was asked to leave the Chamber and he was named. The Speaker had the power to send me out for five sitting days. The Leader of the Opposition at that time fought Speaker Brancker to send him out for eight days and due to Speaker Brancker's attention that he was sent out by George Douglas Laurie Pile and this would have been the second time, and Speaker Brancker ruled it was not in that Session. That was before I was even born; in 1938. He so set out to trample the rights of the Opposition then; that is how he started. A first timer came in in September and in January the Leader of the Opposition tried to get me sent out for eight sitting days.

Sir, I have been sent out of here by Speaker Maxwell, I have been sent out by John Yearwood, I have been sent out by Russel Lowe and on no occasion have I found any of my remarks at the time were uncomplimentary, and I said absolutely nothing. I walked through the door and I came back to fight another day. That is what I did. But what are we having now today? The Opposition in 1976, the worst beating that any human being as a Parliamentarian could ever have in his life came from that side. The things that are in Hansard historians would be ashamed to read or write about. The Opposition in 1976 when we came in here started on Mr. Speaker and they would not let up. They reminded him of his past.

Mr. DEPUTY SPEAKER: The hon. member must not.....

Hon. L. S. CRAIG: I am confining my remarks. I will abide by your ruling. I am referring to what transpired then because we are dealing with the Speaker during this Session and I must refer to this aspect of it. The only thing they did not say about Mr. Speaker is that he was a lady, and all the hon. members on that side voted "no" against Mr. Speaker. When we were in the Opposition the then Prime Minister or the Leader of the House would get up and nominate a person from in Parliament and the Leader who is now the Prime Minister when he was in Opposition would get up and second it. This is what we did to show that we were satisfied that the person whom we were putting in the Chair would be a man that would be impartial, and today we heard it from no other person than the hon. member for St. Michael South, a person whom I respect sometimes, not all the time; he is a bit smart. Now this is what we have been getting on with, and we were almost on the brink of warfare downstairs because all we had to do was to tell our supporters to come out and down there would have been a battle ground; and Mr. Speaker stands to be condemned for defusing what he considered to be a powder keg in Parliament, a member refusing to apologise. I have the tapes. He never told his

constituents that he went to Mr. Speaker's Chambers and drew to Mr. Speaker's attention any concern. I have the tapes from Quakers Road and Villa Road; I taped those meetings personally, and there was not one single word, but he brought innocent people down here to demonstrate against his bad behaviour, his conduct.

Mr. Speaker is the man with the highest office in Parliament and therefore if he asks you to apologise, apologise. I elected to apologise — no one asked me — on the floor of the House, but all of a sudden you have one or two skunks knocking around the country, that is what they are, public skunks setting out to pollute the air morning, noon and night and some of them attempt to bring their behaviour into the confines of this august Assembly.

Mr. DEPUTY SPEAKER: The hon. member must withdraw those remarks because you have now identified skunks with some hon. members of this Chamber.

Hon. L. S. CRAIG: No, Sir, I said members of the Democratic Labour Party.

Mr. DEPUTY SPEAKER: No, no, my ruling.....

Hon. L. S. CRAIG: I apologise. I withdraw the remarks, Sir. Mr. Deputy Speaker, every single thing is done to divert attention from what are the true facts in this country. We fought the former Government on policy, we fought them on their corrupt practices, we fought them on every aspect, but we never set out to bring people down here to demonstrate. People came of their own free will. We never even held a public meeting during those trying days when we were in here. We held public meetings on issues like the windfall and the constitutional debate. We held public meetings on those issues. We did not hold a public meeting on whether a man should apologise to what we term the highest office of the land, and if Mr. Speaker's interpretation is that he expressed concern and therefore felt that he was sorry for the incident, even if he did not use the word "sorry", what is wrong with that?

The hon. member for St. Michael South Central claimed the Speaker used three different styles; one by way of a letter, one by way of a person apologising on the floor of the House and one of apologising in his Chambers. What is wrong with that?
2.30 p.m.

If Mr. Speaker feels that within himself that the apology made to him is good enough as Speaker of the House what is wrong with that? Must he step out into the road shouting about something that he did not apologise? Then you all took a licking in the papers

yesterday and all the happenings last night and still you have the gall to come in here and to be punished in here again. You are cut out for punishment.

Now, Sir, as I understand it, Mr. Deputy Speaker, a good Speaker is one that is firm, one who has experience in Parliamentary life and one who is full of wit. Nobody can deny Speaker Hinds that. He is full of wit. We have heard that in here. He is firm. Even the firmness of his words have brought members to their senses. He does not ask for anything on that side neither does he ask for anything from this side. We heard it from the member for St. Michael South that he is an impartial Speaker. He has asked the Prime Minister to take his seat or leave. He has thrown me down on several occasions, colleagues on my side and colleagues over there.

You are members of the Opposition but you are still dictators of the Government, even today. You are sensitive. You should name your Party the Disarrayed Labour Party. You came in here today and here is a party on the Opposition Benches who do not know how long they have to speak. We gave notice of the Standing Orders to be suspended, then you find the Leader of the Opposition.....

Mr. DEPUTY SPEAKER: Please address the Chair.

Hon. L.S. CRAIG: Yes, Mr. Deputy Speaker. You find the other Leader on that side asking us to suspend the Standing Orders. I have never heard that yet. I have never heard that in my 13 years in here, a member of the Opposition getting up and asking the Government to suspend a Standing Order when they could have taken an objection at that time.

Now the member for St. Michael South, just to talk briefly about him. Sometimes I call him coloured boy, when we are at the table outside. Of course we did not see him today.

Mr. DEPUTY SPEAKER: The expression you used is errand boy?

Hon. L. S. CRAIG: No, I did not say that, Sir, I said coloured boy. I said errand boy last night but I said coloured boy today. You talk about division in this country, they started a division. The members on this side would come into the dining hall and sit down and have lunch and I have never seen six members at any one time from the Opposition side sitting in there with us. They hardly come in for prayers showing contempt for the Speaker except the member for St. Michael South and the member for St. Philip South. They would not even grace this Chamber at the time for prayers. Sir, when the Chaplain of the House is even leading this House into prayers when he calls for peace and to avoid division, not even that, Sir, they would not come in and take with us.

The first time I have ever seen them in here for a long time is today because they had something on the books. For the first time, and any member on the Gallery which I have not seen would testify to this that the member for St. Michael South and the member for St. Philip South are the only ones who would come in here. You will find the others butting about in the corridors to see if we are going to form a quorum. All of that goes on in here. You do not find them in the lunch room and they do not even pass a friendly joke with us as if we are lepers of a society. That is how they carry on their business. I have told them already that they have to do that because the Leader of the Opposition praised South Africa in here. He said he would rather sit down with South Africa than to sit down in here with us. That is in Hansard. Let him get up and deny that.

Mr. DEPUTY SPEAKER: The hon. member must be relevant. Unless you can make your reference relevant then you cannot make it.

Hon. L. S. CRAIG: If the hon. member objects I would withdraw it but I believe that if I could search Hansard and that is what I will have to do you would see it. I would have to ask the Clerk to search Hansard and he was making reference to the late Sir Grantley Adams on that occasion.

What is the function, Sir, of a Speaker? It is to control Parliament. He must be firm, full of wit and impartial and when in doubt he seeks the advice of his Clerks at the Table, just as what he has done ever so often. The Leader of the Opposition, the mover of this Resolution talked about eroding democracy. I have heard the member for St. John when he sat in this Opposition, talking about the principles of democracy. I remember when Neville Maxwell told him to sit down and he walked out and said that the Lord giveth and the Lord taketh away. He was too big to sit down because Neville Maxwell asked him to take his seat.

I remember Frank Walcott in here abusing the Chairman of Committees Mr. Russel Lowe telling him how he spent his money on him in St. George and flouting the authority of the Chair and we on this side, excluding my colleague on the left, from the Prime Minister down at some time have been sent out and we took our walk through the doors sometimes amidst boos from their supporters and we came back to fight another day. That is what we did. We fought them on policy not on scandal or rumours. I used to hear that Billie Miller slapped Henry Forde.

Mr. DEPUTY SPEAKER: The hon. member must not refer to members by their names.

Hon. L. S. CRAIG: Not Billie Miller then or Henry Forde but the member for the City had shot the

Attorney General. Listen to the rumours. That was another rumour that the member for the City had shot the member for St. Joseph. Another rumour. Then I heard that the Prime Minister's wife was seeking a divorce. All of those things were rumours and even in Geneva I heard that when I was there I jumped through a window and broke my legs. Just rumours. That is what you started in 1961 when the Leader of the Opposition was seeking the high office of Prime Minister of this country. You have to be blamed for it and now you have the gall and courage and guts to come in here today and bring a Resolution condemning the Speaker. At least I would have felt that if there is one person who should have moved that Resolution it should have been the member for St. Philip South, but not the member for St. John. You can move a Resolution for someone's conduct? Oh no.

Mr. DEPUTY SPEAKER: Please speak on the Resolution.

Hon. L. S. CRAIG: I am speaking about the Resolution, Sir. I am talking about the mover of the Resolution, the person who moved the Resolution condemning the Speaker. What I am saying is that he is not qualified to do it.

Mr. DEPUTY SPEAKER: The hon. member must withdraw that. So long as the hon. member for St. John is a member of this House he is qualified to move any Resolution in accordance.....

Hon. L. S. CRAIG: His conduct in Parliament does not justify that.

Mr. DEPUTY SPEAKER: That must also be withdrawn. The Chair will determine whether his conduct in Parliament is proper or not.

Hon. L. S. CRAIG: I withdraw the remarks. I think the point is well taken by you, Sir.

Now, Mr. Deputy Speaker, I would have thought that an example would have been set by the Leader of the Opposition. The first thing I believe the Leader of the Opposition should have done is to simply say to his junior colleague the member for St. Michael South Central, and it is a very simple thing, apologise and let us get back in there and fight them out again. But you have people like Kenmore Husbands, Neville Boxill and Talma and old-time rigger gang. Are you really serious? The mover of the Resolution gave a former Speaker of this House a cuff in his face in the Dining Room. All of that took place and now he is talking about the conduct of the Speaker. He is accustomed to beating Speakers.

