
THE

House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

HOUSE OF ASSEMBLY

Tuesday, 27th November, 1979.

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock.

PRESENT

His Honour W. C. B. HINDS, J.P. (Speaker); Rt. Hon. J. M. G. M. ADAMS, M.A., (Prime Minister and Minister of Finance and Planning); Hon. C. L. BOLDEN, LL.B., (Minister of Communications and Works); Hon. H. deB. FORDE, S.C., M.A., LL.B., (Attorney General and Minister of External Affairs); Dr. R. B. CADDLE, M.D., Ch.B.; Mr. L. E. SANDIFORD, M.A. (Econ.); Mr. D. A. C. SIMMONS, LL.M.; Hon. Miss B. A. MILLER, (Minister of Health and National Insurance); Hon. L. B. BRATHWAITE, (Minister of Agriculture, Food and Consumer Affairs); Mr. 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); Hon. L. R. TULL, M.A., (Minister of Education and Culture); Mr. DeL. O. BRADSHAW; Mr. L. L. SISNETT and Dr. R. L. CHELTENHAM, M.Sc. (Econ.).

Prayers were read.

Dr. HAYNES and Mr. ODLE entered the Chamber and took their seats.

MINUTES

Mr. SPEAKER: I am advised that copies of the Minutes of Tuesday, 20th November, 1979 were received from the Government Printery only this morning. Consequently, we cannot now seek the confirmation of them now and consequently they will be deferred.

PAPERS LAID

Hon. C. L. BOLDEN: Mr. Speaker, I am commanded to lay the Statements showing sums advanced to

the Postmaster General for the payment of Money Orders for the months July to September, 1979. Also, Statements showing Money Order Transactions through the Crown Agents for Overseas Governments and Administrations for the months July to September, 1979.

GOVERNMENT NOTICES

Hon. C. L. BOLDEN: Mr. Speaker, I beg to give notice of a Resolution to grant the sum of \$44,579 from the Consolidated Fund and to place it at the disposal of the Government to supplement the Annexed Estimates 1979–80, as shown in the Supplementary Estimates 1979–80, No. 16 which form the Schedule to the Resolution.

Also, I beg to give notice of a Resolution to grant the sum of \$3,702,481 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. 17 which form the Schedule to the Resolution.

PRIVATE MEMBERS' NOTICE

Mr. SPEAKER: The hon. member for Christ Church East, his Resolution respecting the centenary of the birth of Dr. Charles Duncan O'Neal.

Dr. CHELTENHAM: Mr. Speaker, I propose to give notice of the following Resolution:

“WHEREAS the centenary of the birth of Dr. Charles Duncan O'Neal, late hon. member of this House for the City of Bridgetown, falls on Independence Day 1979;

BE IT RESOLVED that this House formally records the gratitude of the nation for his contribution to the political, social and economic advancement of the Barbadian society.

BE IT FURTHER RESOLVED that this House suggests that some appropriate effigy of the late hon. member be considered for permanent and prominent display within the precincts of this Hon. House."

I would like to indicate at this point, Mr. Speaker, that later on today I shall be seeking leave of Your Honour and of the House to deal with this Resolution.

Rt. Hon. E. W. BARROW and Hon. L. S. CRAIG entered the Chamber and took their seats.

ORAL REPLIES TO PARLIAMENTARY QUESTIONS

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, the Reply to Parliamentary Question No. 40 asked by the Leader of the Opposition is ready.

GOVERNMENT BUSINESS

Hon. H. B. St. JOHN: Mr. Speaker, I beg to move that Government Business be now taken and that Item No. 5 standing in the name of the Attorney General be the first item of Government Business.

Mr. SPEAKER: Government Business is the instant Order of the Day. Item No. 5.

Mr. TAITT entered the Chamber and took his seat.

THE PROPERTY (MISCELLANEOUS AMENDMENTS) ACT, 1979

Hon. H. deB. FORDE: Mr. Speaker, the House will recall that earlier this year the House passed a series of Bills dealing with the reform of the land law of this country. Specifically, those Bills were the Charities Act, 1979-2, The Trustee Act, 1979-3, the Property Act, 1979-11, the Land Adjudication of Rights and Interests Act, 1979-6, and the Land Registration Act, 1979-8.