Mr. DEPUTY SPEAKER: Order please. Please continue with your speech.
2.40 p.m.

I now understand. Here on the floor of the House he had promised to kick the member for St. Joseph to the moon because he said he used to go down to Dr. Lloyd-Still for injections; all of these things. If he had moved the Resolution and said: "Mr. Speaker, in the evening of my years I am a bit mellow and therefore I would like to bring back a degree of parliamentary stability, then I would support it, but how can you support it when the hon. member is still indulging in this practice as you heard already today with you in the Chair, Sir? I have to really ask what we are debating, because there is no real motion before the House.

Mr. DEPUTY SPEAKER: That is a matter for the Chair to deal with.

Hon. L. S. CRAIG: Yes, but I did not hear it moved, and I was in here all the time. There is nothing in Hansard to reveal that he begged to move that the Resolution be read a first time or do now pass, nothing at all, but since it is the Deputy Speaker's ruling, I abide by that, but I am going to research Hansard for the 18th June, 1979, and there is no way that it has been moved, but we are going along with it. Even that we will give you, we gave you open Government, on television every night free, all that we will give you, but all you want is a little more power. I believe you will have to wait a very long time for that power.

Mr. TAITT: Mr. Deputy Speaker, earlier today the hon. member for St. Philip North raised the question as to the words of this Resolution, and he took four points from the outset; reference to former members was the first. Mr. Deputy Speaker, I contend that it was from the outset. I came to this Hon. Chamber from the Other Place where we had had debates for over five years, and I have got accustomed to operating in a particular manner, as I believe two hon. members on that side can confirm because they were in the Other Place as well, and if you turn to page 430 of Erskine May's Parliamentary Practice, the 18th edition, you will see under "RIGHT OF MEMBER TO DIRECT THE ATTENTION OF THE CHAIR TO SUPPOSED BREACHES OF ORDER". "Although it is the duty of the Speaker to interfere in the first instance for the preservation of order when, in his judgment, the occasion demands his interference, it is also the right of any member who conceives that a breach of order has been committed, if the Speaker refrains from interfering (either because he does not consider it necessary to do so, or because he does not perceive that a breach of order has been committed) to rise in his place, interrupting any member who may be speaking, and direct the attention of the Chair to the matter, provided he does so the moment the alleged breach of order occurs. When a member speaks to order he must simply direct attention to the point complained of, and submit it to the decision of the Speaker."

All hon. members and those who write about parliamentary matters agree that Erskine May's constitutes that authoritative document on behaviour in Houses of Assembly. Mr. Deputy Speaker, I now direct your attention to Hansard of Tuesday, 12th October, 1976. This was the first meeting of this Hon. House after the Throne Speech. I direct your attention specifically to page 59. The hon. member who was then the Leader of the Opposition, Mr. F. G. Smith, had been speaking and he was having a very difficult time. If you look at the debate you will see "*(Asides)*", and I read from the debate.

"Mr. TAITT: Mr. Speaker, on a point of order, I would like to draw the Speaker's attention to Standing Order No. 33 on the behaviour of members not speaking. I think that they are provoking the Leader of the Opposition."

I just read from Erskine May's which indicates that it is the right of a member to so draw the attention of the Speaker. On that same page, Mr. Deputy Speaker, here is what Mr. Speaker said:

"Mr. SPEAKER: I thank the hon. member very much, but I would wish to tell him that his attempt to do so is a reflection on the Chair."

From the very outset, the very first time in this Hon. Chamber for me, it became clear that the debate which had gone on on the question of the appointment of a Speaker was to weigh heavily for the remainder of the years we would serve under that hon. member as Speaker.

Mr. Deputy Speaker, it continued from there. When Mr. Frederick Smith, who in a debate attempted to get his right to speak, the Speaker having indicated that he was not going to allow Mr. Smith to speak, stated even after the Prime Minister intervened and indicated that he was prepared to see Mr. Smith get his rights in this Hon. Chamber, the Speaker said, as I recollect: "He will not speak in here today." And he did not speak.

Mr. Deputy Speaker, we used the word "whimsical" and the hon. member for St. Philip North indicated that we had not made the point of the whims of the Speaker. You will recall that for some time there was concern among a large number of people in Barbados about what had happened to Barbadians serving on vessels that were owned by the Barbados Government. Again, in keeping with the Standing Orders, I wrote a letter to the Speaker, through the Clerk of Parliament, dated 3rd October, 1978. This is what I said:

"Dear Sir,

I shall be grateful if you would pass on the following to Mr. Speaker."

Mr. DEPUTY SPEAKER: Is the hon. member making that letter a document of the House?

Mr. TAITT: Yes, Sir, I have been trying ever since then to get it as part of the records of this House. I am happy to make it document of this House. It goes on:

"In accordance with Standing Order No. 18, I give notice of my wish to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

Vessels of the Barbados International Seafoods Limited, property of the Barbados Government, left Barbados for Brazilian waters since early June, 1978."

2.50 p.m.

"Reports are that soon after arrival in those waters they were directed to the Port of Belem, where they have been detained ever since. Very little information has been given the public about this matter, but one Barbadian was brought back then; another is alleged to have gone mad; another had an arm broken. Considerable hardship has been reported among the seamen. In addition, the failure of the vessel to do any trawling has resulted in the loss of money and inconvenience not only to the seamen and their families but to the country as a whole. I believe that in light of the above I made a request that consideration be given to this matter as there were a number of Barbadians concerned, among whom were many who were anxious about the plight of their relatives." I signed this request as the representative of St. Michael South West. Mr. Deputy Speaker, the Speaker summoned me to his office and like a schoolmaster dealing with a pupil he said to me: "Account to me for everything in this letter." I accounted. I told him that many people in my constituency had come to me about this matter and I had canvassed not only in that constituency but in others. Mr. Speaker told me that it was not a matter of urgent public business. I cannot quote his actual words from the Chair when he ruled on the matter, because the debate has not yet been produced; but to the best of my recollection he stated that the matter was not of urgent public consideration.

Mr. Deputy Speaker, I can give an account of a number of questions which have been submitted to this Honourable House in accordance with the Standing Orders. I think you would agree that among the traditions of Parliament in the context of representation it is to be assumed that a person does not have to possess a Ph.D. in order to represent people. Therefore when it comes to asking questions on the floor of this House, how these questions are framed — so long as they do not break the rules of the House, especially with regard to casting aspersions on hon. members or

members of the public, or asking contentious questions — generally speaking it is expected that this Parliament realizes that an hon. member coming in here wants to ask questions in the interest of this constituency or of the country. And I say it is whimsical for any Speaker to treat hon. members in this Chamber as if they were children, as if he is correcting their homework, and that he is deciding which question is going to be asked and how the question is going to be framed; so if you have a dot at the bottom of the question, he wants it put at the top. And I am saying that on this basis His Honour the Speaker is preventing three hon. members on this side from asking questions that are of importance to the people of Barbados. I say that is whimsical. And on one occasion when the Speaker sought to inform an hon. member who had asked why a particular question could not be accepted, the Speaker told him: "If for no other reason but that the Speaker says so." I did not go out and ask people to allow me to represent them so that I may have a Speaker of the House of Assembly direct me on the use of the English language. It is not the Speaker's business to tell any hon. member in the context of language how he must phrase his question exactly, and it is significant that more than 40% of the questions submitted by hon. members on this side have been refused. And on one occasion, Mr. Deputy Speaker, we went for the Question Book — as you know, there is a record kept of every question asked in this House — to find out if we were being victimized. We went over the questions and sought to ask identical questions that had been asked in this Chamber on previous occasions. Some of these questions asked were treated in the manner which I have described.

We claim in the Resolution that we made reference to other former hon. members. Mr. Deputy Speaker, I believe you were in this Chamber when I raised a point of privilege and moved that the privilege of this House had been invaded when by design the apology of the former hon. member of St. Michael South Central was put out on CBC television. I go further and state that I was told on good authority that on that occasion when it became known that the speech had gone out on national television hon. members of that side jumped for joy in the Speaker's Chamber.

Mr. DEPUTY SPEAKER: The hon. member must withdraw those words. He has said that the television apology was done by design and combining that with hon. members of the Government side in the Speaker's Chamber.

Mr. TAITT: On your ruling, Sir, I withdraw. But in the debate of Tuesday, 16th May, 1978, at page 868 when the hon. member for St. Michael South Central had been forced to leave this Chamber as a result of the broadcast of his apology, Mr. Speaker himself said it was a breach for which cause had been made out that

the privilege of the House had been breached. When Mr. Smith was leaving here are the words of the one sitting in the Chair that symbolizes the highest point of democracy in this Island: "I have listened to what hon. members have had to say about Mr. Frederick Gladstone Smith, and one thing comes to my mind is that the hon. member for St. Philip South found it necessary to let us know that Mr. Smith was not a wolf in sheep's clothing. I merely like to say this — if ever he was a wolf, or whenever, or if ever, he would have been in his own clothes."

3.00 p.m.

He goes a little further. He said: "I want each and every member present or who may come after to understand that we wish nothing of the behaviour that Mr. Smith exhibited whilst he was Leader of the Opposition. We do not want it at any stage. Whether some may feel that it was to his credit or it was his way of expressing himself, it did not endear him to the Chair or to the high standards and dignity of this House, and least of all indeed to its proceedings. I have seen him and heard him rise in this Chamber and he never let slip that he was a barrister-at-law. Is that a crime? He made the stomachs of some people sick by repeating this."

Are these the words, Mr. Deputy Speaker, of a Speaker of this Chamber? Mr. Deputy Speaker, he continues: "He has never yet been able to identify himself with anything or taken the initiative at any stage of his parliamentary life to help grapple with any of the problems facing this country, whether it is unemployment, inflation or for that matter doing good for the people as a whole."

By definition this is untrue, because the hon. gentleman at that stage was a member of the Cabinet; and even the Speaker would have to admit that the Democratic Labour Party did good for the people and that Mr. Smith participated in that. This is a Speaker, speaking on the eve of a man's departure after serving to the best of his ability. For a Speaker to utter these words is the most despicable way to say goodbye to a parliamentarian or a colleague, and certainly not to a friend.

He went on in that same speech to say: "I believe that Mr. Smith has always caused us to believe in this House that he is a Christian, that he has some Christian feeling about him; the strange thing about Mr. Smith and his christianity is that he is reported to have gone to bed one night and saying that if he awoke the following morning in the same frame of mind he would be resigning his seat in the House. It is to be hoped that that was not a true indication of Mr. Smith's brand of christianity."

This is surprising to me, Mr. Speaker continued, "that the calypsonians have allowed that aspect of Mr. Smith's life to rest until now." Never before in the history of Parliament anywhere and at any time and in this country has anyone, not least a presiding officer uttered words, as conspicuous as the words so contemptuous in this House which is constantly described as this "hallowed" House.

Standing Order 78 says: "The Speaker may grant a general permission to the representative of any journal or broadcasting or television station to attend the sittings of the House under such rules as he may from time to time prescribe for that purpose. If the rules are contravened or if the journal or broadcasting or television station publishes a report of the proceedings of the House which is, in the opinion of the Speaker, unfair or inaccurate, permission may be revoked."

I think that all reasonable people who heard that will assume that the House so that it would not have to deal with each of these matters could believe that Mr. Speaker is a man of a certain integrity who could carry out the responsibility for the House and that the House would have given this particular authority to the Speaker to opt and speak on behalf of the House.

Mr. Deputy Speaker, can it be said that a Speaker who announces that a Reporter has been banned for life — for life, Mr. Deputy Speaker; not for two weeks as the Standing Orders says, not for four weeks or three months or even five years, but for life.....

Mr. SIMMONS: Mr. Deputy Speaker, it is my knowledge that this matter is sub-judice.

Mr. TAITT: Mr. Deputy Speaker, I am not dealing with that matter in that context. I am dealing with the authority exercised by the Speaker. I am not dealing with the merits of whether the man did a, b, c, or d.

Mr. Deputy Speaker, I am saying that the only point I wish to make as far as this Hon. Chamber is concerned, is that it has not been proven that the Speaker did exercise that authority of which I speak. It is not in Hansard; and it is not in the Reports of this Hon. Chamber.

It is my contention, and this is what I am concerned about, that I have read in the newspapers that the Speaker of the House of Assembly has banned a reporter for life. I wish to know by what authority the Speaker has banned somebody, if he did it. I want to know, if it was not so, why I have not seen the ban from Mr. Speaker or from the office of Mr. Speaker, and no attempt made to satisfy the thousands of people in Barbados who are wondering who gave the Speaker the authority to ban somebody for life, or put it under the carpet?

Mr. DEPUTY SPEAKER: Is the hon. member saying that the Chair as presently constituted is attempting to put it under the carpet?

Mr. TAITT: Of course not, Sir. Each time that I have served under your distinguished presiding I have marvelled at the contrast.

Mr. DEPUTY SPEAKER: Order, please. That remark is completely out of order and must be withdrawn.

Mr. TAITT: I hasten to withdraw the remark, Sir. You know, Sir, that no offence was intended. I am saying, Sir, that the people of this country have been deprived of the incisive reporting of the Nation Newspaper, precisely because the Nation Newspaper.....

Mr. DEPUTY SPEAKER: Please, you must address the Chair.

Mr. TAITT: Under Standing Order 33, please protect me from the hon. gentlemen on the other side. I was saying that the Nation Newspaper has not published a single thing about the proceedings of this Hon. House from that day. I am saying that it is in the interest of this House to have all the journals of this community begin to publish what goes on in this House; but the difference between my having the Nation and your having the Beacon is that I can vouch for the accuracy of the Nation most of the time; but I cannot vouch for the accuracy of the Beacon at any time.

Mr. DEPUTY SPEAKER: Will the hon. member stick to the Resolution?

Mr. TAITT: Yes, Sir. I can show you what I am saying as regards the action of the Speaker is relevant to this Resolution. If he bans a reporter for life and there has been no denial of it, no rejection of the statement, anyone who is reasonable would believe it; and I am saying that arising out of that decision the people of Barbados are being deprived of the fundamental tenets of democracy which we are talking about; and I am saying that if for no other reason than courtesy, we in this Hon. House, the hon. member for St. Michael North being excepted because he seems to know all the facts — we have the right to know what is the truth.

I go further. I have seen a report, Sir, allegedly in the interest of security that persons entering the gallery should not carry a book. Persons entering into this Chamber have been told that Mr. Speaker has said that they must leave all books outside. (*Asides*).

Mr. DEPUTY SPEAKER: Order please.
3.10 p.m.

Mr. TAITT: The hon. member is now telling me what happened in the House of Commons. In the House of Commons, no Reporter, no person who is known to be a journalist was banned from walking into the House of Commons with a book. I am saying that even if it happened in the House of Commons, we live in Barbados and I am saying, Mr. Deputy Speaker, that for a Speaker arbitrarily, unilaterally and alone to make a decision that you cannot walk into these precincts with a book, he is misusing or he misunderstands his authority and his responsibility.

(Mr. DEPUTY SPEAKER ordered certain remarks by Mr. TAITT to be expunged from the record.)

On national television.....

Mr. DEPUTY SPEAKER: Will the hon. member for St. Michael South West please take his seat?

When a member is speaking, only that member must be heard. I will not tolerate remarks offensive to the dignity of the House from any hon. member whether he is on his feet or sitting. Please continue.

Mr. TAITT: Mr. Deputy Speaker, we said that he showed partiality. Everyone watched on national television. This Honourable House had a Budget debate; no Standing Orders had been suspended. It is, as I have read earlier, the prerogative of any hon. member to stand in his place on a point of order. On the evening in question the hon. member for St. Philip North made a reference to me and I got up on a point of order and the whole of Barbados saw the Speaker of this Assembly saying to me "you will not be heard. If you do not like that, bring a vote of no confidence against me", and I vowed, Mr. Deputy Speaker, that the next time I came to this House it would be to speak on a vote of no confidence and for those reasons and others which time would not permit me to outline, I find that I have lost confidence in the Speaker of this House and I will be able to support this Resolution, and I invite all those hon. members over there who from time to time have privately communicated how disgusting they find some of the rulings of the Speaker to join me in supporting this Resolution.

Rt. Hon. J. M. G. M. ADAMS: Just in parenthesis at the start of my speech, Mr. Deputy Speaker, if I were to communicate to the House the number of things that the hon. member who has just sat down has said about his colleague on his left and about the hon. member for St. Michael South, perhaps.....

Mr. TAITT: On a point of order, I invite him to repeat every single thing I have ever said to him. I spoke to him twice in my life and one was to say good evening.

Mr. DEPUTY SPEAKER: No point of order. Would the Hon. Prime Minister please continue with your speech. Order please!

Rt. Hon. J. M. G. M. ADAMS: I realise the hon. member is making a plea and I would not worry with him. I will give you a break.

Mr. DEPUTY SPEAKER: The hon. member must be heard, please.

Rt. Hon. J. M. G. M. ADAMS: Now, Sir, this is really not a difficult motion to deal with. I did not expect very much indeed of it because if you cannot specify the times of which the Speaker is guilty, if you cannot give a bill of particulars itemising incidents that can be specifically analysed and discussed, then you cannot have a very good case and I admire the way the Leader of the Opposition started, Sir, and I think that it was a fortunate blessing that he was cut off in his prime, because I suspect that all he had to say which was very little had already been said, and the whole tone of this debate really should be governed by the tone of the 40 or 45 minutes that the Leader of the Opposition spoke. He spoke, I believe, for 42 minutes. Broadly speaking, his speech was an indication that we were just going through the motions here today, that there is in fact no serious cause for a censure against the Speaker, that what has happened is as was so admirably put by Dr. Ralph Gonzalves yesterday in the Sunday Sun that a political party having had a dominant position for many years is unable to adjust to being a weak opposition. Read what Dr. Gonzalves said.

Now I in my experience have never known a parliamentarian who treats and treated Speakers worse than the Leader of the Opposition. The Leader of the Opposition has a distinction of being the only person who has ever been a member of Parliament in this country that I know of to have had the verdict of a court delivered that he in fact beat the Speaker of the House of Assembly in the House.

Rt. Hon. E. W. BARROW: On a point of order, I would ask the hon. member to withdraw that, Sir, because it is manifestly untrue and it is, I do not want to use an unparliamentary word, but the hon. member knows that it is untrue. I have never been charged in a court with beating anyone, neither has any judicial officer ever said..... Mr. M. E. Cox said that on a political platform but no judicial officer, and I challenge the hon. member to produce the record where any judicial officer ever said that I beat the Speaker of the House of Assembly.

Mr. DEPUTY SPEAKER: Unless the hon. member can explain away this statement, it will have to be

withdrawn unless it can be explained away in accordance with May's.

Rt. Hon. J. M. G. M. ADAMS: I had better explain what happened. As I understood it, the hon. member for St. John charged, he was then the hon. Mr. Cox, he is now Senator Cox, with telling a lie on him in the appropriate language in the course of a by-election campaign, the lie being that the hon. member for St. John had beaten the Speaker in the dining-room. That was what was alleged.

Rt. Hon. E. W. BARROW: On a point of order, I should just like to point out I do not think he was in the Island, so he is completely inaccurate.

Mr. DEPUTY SPEAKER: The hon. member is explaining to the Chair the way in which the words may not be out of order.