It is the intention of the Government to bring into effect on the 1st January, 1980 three of those Bills, and those are the Charities Act, the Trustee Act and the Property Act, 1979. The Government has already notified the Bar Association of its intention, and indeed this date has been agreed with the Bar, although originally it had been intended that we would have chosen the date, September 1, 1979. I have subsequently had representations from one or two members of the Bar but not from the Bar as a whole for the further extension of this date until April 1, 1980.
12.25 p.m.

The reasons why I cannot accede to the request of these three persons, Sir, is simply because it has been

represented to us again and there are several estates which are awaiting the implementation of the new law in order to have new Estates settled and because of this we are trying to bring various miscellaneous amendments to the legislature to have the amendments effected into the legislation before the end of this year.

The principle amendments arise out of suggestions coming from Professor Sir Roy Marshall who was special advisor to us on the Land Law. As a result of his perusal of the Property Act and the Land Adjudication of Rights and Interests Act and the Land Registration Act for the purpose of various lectures which he delivered on this subject and taking into account various discussions which he had with the profession and myself, it became clear that amendments would have to be made to the Acts before there were brought into force.

Let me state that most of the amendments which are here are typographical amendments and they occurred at the stage of the printing of this Bill. Normally we pick up typographical amendments at the end of the year in the process of revision under the Law Revision Commissioner Act without the necessity for separate amending legislation and therefore in the normal course of events if all we were doing was making typographical changes, we would not have taken up the House's time to make those changes.

There are two important amendments which need to be made and I will now draw the House's attention to them specifically. The first amendment involves adding a paragraph to the Transitional Provision Condition in the Fourth Schedule in the Law Property Act. This would deal with completion after commencement of the Act all contracts in existence before the Act commenced and this change is needed because as it stands paragraph 2(1) of the Schedule would vest the legal estate of the intended purchaser without the need for a Conveyance.

We have in this case therefore agreed to extend for a period of one year after the commencement after the legislation, I hope January, 1st 1980, the period within which persons who have existing Conveyances can register those Conveyances and use the old form of Conveyance in order to effect the transfer of the Legal Estates.

The second amendment, Mr. Speaker, requires the deletion of paragraph 8 of Section 31(i) of the Land Registration Act from the list of overriding Acts set out in that section. The House should be aware that Section 42 of the Supreme Court Act provides that a judgment meted out in the High Court operations as a charge upon land owned by the judgment debtor at the date of entry and also upon any land subsequently acquired by him and the Registration of Judgment Act makes provision for the registration of such judgments and the effect of such registration.

Mr. Speaker, my Department is satisfied that this put creditors in an unduly unfavourable position and a strong case can be made out for altering the law as was done similarly in England and we are now taking up that amendment in the new Supreme Court of Judicature Act which it is hoped will be before this House by next year.

We are in our Department developing a completely new Act dealing with the High Court of Justice, the Criminal Court of Appeal Bill, the Criminal Court of Appeal Rules, a new Magistrates' Court Act and a summary of Judicature Act in order to provide a proper and effective framework under which the High Court and Magistrates Court Judges in this Island can operate.

The legislation is effective and out of date in many respects and nothing has been done since 1956 to look at the Supreme Court Legislation. What we are seeking here to do is not the full change of which I have just spoken because independently of whether Section 42 of Chapter 117 is amended, it seems unjustifiable to us to make judgments overriding interest and in this connection even the Schedule in the Land Registration Act of amendments need amending and the extent of such amendment would have to finally await the new Act of which I have spoken. We are doing limited amendments so that they do not become overriding interests.

Another reason why we are bringing these amendments, Mr. Speaker, is because of certain recommendations made by an *ad hoc* Committee which I established to advise me on the technical aspects regarding the establishment of an operation of a Land Register in Barbados. One of the recommendations made by that Committee is that the Land Registration Act and the Land Adjudication of Rights and Interests Act should be amended in order to reduce the qualifications in the post of Commissioner of Titles and the Registrar of Titles to seven years instead of ten years of call so that it would be similar to the years of call necessary for a person who holds the post of Registrar in this Island.

Mr. Speaker, the other amendments are mostly typographical and I need not relay the point to the House.

I am asking that this Bill be read a second time. I would say that when this legislation is fully enacted, when the first set of legislation comes into effect from the 1st January, and when it comes into effect on the 1st January, Barbados would have achieved in the shortest possible time a fundamental change in her Land Laws and a comprehensive review of the Land Law in this country. It is a significant legal development. I hope that the people would see it that way.

I know it is so and I believe that this would facilitate not only the speed with which the legal

profession can deal with Conveyances and transfer of Titles of land but it would also result in some decrease in the fees at present being paid for such land transfer. (*Asides.*) I hear the high fees, Sir. The rather high fees because by and large fees in Barbados are to some extent over and above those in some neighbouring jurisdictions and other Commonwealth jurisdictions but then our laws have remained unaltered since the 16th Century and I am happy as Attorney General to be associated with such a fundamental change in the law of this country and to have had the honour of piloting these Bills through this House.

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

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

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

On the motion of Hon. H. deB. FORDE, seconded by Hon. L. S. CRAIG, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

12.35 p.m.

Clause 1 was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that Clause 1 stand part.

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

The question that Clause 1 stand part was put and resolved in the affirmative without division.

Clause 2 was called.

Hon. H. deB. FORDE: I beg to move that Clause 2 stand part.

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

The question that Clause 2 stand part was put and resolved in the affirmative without division.

Clause 3 was called.

Hon. H. deB. FORDE: Mr. Chairman, Sir, I am moving that Clause 3 stand part. I would draw to the Committee's attention the fact that in that Clause, we are making a distinction between those Acts which will be proclaimed as of 1st January, 1980, and the other Acts; assuming that we can set up the land registry in time. It is expected that the land registry should be in full operation within a year from 1st January, 1980 as you know Sir, the responsibility for that subject is within the Ministry of Lands, but the Ministry of Lands and my Ministry, have been co-operating closely on this pro-

ject. We are expecting technical assistance in helping us to introduce modern techniques in the storage of the necessary documents of title. I beg to move that this stand part.

Mr. TAITT: Mr. Chairman, I have just one observation to make. I did not think it was necessary under the second reading of the Bill but, since the Attorney General intends to have these amendments come into force, I am wondering if he is aware that the Law of Property Act itself, together with these amendments now scheduled to come into effect from 1st January, 1980 have been the subject of a lot of discussion mostly at the level of the technical people. Mostly as I recall, Professor Marshall gave a series of lectures for the legal profession. The Attorney General has discussed technical committees but there are a number of people in Barbados whose only contact with this Bill has been to hear how difficult and how technical it is.

It has become very clear as well that there are a lot of people in Barbados who own land and they might not be aware of their rights — the rights are not necessarily those which are told to them by the lawyers. I am wondering if the Attorney General is taking any steps, and if he is not, if he will consider taking steps to run an information series on this Bill that will come into effect on the 1st January, 1980. I think it is very necessary that ordinary people who own a small piece of land should have some idea of what is entailed in this Bill that is coming down, which has been described as a fundamental change in the law of property in the country. Most of the litigation has been centred around rights and other believed rights in property in Barbados and I think that when we are bringing into effect legislation as fundamental as this, it can only be to the benefit of the country if some simple explanation of the rights entitled for the people in Barbados could be made known to them, in as simple a fashion as possible. This, of course does not stop the lawyers from earning whatever it is they have to earn, but I think it would remove some of the fear which has gone abroad among a number of land owners in this country as to what the new Land Act would mean.

For example, the Attorney General has said that he looks forward to the cost of conveyances being reduced. It is going to create a problem if a man goes into a lawyer's office in February, believing that his costs should be lower and discover that they are as high as they were if not higher than they were before. I think that when we are bringing in this kind of legislation we ought to take the people of the country into confidence.

Hon. H. B. St. JOHN: Mr. Chairman, I do not think that there has been any Bill introduced in Parlia-

ment that the Government has gone out of its way to utilise the consultative process as much as we did in relation to the Land Law Bill.

The subject of the reform of the Land Law in Barbados has been one which has been avoided and evaded by every Government in Barbados since 1925. What we are attempting to do is to remove the anomalies and inconsistencies in the English Land Law System which survives only very few jurisdictions in the Commonwealth, Barbados, St. Vincent, Grenada and one or two other territories. Far from interfering with the existing rights of land owners, the object of this Bill is to facilitate the fuller exercises of those rights transferable in an easier fashion and to bring into operation concepts of de facto ownership and use of land which are at present more hindered and obstructed by legalisms which are the relics of the feudal society in Great Britain, and whose object was to ensure that land passed from father to son with the exclusion of women and restricted from access by creditors and things of that kind. There should not be any fear.