Rt. Hon. J. M. G. M. ADAMS: I think I had better withdraw them and get on because it would take a long time if the hon. member wants me to give chapter and verse. Let me go on and explain the words. A case was brought by the hon. member for St. John against M. E. Cox at District "C". Mr. Washington Harper was the magistrate. The case had seventeen adjournments. Mr. Mottley gave evidence for the hon. member who was the plaintiff, and Mr. Teddy Jones, the caterer, gave evidence. Every week they used to go out there with Cameron Tudor and used to stop down by Edgcomb after the adjournment and eat food. Tudor is my informer in this, if you want to know, and Teddy Jones.....

Rt. Hon. E. W. BARROW: On a point of order, I know no one at Edgcomb. I have never eaten food anywhere near Edgcomb. If the hon. member is improvising as he goes on.....

Mr. DEPUTY SPEAKER: Will the hon. member for St. John please take his seat?

Rt. Hon. E. W. BARROW: I must ask the hon. member to withdraw those allegations, Sir.

Mr. DEPUTY SPEAKER: Please take your seat. If the hon. member for St. Thomas will just give me a moment, my ruling is that in the interest of the dignity of this Chamber the words should be withdrawn and the hon. Prime Minister should carry on with his speech, because otherwise we are going to be in a situation where allegations of food and all that sort of thing will be brought into the debate.
3.20 p.m.

Rt. Hon. J. M. G. M. ADAMS: The fact is this. If I withdraw it, it gives the appearance that there is some

basic untruth about what I said and I must explain it. There was a case at District "C".....

Mr. DEPUTY SPEAKER: My ruling is that the words should be withdrawn so that we can get on with the debate.

Rt. Hon. J. M. G. M. ADAMS: For the purpose of getting on with the debate, anyway, we have for a long time had difficulties with Speakers. Mr. Speaker has given evidence at District "C" on one occasion that he was struck in his face by the hon. member for St. John.

Rt. Hon. E. W. BARROW: The hon. member is not telling the truth.

Mr. DEPUTY SPEAKER: Order please. You are on a point of order?

Rt. Hon. E. W. BARROW: Yes, Sir. The hon. member is not telling the truth and you have already asked him to withdraw the remarks and he has persisted even though he was not present in Barbados. He was not present in the Courts and I defy him to produce any evidence in which the former Speaker said that I struck him in his face. It has never happened at all.

Mr. DEPUTY SPEAKER: Order please. The Chair must be permitted to rule. An allegation has been made concerning the hon. member for St. John. The hon. member for St. John has said it is not true. The Chair is not in a position to rule effectively on the matter unless it has done a thorough examination. My ruling is that that is the end of that particular issue and the Hon. Prime Minister must continue with his speech.

Rt. Hon. J. M. G. M. ADAMS: Even though Mr. Husbands stood in the very Chair and showed me how it happened?

Mr. DEPUTY SPEAKER: No, no. The Hon. Prime Minister.....Order please. Please continue with the speech.

Rt. Hon. J. M. G. M. ADAMS: I withdraw it but that used to be a rule of all the Parliaments of which I have been a member broadly speaking that you could not discipline the hon. member for St. John. On the few occasions I have seen the Speaker trying to discipline the hon. member for St. John, on one occasion the member shouted him down when I accused him of being paranoid.

Rt. Hon. E. W. BARROW: On a point of order, Sir. I would like to know if the Motion which I made as a vote of censure is against me as Leader of the Opposition, as Prime Minister, as a member of the

Opposition before 1961 or not, because the hon. member is trying to distort the whole debate going on here into an examination of the relation I have had with previous Speakers. Therefore, in that way, he is imputing improper motives to me in bringing this Resolution which is contrary to the rules of the House.

Mr. DEPUTY SPEAKER: That is not my understanding of what is happening. Please continue. Order please.

Rt. Hon. J. M. G. M. ADAMS: The real point is this that the hon. member's contribution in this debate was not important enough for me to dwell on nor was his contribution to the public life of this country at the present time important enough for me to spend any time to speak on.

Dealing with other hon. members I do not really take it that the hon. member who spoke second, the hon. member for St. Michael South, that his speech was of any importance. The only incident that he seemed to be able to relate was when his time was wrong and that was in Committee. The Speaker was not in the Chair and that has been dealt with already and therefore the only speech, apart from the speech of the hon. member for St. Michael South was that of the member of St. Philip South for which I will thank him. It was obviously a speech made in the interest of peace and harmony. It was clearly in good language attacking his colleagues in trying to lift the sword of civil disorder in this country on such a minor issue. I am absolutely at one with him on that and I would like to adopt his phrase and thank him for it, "Do not start a fire unless you have the firemen to put it out". I hope that his colleagues would bear those words in mind when they come to face the liberation of how to conduct an Opposition in this country.

We have had a couple of oral speeches. We never really listen very carefully to everything that has been said. I have paid attention as objectively as I can and I have attempted to assess the role of His Honour the Speaker in terms of partiality or impartiality. For a very long time Speakers never attempted to discipline members of the Government in the same way they have disciplined members of the Opposition. I have sat in a Parliament and I have seen the Government get away with things that the Opposition would not be able to get away with. We have had censure motions and they have had their effects in earlier Parliaments but coming to this Parliament we on this side were extremely conscious of the need to ensure after the events of October 6, 1976 that we were not conducting at any level the affairs of Parliament in a partial manner.

Now it is unfortunate that the hon. member for St. Michael South West has never sat in here before.

The hon. member for St. Michael South Central, I am not so critical of him. He has a great misfortune. He is a man whose attachment to self is greater than any politician's that I have known in here. He has a bigger ego than any of the 50 or 60 people that I have even known in political life and therefore he can only see things in terms of how they affect him and he is heard in that way. The hon. member for St. Michael South West just has this misfortune that he does not know what happened before and to a great extent is not fully familiar with the rules of the House. That is the general Opposition's fault. Members on the other side are not fully familiar with our new rules.

The Hon. Leader of the Opposition, I believe, is not up-to-date with the revision of the rules. I know that he is familiar with the 1973 revision. I do not believe that he is up-to-date with the 1959 revision when he was not in the House in 1958. I refuse not to believe that he was totally unfamiliar with those rules. We are seeing a general unfamiliarity with these rules. The hon. member for St. Michael South Central imagines that the Speaker has no authority to call on members to apologise. He believes that the only powers he has are those given by the Standing Orders and so on. That will be dealt with later on by the Leader of the House. Now the member must be told that he cannot learn the usages of Parliament by reading the Standing Orders and by reading Erskine May's. You have to be in here for a little time.

Dr. HAYNES: On a point of explanation, if the hon. member will give way. What I did say was that the Speaker has no authority to prevent anyone from entering the Chamber unless he made an apology. That is a different thing altogether. I did say that the Speaker gave me an option of apologising or leaving. I left. What I objected to was the deprivation of my rights contained in a ruling that I could not enter this Chamber unless I apologised. It is a different thing altogether.

Rt. Hon. J. M. G. M. ADAMS: The hon. member is not replying to what I am saying and is making me wonder if I should not reply to him. If he would look — I think the hon. member for St. Michael South West has the 18th Edition of Erskine May's. Perhaps I will give the hon. member who just sat down a chance to learn the practice of an apology. Let him turn back two pages and read the bottom of page 428. Should I read it for him?

"If the Member does not explain the sense in which he used the words so as to remove the objection of their being disorderly, or retract the offensive expressions and make a sufficient apology for using them, the Speaker repeats the call for explanation, and inform the Member that

if he does not immediately respond to it, it will become the duty of the Chair to take one or other of the steps which are about to be described".

3.30 p.m.

If he can read that paragraph and still think that the Speaker does not have power to call on him for an apology or exclude him from the House, then he has no sense at all, parliamentary or otherwise. If he can read that and still go on repeating the foolishness about an apology...

Dr. HAYNES: Mr. Deputy Speaker, on a point of order. The hon. member has made a statement that I have no sense, parliamentary or otherwise, although I rose and pointed out that I was not objecting to the Speaker calling on me to make an apology, what I was objecting to was the context in which he ruled that I could not come back in here without an apology. They are two different things altogether.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, they are obviously not two different things, but you cannot go on and on, if somebody just cannot see you will have to leave it out. They are obviously not different things. I believe the hon. member will not see. The hon. member is making me really hot, Sir, because I did not intend to have any big thing with the hon. member, the hon. member's sins lie outside here, he had no business to try and roust up a mob to come here and overawe Parliament. That is my serious quarrel with the hon. member, but as far as the situation inside here was concerned, I did not have any intention of having any quarrel with the hon. member. He has only been in here a year, he is not totally familiar with the rules, and I believe he tries to make himself familiar with them. He may have personality difficulties as far as submitting himself to the authority of the Chair is concerned, but I believe that he makes an effort not to break the rules. The personality difficulties are very evident in the statement "I do not wish to hear any peripheral arguments from the other side", because he said he has come in here to talk about one thing only, and that is his case, and he does not want to hear anything else. That is what I mean about a man being obsessed with self. He is interested only in one person, the hon. member for St. Michael South Central, the rest of us do not matter, what we have to say amounts to peripheral argument. He is talking exclusively about nothing else but what happened to him last Tuesday. I doubt he slept. Every night if it is not Eric Sealy it is the platform, Kampala, somewhere. I doubt he has slept since last week because of what has happened to him.

Rt. Hon. E. W. BARROW: On a point of order. The members of my party are always willing to come

to my house at any time, I cannot say that for the hon. member.

Rt. Hon. J. M. G. M. ADAMS: I will tell the hon. member something too, the members of his party are always willing to come to my house if they want to.

Rt. Hon. E. W. BARROW: But not the members of your party or His Honour the Speaker.

Mr. DEPUTY SPEAKER: Order, please. Will the Hon. Prime Minister get back to the Resolution itself?