The problem with this bit of legislation is that there are still two or three obstructionists in the legal profession, who have for the last 15 or 20 years tried to prevent successive Governments from implementing this system and those obstructionists are trying to say now that they want to appeal for a postponement. It cannot happen on this occasion. This Government is determine that this legislation will be introduced on the 1st January, 1980. We have gone through this exercise of postponement already and they have had all their opportunities to lobby and what is more the conduct of the Opposition is not honourable in this respect either. We put this to a Select Committee and of the 14 meetings of the Select Committee the Opposition turned up three or four times. You had 15 years in which to do it and you evaded it, you avoided it, and you allowed the obstructionists to get over you. We will not allow that. This Land Law Bill will be coming into operation on the 1st January, 1980 and it will facilitate, reduce the cost, and prevent a number of houses which are falling into disrepair in Barbados because of the fact, that the rights were granted for life to one person and remaining to somebody else.

12.45 p.m.

During the period of time when the life tenant is in existence, there is nobody who can repair the houses, there is nobody who can mortgage them, there is nobody who can remove them, and they are visible examples of this matter. Let us also take the question of restraint from alienation. Under the existing law if a man cares to leave a will, his daughter, so long as she is married, cannot exercise any power in relation to the land. Does the hon. member think that we should allow a system which prevents equality of opportunity between man and woman? We know the Attorney General will not allow that to continue on the Statute Book. Go out in the market square and tell the people the truth; go out and tell them that the Land Law Bill is a great improvement upon the existing land law and that Barbados is one of the few territories in the whole British Commonwealth that has not taken steps to improve the Land Law Bill, and that this Government has had the courage to do it. That is what you should go out and do instead of coming in here and talking about people being afraid of their rights. You have a responsibility too. The other side has a responsibility too. We have been proclaiming it from the roof tops; we have had lectures, we have had consultation after consultation with everybody, and we will continue to have consultations with anybody who feels that their interest is affected; but the fundamental truth of this matter is that this Bill is a Bill to remove injustices, anomalies and relics of the feudal system.

Dr. CADDLE: Mr. Chairman, any progressive Bill would be welcome in any society by progressive-minded people, and I should like to agree that the main Bill which we are now amending is in that context, a progressive Bill, and I would expect it to be welcomed by all progressive sections in the society. But I should like to point out that there are members or sections of a society which cannot always be described as being progressive, and I think it is in the interest of the Attorney General to take the suggestion which was made when the main Bill went into Select Committee to have some publicity of this matter. I do not believe for one moment that enough publicity has been given to a Bill as important as this one, and therefore there are a lot of people in this country who are still not yet aware of the fundamental changes and the important fundamental changes more befitting the society as it now stands that will come out of the implementation of this Bill.

I am going a step further. It is interesting to hear the Hon. Attorney General stating that the cost of litigation must come down, and I am going to ask him whether the Government is going to take action to fix fees in this area because unless the Government is prepared to fix fees for matters coming under the umbrella of this particular piece of legislation, there can be no guarantee whatsoever that the actual cost of litigation in these matters will come down, because the lawyers will tell you as other professional people will tell you that you cannot tell them what

to charge for their services; and to say as he has just stated that he expects the fees to come down and then people outside take this up, there is likely to be a great amount of dissatisfaction and maybe disapproval of the Attorney General and his Ministry when people experience in effect that the fees have not come down. So apart from saying that he believes the fees will come down, I expect him to go a bit further in his publicity campaign and state exactly why the fees will come down and in what manner they are going to come down, because to do less than that is to suggest to people that the Government, while prepared to do other things firmly in other areas may not be prepared to go so firmly in the area of the legal practice, maybe because some of them have been in that practice, and they like all people think the legal practice is one above all the other professions in this country.

I am throwing it out to the Attorney General again that this suggestion was made during the Select Committee on the main Bill that wide publicity be given to this Bill, because it has far-reaching fundamental importance to the people of this country, and the people of this country should be well seized of the changes which will come about as a result of the implementation of this Bill, and I am appealing to the Hon. Attorney General to set in operation adequate methods for proper publicity of this Bill.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, in response to the plea made by the last hon. member, I will undertake to ask the Minister of Information to ensure that the Government Information Service gives adequate publicity by a programme or a series of programmes for the prospective changes in the law to be introduced and come into force on 1st January relating to real property. I am glad the hon. member for St. Michael North Central has thumped his table in thanks because before I sit down I will hold out an offer to the hon. member for St. Michael South West that at any time they want information about the property holdings of any member of the Government, they are quite free to raise the matter, they can take a lesson if they have unwarranted allegations that do not have a shadow of truth in them; they are malicious inventions designed to prove only that some persons had diseased and evil minds and are filthy liars, if they want assistance along that line they can ask the hon. member for St. Michael South Central who knows how to write a letter putting false information to the Director of Public Prosecutions or they can discuss with each other how to invent a misinformation such as the Prime Minister owns 25 apartments in St. James — he does not even own one — or that the Prime Minister has bought a house for £120,000 in London, or that the Prime Minister owns Powell Spring Hotel. Instead of saying these outstanding falsehoods about property, they can try and get accurate information. I only wish they would come in here and say it, Sir.

Mr. CHAIRMAN: If no other hon. member wishes to speak, the Attorney General will wind up.

Hon. H. deB. FORDE: Mr. Chairman, if I may take the point about the fixing of fees first, at present a minimum scale of fees is fixed by the Attorneys-at-Law in conjunction with the Judicial Advisory Council, and the Judicial Advisory Council on which both the judiciary and the profession and independent legal people are represented must approve the fees. The point I am making, Sir, is that now that the conveyancing process is being shortened, it will be possible for the Judicial Advisory Council to look again at the minimum scale of fees. Unlike the Medical profession to which the hon. member belongs, there is some existing independent fee-fixing body in the medical profession and the hon. member could rest assured that if I had the power I would not only fix fees in the legal profession, I would fix them in the medical profession as well. He can rest assured about that. I have no fear about doing that. On the other hand, I think it is but fair that existing machinery should first be used before there is governmental interference in this area of professional life. (*Dr. HAYNES rose.*)

Mr. CHAIRMAN: On what does the hon. member rise?

Dr. HAYNES: On a point of elucidation.

Mr. CHAIRMAN: Please take your seat.

Hon. H. deB. FORDE: I would let the hon. member know that we would price control the medical profession and particularly high consultant fees if that is what he wanted to get up and ask about. That is the first area we would price control.

In so far as the question of publicity is concerned, I think the hon. Deputy Leader has pointed out quite clearly that there has been a tremendous amount of consultation on all these Bills at all stages, and indeed if. . . .

Mr. TAITT: If the hon. member would give way, I notice that the hon. member for Christ Church West and now the Attorney General is veering towards the concept of consultation. In my speech I was not concerned about consultation. Indeed I made the point that very wide consultation had taken place.
12.55 p.m.

The point I was trying to make is that in the society ordinary people may have been given the wrong impression about what this Bill is all about, and all I was asking, which was adumbrated by my colleague for north central, is that the Government use the facilities at its disposal to explain in layman's terms across the board to ordinary people what the Bill is all about. That is all, Sir.

Hon. H. deB. FORDE: Sir, I was coming on to the point. We did have a series of lectures which Professor

Marshall specifically was brought here to do, and we did get Professor Marshall as well as other persons, legal people, to go on television and explain the changes. This has all been done, Sir, not that the hon. member has ever made the point, Sir, but some other members when they are talking about the incompetence of the Attorney General don't advert to any of these things, that is part of the political fray. But the facts are that I don't know any Attorney General they have ever had who has ever gone to this sort of exercise to go on with the degree of consultation and the consideration for the public before major legislation has been brought down in this country as we have done. (*Aside*). I will talk about myself if it is necessary to defend myself from malicious slander, that is where I will talk about myself, Sir.

The point is that in addition we are publishing various brochures which will be available to the public so that they will have this as some guide to themselves. That too has been part of the planning of this exercise. Not only have I said this to the Select Committee on which the hon. member for St. Michael North Central, if I remember, was a member but he did not come, he came to one or two meetings, otherwise he would understand, so that when he is running off his mouth on political platforms with nonsense he should take a little time to follow the facts. I said it in Select Committee. If he was attending to what was happening on his parliamentary duties he would understand. It is not a question of saying so, I have said so. I have said that the Government has been doing everything it can, including publishing brochures to make the public understand the legislation. If the hon. member wants me to go on television I don't mind.

I am sorry that what I think is a very straightforward Bill should get down into banter, but let me say that we are going to do everything possible — and I take the point of the hon. member for St. Michael South West — we have been doing and will continue to do everything possible to simplify the legislation so that it is understood by the normal man in the street. This has been part of the process of this Bill, that is specifically why we brought Professor Marshall back here in August, we are continuing work on further aspects of the legislation, like the area of landlord and tenant, the National Housing Corporation Act also is being amended to simplify conveyancing and the Judicial Sales Act, and you will get a total package of law reform in a vital area that affects the day to day lives of almost the whole country, because I believe there are over 60,000 or 90,000 separate land transactions in this country.