Rt. Hon. J. M. G. M. ADAMS: It is not me. The hon. member for St. Michael South Central, evidently last Tuesday was an unfortunate and traumatic experience for him. Why was he deprived of his right to be in here for the remainder of the day's sitting? No individual can deprive any member of the House of the right to enter the House. I am quoting from what the hon. member says, but the point is this, and this is going to bring me to the hon. member for St. Michael South West, the Speaker does have the right to decide these things, because in the House of Assembly, like the House of Commons, there is a procedure by which there is an ultimate arbiter. Again, in the words of Lawson Bayley, "he is not there to give anybody out, he is there to keep the ball in play." I think that the Speaker should take these words to heart. "He is a referee, not an umpire in that sense, but he sits in the Chair and you appeal to him to maintain order." Hon. members may not, for example, be aware that the British House of Lords has no such rule, and a discussion which arises any procedural argument which arises in the British House of Lords has to be decided by a vote. If two men get up at the same time and neither of them will give way, a motion has to be made in the House of Lords as to which of them will speak.

Now, we do not want that here, they do not have it in the House of Commons. The Speaker is put there to make decisions, to hear arguments, to give members a chance to discharge and uphold the will of the House against any one of its members. That is what he is put there to do.

The hon. member for St. Michael South West who made the most vehement speech, unfortunately, does not seem to realise that the House has rules which it executes through the Speaker. The hon. member went on and on about how he was called like a school child, and talked about the Seafoods Resolution. The hon. member obviously has not read the Standing Order which says that the Speaker can require a member to authenticate and substantiate allegations made in documents submitted relating, for example, to questions. He has not read that.

Mr. TAITT: On a point of elucidation. Obviously the Prime Minister did not hear what I said, or he did not understand it, or he is misrepresenting it.

Mr. DEPUTY SPEAKER: But you are on a point of elucidation.

Mr. TAITT: Yes, I am about to elucidate it. I said that he called me in. I objected to his attitude of treating me like a school boy, but I went on to point out that I substantiated all the things which he wanted to know. That is what I said.

Rt. Hon. J. M. G. M. ADAMS: What the hon. member describes as substantiation does not mean substantiation. His saying that his constituents told me so is not substantiating anything, and the hon. member has other means or had other means of dealing with the matter. He objected to its not being treated as a matter of urgent public importance. That is the Speaker's privilege. He could have come in here, raised it, and if he could have got nine people to rise in their seats it could have been treated. Alternatively, because we were never able to get a Speaker while we were in Opposition to agree that matters were of urgent public importance, I succeeded at the Select Committee on the rules in having a new procedure introduced to allow hon. members to raise matters on the adjournment merely by giving notice to the Speaker. That is Standing Order 17, Rule 2, for which I was responsible. All you have to do is to give notice to the Speaker that you are going to raise something under Rule 2, and he calls the matters raised in the order that they are given notice of. I do not know why I should be telling hon. members the rules. (*Aside*) The hon. member for St. Michael South West from his seat cries out he does not want to hear them. That is the whole point. He does not want to know the rules.

Mr. TAITT: On a point of order. The hon. member has this capacity to mishear. What I said was I did not want to get up and tell you what happened when I tried that.

Rt. Hon. J. M. G. M. ADAMS: Well, I believe that if the hon. member was stopped from giving notice under Standing Order 17(2) that he would then have had a cause, and something to put in a motion of censure, but it cannot be very serious if he could not put it in today's motion of censure. The Speaker has no discretion under Standing Order 17(2), once notice is given the question can be raised on the adjournment. We did it in Opposition. This Opposition knows so little or cares so little of its capacity to represent the people in Parliament that it has never made use of the rule. I still do not believe that the hon. member is familiar with it. The hon. member talked about how the Speaker was whimsical over his attitude towards his

question, that he would tell you move "or" from here and put it somewhere else. For the benefit of the hon. member and the public, there are rules relating to the contents of questions.
3.40 p.m.

Standing Order 14(2) says: "Every Question shall conform to the following rules....." And the Standing Order gives about a dozen rules, numbered from (a) to (l), with such things as: You must not publish any name or statement not strictly necessary to render the question intelligible; you must be prepared to authenticate and substantiate; a question should not contain any argument, inference or tendentious expression; the question must not refer to a debate which has occurred in the current session; a question shall not be asked which raises an issue already decided in the House or an answer already refused during the same session; it must not deal with matters under reference to a commission of enquiry; it should not refer to proceedings in committee which have not been reported in the House; it must not seek information about any matter which is of a secret nature; it must not reflect on the decision of a court of law; it may not ask for an expression of opinion; it may not ask whether statements in the Press are accurate; it may not reflect on the character or conduct of any person other than in his official capacity; it cannot require information that is set out in accessible documents. I might mention that the chief question of this type that is disallowed is when hon. members ask for information that is available, for instance, in the Central Bank reports. But the most important thing — and this is covered in Section 14(4) of the Standing Order — is that if the Speaker is of the opinion that any question of which a member has given notice or sought leave to ask without notice infringes any of the rules set out in this Standing Order, the Speaker may direct that the question be printed or asked with such alterations as he may direct or the member concerned may be informed that the question is out of order.

So you will see that the Speaker has two powers in relation to questions. He can turn down the question flat or he can amend it. The difference between Speaker Hinds and previous Speakers is that in my experience no previous Speaker ever sought to help a member with his question; they just turned them down flat. I never knew any previous Speaker to do what is after all a concession to hon. members. The Speaker is not being a schoolmaster when he says change these words; he is trying to be a friend and to help; otherwise he could just throw out the question. Previous Speakers used to do that, but this Speaker will hear what you have to say and amend it if necessary. But that turns out today in this House of Assembly as a matter for criticism of the Speaker.

Mr. TAITT: If the hon. member will give way. He has gone off on a tangent. What I said did not question whether the Speaker could turn down a question on any of the grounds which the hon. member read out. What we are contending, and the whole gravamen of our argument is that in the exercise of his discretion the Speaker exercises it in a strange way when it comes to members of the Opposition.

Rt. Hon. J. M. G. M. ADAMS: The hon. member's point is not true. He said that it is not the Speaker's business to tell any member how to frame his question.

Mr. TAITT: On a point of order, Sir. The hon. member is taking my words out of context. If he takes six words out of 600, I am saying that what he is doing is taking the words out of context and what he is saying is not true.

Rt. Hon. J. M. G. M. ADAMS: There are no words which can qualify this sentence made by the hon. member "It is not the Speaker's business to tell any hon. member how he should frame his question." There are no words which can qualify that, but Standing Order 14(4) shows that the Speaker has power to do this; So who is the bad Parliamentarian? The Speaker or the hon. member for St. Michael West? Who is the person deserving of censure — not for misbehaviour but for ignorance?

Mr. TAITT: Mr. Deputy Speaker, on a point of order. The hon. member has made insulting remarks when talking about ignorance. I suggest that is unparliamentary (*Asides*)

Mr. DEPUTY SPEAKER: Order please. My ruling is that in the context of the argument the hon. member has expressed his opinion on an hon. member's knowledge of the rules. To that extent it cannot be unparliamentary.

Rt. Hon. J. M. G. M. ADAMS: Sir, the question of the valedictory speech of Mr. Smith is a matter of opinion. Some may feel that it was not in the best taste; some may feel that it was well justified, based upon Mr. Smith's conduct in Parliament and his remarks on the election of the Speaker.

Mr. Smith, with the possible exception of Mr. Neville Boxill, was about the worst behaved man I have ever seen in Parliament; he was an exceptionally

bad-behaved man. Mr. Boxill was the first Minister ever to be sent out of Parliament. Mr. Smith holds the record for the number of times sent out. Mr. Smith was a person who could fly off the handle and be very insulting, cantankerous, uncouth and disgusting in here. In the debate of October 6, 1976 Mr. Smith had this to say about the Speaker: "I want to say that I consider October 6, 1976 a black day in this country." Notice the phrase: "a black day."

Mr. DEPUTY SPEAKER: From what debate is the hon. member quoting?

Rt. Hon. J. M. G. M. ADAMS: From the debate of October 6, 1976 at page 4, Mr. Smith said: "I want to say that I consider October 6, 1976 a black day in this country when the Prime Minister and his party can suggest to this Honourable House that for the first time in the entire history of this country a man who has been guest of Her Majesty should be our Speaker. I am not being part of that history and I want posterity to record that the Democratic Labour Party in Opposition in this House did not create new History by supporting a nomination like that." And he described the hon. member for St. Peter as an unfit person to preside over the deliberations of this House.

The hon. member for St. Michael North Central got up and disassociated himself from the remarks and he went on to say that he had no personal criticisms of the Speaker, that he had sat in this Chamber and on many occasions had been deeply impressed by the way in which the hon. member had castigated the Government, and that there were many occasions on this political platform when he had bestrode it like a colossus. These are some of the remarks made by the hon. member for St. Michael North Central.

Mr. DEPUTY SPEAKER: I have to inform you that your time has expired and you must wind up.

Rt. Hon. J. M. G. M. ADAMS: Very well, Sir. About the Nation newspaper, it is not true that the Nation has not published anything about the business of this House since the incident with a reporter; the paper carried information about the debate of the last meeting. The hon. member for St. Michael South West has no regard for the facts when he makes such a statement.

Mr. TAITT: On a point of order, I must ask that the hon. Prime Minister withdraw that remark. Saying I have no regard for facts is another way of suggesting that I am a liar.
3.50 p.m.

Rt. Hon. J. M. G. M. ADAMS: Well, he said it; not me. (*Asides*).

Mr. DEPUTY SPEAKER: Order, please.

Mr. TAITT: Mr. Deputy Speaker, let me continue to make a point. What I said about the Nation was words to the effect that it does not publish what is going on in Parliament. Now the hon. member gets up and quotes an incident that occurred in the precincts of Parliament and then goes on to say that I am not acquainted with the facts.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, look. The hon. member said that the Nation Newspaper has not published anything from that day to this. The Nation Newspaper last Wednesday published a statement by His Honour the Speaker, the behaviour of members of the Opposition inside the House, how they walked out, how the hon. member for St. Michael South Central took his seat. The hon. member's statement is patently false. It is obviously patently false. If he says that the words I used make him out to be a liar, he cannot help from being himself; but in winding up I would just like to say this: he said that he had the right to know the whole truth about the Nation affair. Now the Nation affair has been referred to the Committee of Privileges, of which the hon. member is a member: Why does he not attend the Committee of Privileges and help make a quorum? When it wanted to investigate.....