I beg to move that clause 3 stand part. On the next Bill perhaps if the hon. member for St. Michael South Central wants to speak and wants me to expose his property holdings by companies and otherwise, I will be willing to accede to that, but I am not willing to rise to

his bait now because I believe he owns a tremendous amount in my own constituency, some in his own name and some by names of other persons, so if he wants me again like last week to get personal I will deal with him.

The question that clause 3 stand part was put and resolved in the affirmative without division.

The Schedule was called.

Hon. H. deB. FORDE: Mr. Chairman, I beg to move that this be the Schedule.

Dr. CHELTENHAM: I beg to second that.

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

On the motion of Hon. H. deB. FORDE, seconded by Hon. L. B. BRATHWAITE, Mr. CHAIRMAN reported the passing of one Bill in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

Hon. H. deB. FORDE: Mr. Speaker, I beg to move that this Bill be now read a third time.

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

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

Hon. H. deB. FORDE: Mr. Speaker, I beg to move that this Bill do now pass and be cited as the Property (Miscellaneous Amendments) Act, 1979.

Dr. CHELTENHAM: I beg to second that.

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

THE SUCCESSION (AMENDMENT) ACT, 1979

Hon. H. deB. FORDE: Mr. Speaker, the proposed amendments to the Succession Act, Cap. 249 as set out in the Bill are as a consequence of a number of factors. If I may enumerate these for the benefit of hon. members, Sir, I received very soon after I became Attorney General a memorandum from Mr. R. S. Nicholls, and subsequently also a memorandum from the Committee of the Bar Association stating that there were certain defects in the existing legislation which were affecting a proper interpretation of the Bill. That memorandum was not only studied by our Chambers but it was referred to Sir Roy Marshall again for his comments, and his comments together with those of various committees of the Bar and our own independent research have lead us to accept some of the technical changes which are being proposed in this Bill.

I have also taken the opportunity, Mr. Speaker, in putting into effect one of the recommendations contained in the Report of the National Commission on the Status of Women. The National Commission recommended that the right of spouses to participate on an intestacy in the estates of their husbands or wives or persons who stand in relation to them as husbands or wives should be reduced from seven to five years, and the Bill now seeks to implement this recommendation of the National Commission on the Status of Women.

I have also taken the opportunity, Mr. Speaker, to incorporate the sections of the Wills Act, Cap. 251 that had not been repealed by the Succession Act, Cap. 249, and as a result of the enactment earlier this year by the House and Parliament of the Status of Children Reform Act, it has become necessary for us to delete from the Bill any reference to illegitimacy because the children will now be treated as equals and no longer will there be any discrimination on succession to the estates of their parents between children.

1.05 p.m.

Therefore this Bill is a further step towards bringing equality between our children in this country and the then legitimate or born out of wedlock and we believe that it is a significant advancement on existing legislations in dealing with the social problems in this country.

It is not often recognised that it is only this year that we have abolished the distinction between legitimate and illegitimate children and I now take the opportunity in commending to the House that with the passing of this Bill by Parliament we intend to bring into effect the Status of Children Reform Act, The Domicile Act and the Succession Bill. We would hope that early in the New Year there will be two other types of legislation, maybe before Parliament rises for its Christmas vacation if the clerical work can be ready as soon as possible.

There will be two other Bills which will bear significantly on the whole question of equalisation of rights to our children. This will be part of not only the Government's pledge in its forum of Government pledges in the Government Manifesto but it would be a significant contribution to the International Year of the Child.

The Bill consists for the most part of reforming measures as it seeks to bring about changes based on practical experience in adjudication surrounding the Act. I have also said and I stress again that more importantly, this Bill is seeking to reduce the qualifying period for spouses under the Act.

Mr. Speaker, I will give a quick summary of the Bill. Clause 2 seeks, for instance, to amend Section 2 of the Act in a number of important respects. We have inserted a definition of "soldier" and we have inserted a

definition of a spouse's legal right. This is a change in the terminology.

The third amendment seeks to delete paragraph (c) of sub-section (2) and this is because, as I said, this Section is now redundant in the light of enacting The Status of Children Reform Act.

The fourth amendment relates to the definition of "spouse" as contained in sub-section 3 of Section 2 and with this amendment a single person who satisfies the Statutory requirement of five years instead of seven years becomes a spouse for succession purposes. That is the recommendation made by the National Commission on the Status of Women.

Clause 5 seeks to amend Section 24 and it is deleting the words "in any part of the Commonwealth" and substituting "outside of Barbados". We are extending the ambit in this Section, Mr. Speaker, to include all persons represented and not merely residing within the Commonwealth.

Clause 6 is amending Clause 28. The reason for this is that Section 94 of the Insurance Act, Chapter 310 provides that property of interest to any person under a policy of insurance must not be applied or made available in payment of the person's debt by any judgment, order or process. The proposed amendment seeks to notwithstanding that Section in order that the proceeds of any such policy made also be included in the Estate of the deceased.

In Clause 8 we are seeking to amend Section 36 in two respects. The first is that a time limit similar to that in Section 97(6) would now be included and we are seeking to impose a three months' limit in which a personal representative must inform the surviving spouse of his or her rights under the Section.

Clause 18 seeks to create an exception of revocation of Wills as provided by Section 29.

Clause 20 seeks to incorporate Sections 7(2), 31, 32, 33 and 34 of the Will's Act.

Clause 22 is an amendment to Section 100. In this we have sought to widen the obligations of fathers and parents to provide for their children by intestate or by Will.

We are saying here that instead of using the words merely that the testator has failed to make appropriate provision for the child that that test is too normal a test and we are seeking to include the words "in his moral duties".

For the benefit of hon. members we have been inspired to make this recommendation on the basis of a

very admirable analysis of the Section by Miss Norma Forde, a Lecturer in Law at the Cave Hill Campus who was the Chairperson of the National Commission on the Status of Women. Indeed her recommendations have been very helpful to us generally in amending this Bill.

Most of the other provisions of the Bill are minor amendments. If members want explanation of them in Committee I will be willing to give them.

Let me say before I sit down that this Succession Bill as a whole, both the main Bill passed under the last Government and these amendments happen to be some of the significant social legislations in this country and I wish to acknowledge the parent Bill and to say once again that I am privileged to improve on what was a good measure.

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

On the motion of Hon. H. deB. FORDE, seconded by Hon. L. B. BRATHWAITE, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 1 was called and passed.

Clause 2 was called.

Mr. TAITT: Mr. Chairman, Sir, I see here under Clause 2 that among the amendments we will be making, let me read what I see "soldier includes a member of the Air Force".

Now, Sir, during the time of the Estimates when the hon. member for St. Philip North was sitting in the Chair, he was distinguishing himself in that Chair, Your Honour, and very late that night, after a very long day, I recalled when an attempt was made by the Acting Leader of the House to do what I would describe as to sneak through the Estimates on Defence.
1.15 p.m.

Now Mr. Chairman, I come here today to participate in the passing of these amendments to a brilliant Bill, and as the Attorney General says this brilliant Bill was introduced under the regime of the Democratic Labour Party and if he is improving on it, we would agree to it.

I see here for the first time, at least that I know of, the introduction of an air force. Now, Sir, you know how things are outside. Life is very hard in Barbados at the moment. Are we going to get an air force? If we are to get an air force, I believe the Prime Minister would wish to tell us about that or if he is anticipating an air force some time 20 years from now. I think we ought to know.

I do not wish subsequently, for the Prime Minister and the Minister of Defence to come back and tell us he does not understand what we are quarrelling about; we saw the people trying out planes, everybody was looking at the planes and a Bill came down in which air force was mentioned and you all sat over there and said nothing, and then we have an air force. If he is going to have an air force, I think he is in trouble. I think this demands an explanation Mr. Chairman.

Hon. H. deB. FORDE: Mr. Chairman, Sir, I am finding it increasingly difficult to deal with members who would not even do their proper homework, or who do not even listen to an introduction of a Bill. For the benefit of the hon. member, I said that we were transposing into this Bill existing provisions in the laws of Barbados dealing with wills because there were some provisions in the Wills Act that had not been brought out in the original Succession Bill.

Now, Sir, the hon. member has said that he is hearing for the first time about an air force. I am reading from the Laws of Barbados Volume VI Cap. 251 — the Wills Act, existing laws of Barbados — and the definition in Section 2 under soldier, is soldier includes a member of the air force.

Mr. TAITT: Mr. Chairman, that kind of Socrates may be quite successful for persons who do quite understand. Mr. Chairman, you yourself heard the hon. member talking about repatriation of Acts. The Wills Act which he is quoting is the Wills Act of 1837. It had in air force. It was probably given to Barbados in toto. He now comes in here and he is bringing a Bill.....