Mr. TAITT: On a point of order, Sir, I will tell the hon. member why I did not attend the meetings, because the very first point of privilege which I carried to the Committee of Privileges, the Speaker behaved in a partial manner. (*Asides*).

Mr. DEPUTY SPEAKER: Order, please.

Rt. Hon. J. M. G. M. ADAMS: Sir, I really have been interrupted a lot.

Mr. DEPUTY SPEAKER: Please make your point of order.

Rt. Hon. J. M. G. M. ADAMS: I am making my final point. To talk of partiality, this very motion before the House started out of order. If there is a motion, Sir; because the motion was not given in time of this motion that we are now debating: but officials of the House of Assembly, even though it had not been given at 12 o'clock on Friday as was required, went to the trouble of coming down here on Saturday when they received it and Mr. Speaker went to the trouble of staying....

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, on a point of order. What the hon. member is

saying is totally untrue; because every time that I send a letter from my office, not through the post, registered or otherwise, I send a book which I require the recipient to sign; and my Resolution was sent here on Friday before 12 o'clock. If it arrived on Saturday, the book came back on Friday afternoon before one o'clock and it was signed by somebody in here. So I do not see how it could have arrived on Saturday. I would advise the hon. member to consult the Clerk of Parliament — I do not know when it was drawn to the attention of the Speaker — but he should consult the Clerk of Parliament; and he should have read last week and drawn it to the attention of the Speaker if what he is saying is correct; and it is not correct.

Rt. Hon. J. M. G. M. ADAMS: The point that I was making is that we refused to take the point that whether it was late or not, we wanted the matter debated. (*Asides*).

Mr. DEPUTY SPEAKER: Order, please.

Rt. Hon. E. W. BARROW: He said that my Resolution was submitted here out of time.....

Mr. DEPUTY SPEAKER: We have two hon. members on their feet.

Rt. Hon. E. W. BARROW: I am on a point of order. The hon. member said that my Resolution came here out of time and was received on Saturday, and somebody came in here and opened the building; and I am inviting him to consult the Clerk of Parliament, and I am prepared to bring the book which was signed by someone in here to show that that Resolution came in here in time on Friday. So the hon. member is not really giving the House the true facts. Let me put it that way.

Rt. Hon. J. M. G. M. ADAMS: Sir, the Clerk of Parliament has just informed me that it came out of time on Friday. He has just informed me to that effect. It came after 12 o'clock on Friday.

Rt. Hon. E. W. BARROW: Would the hon. member like to tell the House what time after 12? I sent it before 12 o'clock. The Hon. Minister says after 12 o'clock.

Rt. Hon. J. M. G. M. ADAMS: The point is that if it had come on Sunday we would have let it go through. That is the whole point. No hon. member on this side is going to take the point. This whole Resolution — there is positively, absolutely not even the beginning of a case to answer. We are considering the debate, as far as I am concerned, for the sake of letting hon. members on the other side learn something about the Rules, and learn how to take their licks in here;

and I just want to say one other thing. I want to warn about one other thing. I will say it in here as elsewhere. The House had its last manufactured disturbance last Tuesday. It will not happen like that again.

Mr. DEPUTY SPEAKER: The hon. member's time has expired. Are there any other hon. members who wish to speak? *(Pause) (asides)*

Mr. DEPUTY SPEAKER: Order, please.

Hon. H. B. St. JOHN: Mr. Deputy Speaker, I did not intend to speak in a repetitive manner on this motion; because so far, all of the evidence by way of particulars, which have been given by hon. members on the other side in justification of this motion have been very well disposed of by previous speakers; but as Leader of the House, I would say that there have been a number of disturbing statements by hon. members on the other side as to the laws and the rules governing this House; and I believe that a number of these statements have arisen out of the fact that hon. members on the other side — a number of them — have not had the opportunity of being in here for a sufficient period of time to have had the benefit of hearing, not only this Speaker, but other Speakers, give authoritative pronouncements as to what laws govern this Parliament.

I have heard it said, Sir, during the course of this debate that the Speaker's powers are circumscribed by the Standing Orders as set out in the Standing Orders of 1973. Now, I would like to draw to the attention of hon. members that that statement, as a statement relating to the Law of Custom of this Parliament, is not an accurate statement. The Speaker's powers consist not only of those powers which have been granted in the Standing Orders, but those powers which have been adopted by successive Speakers in this country from the ancient usage of Parliament in the United Kingdom. And that is a very, very material point, for the benefit of other hon. members that they must understand.

I have heard both Speaker Branker and the Speaker make the pronouncement on more than one occasion that where the Standing Orders in Barbados are silent that the rules as set out in May's Parliamentary Procedure are applicable in so far as in the opinion of the Speaker when presiding, they are germane to the position in Barbados. It is for that reason, Sir, that one finds nowhere in the Standing Orders in Parliament in Barbados, the power of the Speaker to call on any member to withdraw anything. Yet it cannot be denied that that power has been exercised as inherent in the power and office of Speaker; and what is more, inherent in the power and office of the Speaker is not only to ask for a withdrawal, but to ask for an apology.

4.00 p.m.

What is more, inherent in that power is for the Speaker to say "if you do not apologise I will not hear you again in here." Now let me tell the hon. member for St. Michael South Central something. If he came in here after the Speaker had told him he was not to come back in here unless he was prepared to make an apology, as soon as he comes in here the Speaker is entitled to say to the House "I see the hon. member for St. Michael South Central, hon. members will remember that I called on him to apologise on such and such a date, the hon. member is in contempt of the authority of this Chair" and then the Speaker can proceed and deal with him under the Standing Orders. It is the same power that any Judge has on record, and many times many people forget that Parliament in accordance with the ancient constitutional history is also a court; so that many of the powers of the Speaker are derived from ancient historical usage that Parliament is a court with co-equal power and authority as any Superior Court of Record. So that the hon. members must not misunderstand the rules and the authority of the Speaker, and I wanted to draw these two specific things to the attention of the House, because I do not believe, Mr. Deputy Speaker, that is in the interest of parliamentary democracy in this Island for members persistently out of ignorance of the Rules and out of ignorance of custom of Parliament to attempt to impugn the integrity of the office of Speaker when in truth and in fact the Speaker has authority for precisely what rulings he has made. That is what happened in this case.

The hon. member for St. Michael South Central still up to this day believes that the Speaker has no power to tell him that he cannot take his seat in here until he apologises. All the hon. member has to do is to test it, come in and let the Speaker draw notice to the attention of the House that he is in breach of the authority of the Chair and we will move a Resolution in accordance with that, or apologise. That is all. It is as simple as that. So you see, this is a very serious thing, and I do hope that all hon. members when they are in doubt as to what are the relevant rules governing their conduct when they are not in the Standing Orders will do what hon. members in other countries of the world and what we on this side did when we were in Opposition. We asked the Clerk. The functions and duty of the Clerk are to advise the Speaker and all hon. members as to the law and custom of Parliament. That is a very important point that we should get across in this debate.

Now there is one other point, and I would hope that we can expect the cooperation of hon. members in this respect. For some period of time hon. members have been saying that these 1973 Rules which were an amendment of the previous Rules were too restrictive, and the Clerk was directed to collect from hon.

members any suggestions for amendments. I know that the Prime Minister and I had a meeting on the Rules and we framed out what we regarded as the restrictive part of the Rules. We gave it to the Clerk and to the best of my knowledge that was circulated to all hon. members inviting their comments, and we have not yet received from many hon. members their comments. I will insist again that the suggested amendments be circulated with a view to having the comments of all hon. members on these Rules because these Rules were designed and framed in my opinion particularly with respect to timetables in a restrictive manner, so that I can give the House the assurance that neither the Government as a Government nor is the Speaker opposed to it, because he was shown the suggested amendments, his comments on them are there that this Government is not in any way interested at any time in curtailing parliamentary debate on any matter in Barbados. After all we hear all this talk about their being restricted. There is nothing that the hon. members wanted to raise in here that was not raised. The point about the Resolution about Seafoods, the only thing that irks the hon. member for St. Michael South West on the Seafoods Resolution was that he did not get it in on a particular day so that he could get some psychological political impact. All members of Parliament sometimes feel if they can get in this thing now it would have some great political effect, but the fact of the matter is that that Resolution was put down on the Notice Paper and a full debate took place on that Resolution. That is not a ground for criticism of the Speaker; that is not a ground of partiality; that is not any matter of substance.

One other hon. member talked about his transcript. The hon. member for St. Michael South Central said that he wrote the Speaker a letter about the transcript of the proceedings. Under the Rules a member is entitled to his own speech and it is obvious by the quotations made by the same hon. member when he was speaking that he had been supplied with his own speech. Now he is not entitled to all of the debate; he is only entitled to see his until it is published. So again a lack of knowledge of the Rules. So that when we break this whole thing down, we on this side of the House can only see this Resolution in the context as we see the hon. members on the other side perception of the Speaker with the possible exception of the hon. member for St. Michael South and the hon. member for St. Michael North Central; but the truth of the matter is that from the very beginning of this Session the Democratic Labour Party were vigorously opposed to the Speaker's nomination and appointment as Speaker, and their very mouthpiece, the former Leader of the Opposition gave full vent to his feelings of personal antagonism and dislike, and that is the reason for this Resolution. It is nothing but a ventilation of the personal dislike of some hon.

members on the other side for the Speaker, and they have built up imagined wrong rulings on the part of the Speaker, when in truth and in fact the Speaker has good foundation and authority on the ancient usage of Parliament for those rulings. In those circumstances the only thing we can do with this Resolution is to vote against it.

Rt. Hon. E. W. BARROW: Mr. Deputy Speaker, I take it that your invitation was extended to hon. members to see if there were any other contributions, and therefore I am exercising my right of reply at this time.

4.10 p.m.

Hon. L. S. CRAIG: Mr. Deputy Speaker, on a point of order. The Leader of the Opposition said that he is now going to exercise his right of a final reply. I would like to ask, Sir, on what? For the simple reason I am asking of you, Mr. Deputy Speaker, to request from the Table of the Clerk if anybody has moved the Motion. That is what I would like to know. I am asking you for a ruling on this. Seek the advice of the Clerks if it is recorded there, Sir.

Mr. DEPUTY SPEAKER: Order please. My information is that the strict words of the Motion are not on the record. That is to say that shortly after the Leader of the Opposition sat down there was not a formal motion before this Honourable Chamber. There was in fact a seconder to the Motion, the hon. member for St. Michael South. According to the Standing Order there ought to have been a Motion. Strictly speaking, there ought to have been a Motion before the House. That is the way in which one reads Standing Order 30, Rule 7. It is also the way in which one ought to read Standing Order 29, Rule 1 which speaks about the mover of a Motion replying after all other members have had an opportunity to address the House.

In the circumstances, if one adhered to the strict ruling of the Standing Orders the Leader of the Opposition would have no right to reply and in fact there would be no Motion before this Honourable Chamber. However my ruling is that under the circumstances of the debate and the manner in which it has proceeded, the House has proceeded on the basis that there was a Motion before it and I think the Chair ought to exercise its discretion in favour of allowing the right to reply under these circumstances. That is my ruling.

Hon. L. S. CRAIG: Mr. Deputy Speaker, I accept your ruling but I sincerely hope that this will not be a precedent. I accept Your Honour's ruling but if you are going to stick to the Standing Orders, Sir, I am only asking of you, Mr. Deputy Speaker, to give it, as I know you have, very very careful consideration. We are

now giving the Opposition another chance to prove that this is not the vicious Government that they thought we are.

Mr. DEPUTY SPEAKER: The Chair and only the Chair is concerned about rulings in this Honourable Chamber. They are not rulings of the Government side. In my ruling the Leader of the Opposition has a right to reply in spite of the fact that the strict measure of Standing Orders 30 and 29 had not been complied with.

Rt. Hon. J. M. G. M. ADAMS: Mr. Deputy Speaker, on behalf of the Government I just want to say that we are not going to walk out as the Leader of the Opposition did on a similar occasion in the year 1963 when a similar ruling was given by the Deputy Speaker, Carmichael and the Leader of the Opposition, then Prime Minister, led his members out. We are not going to do that.

Mr. DEPUTY SPEAKER: The Leader of the Opposition, his reply.

Rt. Hon. E. W. BARROW: The occasion is one only in the fertile imagination of the hon. member at the moment. I would just like to explain this, Sir, that the Motion is contained in these words "Be it therefore resolved that this House has no confidence in His Honour the Speaker." That is the Motion. You will remember when I got up, Sir....

Mr. DEPUTY SPEAKER: No, no. Order please. If the hon. member for St. John would just show some respect for the Chair. My ruling is that you may reply. Please reply without dealing with these other points.

Rt. Hon. E. W. BARROW: Yes, Sir, but I must get the records straight.

Mr. DEPUTY SPEAKER: The record is straight as soon as the Chair has ruled.

Rt. Hon. E. W. BARROW: You have ruled correctly, but I just want to remind hon. members....

Mr. DEPUTY SPEAKER: Please do not remind them. Just deal with your reply.

Rt. Hon. E. W. BARROW: I will deal with my reply. The Resolution was in their hands so there was no need for me to read it out.

Mr. DEPUTY SPEAKER: Just deal with your reply.

Rt. Hon. E. W. BARROW: The Resolution which I said was in the possession of members at the outset of my contribution reads as follows:

Whereas from the outset of his tenure of office His Honour The Speaker has without warrant or justification curtailed and inhibited the rights of members of the official Opposition in debate;

And Whereas His Honour The Speaker has made unbecoming references from the Chair in respect of former and existing members of the Official Opposition;

And Whereas His Honour the Speaker has frequently failed to conduct the proceedings of this House in accordance with the provisions of the Standing Orders and has exercised his authority in a whimsical and partial manner and is therefore deserving of the greatest possible censure;

Be It Therefore Resolved that this House has no confidence in His Honour The Speaker.

The words in the third paragraph "And is therefore deserving of the greatest possible censure" came straight from the Resolution made by the then Leader of the Opposition in January, 1967 and did not contain what follows in the Resolution which we are now discussing "Be it therefore resolved that this House has no confidence in His Honour the Speaker" which is the Motion before the House which I respectfully submit.

Nowhere in that debate in which I just brought in a very limited way is it necessary that the member must move congratulating the Speaker on his 30 years, neither did any of the members impeach the motives of the mover of the Resolution who was then the Leader of the Opposition. It was his right to bring such a Motion although it was a Motion based on a similar and single ruling made by the Speaker when the Hon. Leader of the Opposition at that time in 1967 felt that the Speaker ought to have ruled in a way different from the way in which he ruled and even the Leader of the Opposition, as far as I can remember, did not categorise or itemise various defective rulings on the part of the then Speaker of the House in seeking to have the Resolution passed.

Members who have spoken since I originally rose have given instances in which they consider that the Speaker had acted in a manner which did not disclose full partiality on his part. It is the right and prerogative of members whether on the election of a Speaker or of a Motion of this kind to comment on the suitability or conduct of the person in question whoever he may be.

The real crux of this matter is this and it is a very simple one. In exercising that prerogative two members of the Opposition, the Hon. Leader of the Opposition and the member for St. Michael South Central as he then was at the time and the hon. member for St. Lucy are the

two Government members who had the courage to get up and say that they did not consider the nomination to be one which would be in the best interest of this Parliament, the ancient history of this Parliament or otherwise. Two members, I beg your pardon, Sir, of the Official Opposition, the member for St. Lucy and the member for St. Michael South Central. As long as they did not break the rules of the House by using any unparliamentary language, they were entitled, I respectfully submit to you, Sir, to express their opinion on the suitability of the candidate.

4.20 p.m.

When Sir John Hilton Foster was being nominated for the last time for the Speakership of the House of Commons, for the first time as I can remember in the 20th Century, we had a Division in the House on it and some very strong speeches were made, although Sir John Hilton Foster had been a member for a large number of years, but on that occasion there had not been a member from the British Labour Party sitting in the Speaker's Chair from 1928, and this was long after the War. Sir John Hilton Foster was re-elected Speaker, and some time around 1965 — my recollection is that without an election — I think it was in 1965, Sir John Hilton Foster either retired or died. Immediately after that a gentleman called Dr. King — I cannot remember his first name, Sir — (Hon. L. S. CRAIG: Horace). You are right. The hon. member has got some knowledge. I refer to his superior memory and his knowledge, Sir, Dr. Horace King was elected as a Labour member unanimously to the role of Speaker in the House of Commons.

Now, this is a situation in which the former Speaker was to be re-elected, and members on one side of the House were highly critical, but Sir John Hilton Foster did not hold that against them, but what I am contending, whether they like it on the Government benches or not, that the hon. member for St. Lucy and the hon. member for St. Michael South Central were marked men from the time they criticised the suitability of the member for St. Peter to occupy the Chair in which you are now sitting. The hon. member for St. Lucy was sent out of the House — I have the debate, Sir — the hon. member for St. Michael South Central was treated in a way which eventually culminated in that infamous decision on a point of privilege as is now subsisting, in which he was humiliated, that he resigned from Parliament, he resigned from political life and from the office of Leader of the Opposition in this Hon. Chamber. That is what we are saying, and the hon. members on the other side have not really done anything to mitigate the suspicion which lurks in the minds of members on this side by getting up and referring to the fact that members on this side exercised their democratic right to say what they thought about the nomination at that time.

When one listens — let me use some expressly neutral terms, not emotive terms — but when one listens

to the vigour, the panache, the élan — I am trying not to use terms like vehemence and vituperation and things like that — but when one considers the vigour with which the hon. member for St. James speaks on the simplest motion, I sometimes am very concerned that in this vigour, let me put it that way again — I am not trying to be offensive, Sir — that he does not injure himself. Can you imagine, therefore, if the boot had been on the other foot and the Democratic Labour Party had put up the hon. member for St. Peter as Speaker, and he was on the opposing side, what a performance he would have given?

The two members on this side, specifically the member for St. Lucy and the member for St. Michael South Central, expressed their view. For that the hon. member for St. Michael South Central is accused today of being the worst behaved member of the House that he has known, which is not my experience. I will not now at this juncture say who I consider to be the worst behaved member of the House during my term of office, because they say you should only speak good of the dead, and the member is living and with us in the Chamber here today. I do not want to start any acrimonious debate on this matter, the former member for St. Michael South Central had a way of expressing himself. Now, Sir, let us now see how this should be regarded. Should it be regarded in the way in which the Leader of the Opposition is inviting us? Or should it be regarded in another way? Let me just read an excerpt from Hansard, Sir. "I am delighted," page 868 of the debate of the 16th May, 1978, and in this case he is speaking about Mr. Smith.

"I am delighted to have had the honour of serving in this Parliament with 'Sleepy' Smith. I do not believe that there is a grain of dishonesty or malice in the man.

He was extremely combative in this Chamber. He rose and he talked with force, and perhaps may be accused of bad behaviour in doing what he did for a cause in which he believed; and I believe that all of us will be caught offending at sometime in this respect; but when this Chamber was adjourned and we went into the dining room or met on the street here indeed was a man who has always been able to walk with princesses....."

he did not say princes,

"...with princesses and kings and never want to lose the common touch.

Mr. Smith is a gentleman whom I am absolutely certain everybody in this Chamber will miss; and I am sure that things in here will not be quite the same without him. In the dining room he comes around and puts his arms around you. He does not believe in adversary politics. He puts his

arms around you with genuine affection and he asks how are you doing, boy? These are things which many politicians do not find it possible to do. We get so engrossed in the adversary nature of politics, that we sometimes forget that we are men; and the humanity which essentially is the ingredient by which we will be judged is sometimes found to be wanting.

With my eye on the clock, I will once again say that I have had the privilege of knowing Mr. Frederick Gladstone Smith, the man, and I believe that, however you slice it, his name will go down in history as one of the sons of Barbados who has made a lasting contribution to politics, to law and to humanity".

Those words, Sir, were uttered by the hon. member for St. Michael West, who is on the other side of the House. Immediately after that, Sir, this is what the Speaker said. I will not repeat the quotation made by the hon. member for St. Michael South West on the floor of the House today from His Honour the Speaker's remarks on the same day, but I will quote what he did not say, and I will ask you or ask members of the House to say whether they consider this impartiality after that speech which had tried to calm the atmosphere in the House, made by the hon. member for St. Michael West, now Chairman of the Government party. I will not quote what he said about he had done nothing to help the grapple with the problems facing the country. In other words, he is calling the Chairman of his own party a liar, but I will not get in between them, they can grapple that out themselves.

4.30 p.m.

But this is what the Speaker said, bear rancour and malice, because these words are malicious words: "Mr. Smith has resigned from this House, but his resignation has been so long in coming, so many different reasons had been given from time to time, that it reminds me very much of the auctioneer's hammer, Going, Going, Gone." That kind of statement inspired his leader, the Minister of Finance and hon. Prime Minister and hon. member for St. Thomas, following the example of the Chair to say: "One down and six to go." The Speaker had set the tone.

Now whatever we may say in this debate I want to say this: As I intimated at the beginning of my intervention in moving the motion, it is what we feel on this side that is important; it is not what the Speaker intended or did not intend, but if by his conduct he creates and engenders in the minds of the Opposition a feeling of insecurity and a feeling that we are not going to be able to express ourselves within the rules of Parliamentary debate with full freedom, then I do

not know when I come in here whether I will be ordered out or not.

Let me give an example — the debates are replete with examples of this kind. If I turn to the debate of December 7, 1976 this is what the Speaker said at page 341: "The hon. member for St. John will not rule this Chair; the hon. member for St. John in the course has alluded to what he called an address by the hon. Prime Minister and Minister of Finance under the guise of Parliamentary privilege. I am asking the hon. member for St. John to desist from that kind of language; change your phraseology." And then immediately the Rt. Hon. E. W. Barrow says: "I am not quite clear what Your Honour's ruling is. Is Your Honour ruling that the word "guise" is unparliamentary? I do not know; it is not clear to me. I know of no authority in Erskine May's or anywhere else." This is what the Speaker said: he did not rule that the word "guise" was unparliamentary, because I invited — I never used the word "challenge" which the hon. member for St. James uses so frequently — but I invited any hon. member to find anywhere in May's that the word "guise" is unparliamentary. But what did the Speaker do? The Speaker said to me: "You will not challenge the Chair." I was merely asking the Speaker for a ruling to assist me in my comments. You will note, Sir, that the Speaker did not ask me to withdraw or apologise, but for future reference I wanted to be guided by the Speaker on a matter of phraseology. The next thing I got from the Chair was: "You will not challenge the Chair." So now when you direct a question you are challenging the Chair! I said: "I am not challenging you, Sir, I am asking if there is any authority for saying that it is unparliamentary. The Speaker replies: "You will not challenge or argue with the Chair. Will the hon. member take his seat and discontinue his speech." I had hardly begun to make my speech on a very important occasion.

I did not say anything on the floor of this House about the Speaker during the course of the debate on his nomination for the Chair. But by a process of osmosis the approbrium had spread over to me — apparently I had been sitting too near the offending member, therefore I was also the target of the Speaker's ire.

That is what we are complaining of. It is a serious matter for any hon. member having to sit out the rest of a session under the same Speaker. We know that hon. members on the other side are going to vote against the Resolution; they have said so. It does not mean that in normal circumstances if people were acting impartially they would necessarily vote to support the Speaker. We brought this Resolution well knowing that it will be opposed, but we have to ventilate our grievances and let the general public know the existing situation, and if we want to discharge our parliamentary duties we must be allowed to do so without fear or favour, within the

context of the Standing Orders. The fact that the Speaker from time to time has to pull up some of the hon. members on the other side — what I am surprised at is that he has not pulled them up more often. Today you have had on several occasions to ask members on the Government benches to let the debate continue in accordance with the provisions of the Standing Orders. I do not think you need any special congratulations for doing your duty; and I don't think hon. members on the other side have to pat themselves on the back and say that this indicates impartiality.

What is the pattern? One hon. member of this House has been driven out of public life by the contentious behaviour of His Honour the Speaker. At page 1529 of the debate of 26th July, 1977 Mr. Smith, before the House went into Private Members' Business, attempted to raise a matter which he said was non-contentious. Without hearing what the hon. Leader of the Opposition had to say, the Speaker said "You will not be heard by me on this matter." Mr. Smith said: "Do you know what it is I am raising?" The Speaker: "Since the matter did not occur to you since our return to this Chamber, it would mean you had ample time to raise it." Mr. Smith: "During Government Business?" Mr. Speaker: "The Hon. Leader of the Opposition will not be heard."

The Speaker did not even wait to hear what the member had to raise. His general attitude towards two members in particular was one of hostility and making it difficult for them even to raise the slightest matter in the interest of their constituents or of the debate. That was the attitude which was generally extended by His Honour the Speaker.

The Hon. member for Christ Church South Central, I believe, accused members of this side of not being cognisant of the law and customs of Parliament. He has not indicated what particular ruling he at any time considers to be within the law and custom of Parliament or within the Standing Orders. He has not been able to explain how it is that every single member of the Opposition — and there are seven of us — has been sent out from time to time. Are we all so bad behaved, including the hon. member for St. Philip South, the most innocuous member on either side of this House? 4.40 p.m.

Whenever he was sent out, no matter what the newspaper said, he was sent out whenever there were areas of criticism which would touch a particularly sensitive nerve on the Government benches. That has been the experience of members on this side that their rights have been severely curtailed. The hon. member for St. Michael South West has given example after example of the occasions on which these instances have occurred.

On the 9th August, 1977 the hon. member for St. Lucy was suspended from the service of the House. On the 12th October, 1976 the member for St. Michael South West said: "Mr. Speaker, on a point of order. I would like to draw the Speaker's attention to Standing Order No. 33 on the behaviour of members not speaking. I think that they are provoking the Leader of the Opposition." The Speaker's reply to that was this "I would wish to tell the hon. member that his attempt to do that would be a reflection on the Chair." His attempt to point out that hon. members on the other side were interrupting the debate was a reflection on the Chair. The hon. member for St. James described the Hon. Leader of the Opposition as a Parliamentary joker. (*Asides*).

Mr. DEPUTY SPEAKER: Order, please.

Rt. Hon. E. W. BARROW: When the hon. member for St. Michael South Central rose to his feet and asked the hon. member to withdraw the remark, saying "I want him to withdraw it. I am not any parliamentary joker. I came in here too, Mr. Speaker, and Mr. Speaker said "please take your seat."

Somebody today, I think it was the hon. member for St. Philip North did not finish his quotation; but since the member for St. James is making asides, the hon. member for St. Philip North would tell him that the full quotation is *de minimis non curat lex*. I am being interrupted again.

Mr. DEPUTY SPEAKER: Order please.

Rt. Hon. E. W. BARROW: On the 7th May, 1977, at Page 1225 of the debate, Mr. Greaves said: "Mr. Speaker...

Mr. Speaker said: "I am sorry that you have risen. The hon. member for St. Lucy would like to be a clever debater, and I often laugh at times because I would not ask him to withdraw from this House. He just made reference to the hon. member for St. Andrew about recognising him in his saner moment, or words to that effect. I sat silently because the only person I would call on is the member for St. Lucy." Mr. Greaves got up and said that he withdrew the remark, the word "saner".

I do not think that the hon. member for St. Andrew in his most lucid moments would have called on the member for St. Andrew to withdraw. Mr. Speaker, went on to say: "I think you should withdraw it in the exact tone in which you made the reference." Have you ever heard anything like that? "I have withdrawn the remark," Mr. Greaves said, that if I withdraw the word "saner" I cannot repeat the tone now.

Well, they have suggested that we should give instances. It would take five or six days of debate to give all the instances on which members of the Opposition feel

that their rights have been infringed; and it is impossible in the short time which has been allotted to us in this debate to do so. If this debate has served any useful purpose, it is to enable you, Sir, and members of the House and the general public that we expect a higher level of performance.

We do not expect that the Speaker is going to be removed from the Chair or anything like that. We are only asking him to do what he undertook to do at the beginning of the session, to act in an impartial manner. Forget that people may have criticised him in his public life or private life. Forget that this debate ever took place. I have my duty to do as Leader of the Opposition. I did not wish to hold the office of Leader of the Opposition, or Prime Minister or any other office in this country; but I have handled those offices, and therefore once I am put in these offices I have to do my duty. I am not apologising for the Resolution, and I beg to move that the Resolution do now pass.

Mr. SANDIFORD: I beg to second that.
4.50 p.m.

The question that the Resolution do now pass was put and resolved in the negative, the House dividing as follows:-

NOES: Rt. Hon. J. M. G. M. ADAMS; Hon. H. B. ST. JOHN; Hon. L. S. CRAIG; Hon. H. deB. FORDE; Hon. C. L. BOLDEN; Hon. L. B. BRATHWAITE, Hon. L. R. TULL; Mr. JOHNSON; Mr. SIMMONS; Mr. BRADSHAW and Mr. ODLE - 11.

AYES: Rt. Hon. E. W. BARROW; Mr. TAITT; Dr. HAYNES; Dr. CADDLE; Mr. SANDIFORD and Mr. WEEKES - 6.

ADJOURNMENT

Hon. H. B. St. JOHN: Mr. Deputy Speaker, I beg to move that this House do now adjourn until Tuesday, 26th June, 1979, at 12 o'clock noon.

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

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