Mr. CHAIRMAN: Order.

Rt. Hon. J. M. G. M. ADAMS: On a point of order, Sir.

Mr. TAITT: How can he give a point of order, on a point of order? He is only the Prime Minister he does not run this House.

Rt. Hon. J. M. G. M. ADAMS: I thought the Honourable Member was on a point of explanation. Is he on a point of order?

Mr. TAITT: Yes, Mr. Chairman, the Wills Act goes back to the early nineteenth Century. He is bringing progressive legislation, he is talking about repatriating the Law with regard to treason. He wants to repatriate everything so when I see air force in an amendment, which is supposed to be on progressive legislation, there must have been a reason why it was left out of the Act itself. The Act which we are now amending. The point is that the Act which we are now amending did not have in air force.

Rt. Hon. J. M. G. M. ADAMS: On a point of order. Is it in order for the Honourable member to mislead this House by suggesting that an Act of 1837 contained a reference to an air force? That is a serious effort to mislead the House. The aeroplane had not been invented then and he just got up on his feet and said that we are copying the Wills Act of 1837 which had in about an air force.

Mr. TAITT: On a point of order. The Honourable Member is misleading this House. I did not say that, I said the Wills Act is 1837. I did not say anything about any aeroplane in 1837. The Honourable Member is an 1837 relic so he would understand about these things.

Hon. H. deB. FORDE: If he looks at the Schedule to the Bill, we are repealing sections of the Wills Act Cap. 251 and placing those sections in the Act. The Honourable Member must understand that the term soldier will not include anyone serving in the air wing of any force. He must also understand, that soldiers make wills and that they need not be soldiers only in Barbados and air force men. So that, when you are passing legislation as was done in this Act which has been amended on several occasions, it is necessary to expand the meaning of the term soldier. I am sorry that I have to be almost academic in lecturing to the Honourable Member. He wants me to teach him law everyday from the floor of the House.

Mr. TAITT: Mr. Chairman, if the hon. member were able, I would be grateful for him to teach me. I am not like him, I can learn from anybody, even the hon. member for the City. Neither the Prime Minister, nor the hon. member has replied yet. Are we getting an air force? That is all I ask.

Hon. H. deB. FORDE: I tried to explain to the hon. member the reason why the word occurs here transposed from one Bill to another and the reason why it is necessary to have such definitions in law because we deal with the wills of a whole number of people.

Soldiers and sailors have always been given special ways of making their wills because it is anticipated that they may be in circumstances where they cannot get legal advice and if the hon. member takes the opportunity to look at wills made by military men, he will see that the regime for them is usually specifically provided. I can't do any more, Sir.

Dr. HAYNES: Mr. Chairman, the question asked by my colleague on this side remains unanswered. We want to know whether or not we are going to have an air force or whether or not the term "air wing", I heard the term creeping in just now, an air wing of the Defence Force, whether that is part of the plans of the Government or not. That is what we want to know, because I see in the Capital

Estimates for this year under Head 106 provision is made for the purchase of aeroplanes. We tried to raise this question at the time when the Estimates were being discussed. You have a provision for aeroplanes. Are you going to have aeroplanes under Defence and Security? For what purpose? Are they for transport? Are they transport planes? Are they fighter planes? What kind of planes are they? Are they connected with defence? Are they bombers? What are they for? Could you tell us then whether or not, we are going to have an air wing of the Defence Force or air force or what.

Hon. H. B. ST. JOHN: I submit that it is totally improper that during the course of the committee stage of a Bill for an hon. member to seek to interrogate the Government in relation to financial expenditure. He must confine himself under the terms of the rule.

Mr. CHAIRMAN: Order, please.

Hon. H. B. ST. JOHN: Mr. Chairman, the hon. member is again breaching the terms of the House.

Mr. TAITT: I am sure that the hon. member who has just taken his seat, must have understood clearly what the Hon. Attorney-General meant when he explained the presence of air force in Clause 2. I have no doubt now that you understand him. I will not permit any further irrelevance.

Hon. H. B. ST. JOHN: I am submitting that he is totally irrelevant, when you are discussing the terms of a specific piece of legislation to seek to bring in matters which relate to finance. He should have been here at Estimates time.
1.25 p.m.

If they do not do their work at the proper time, they cannot come in here through the backdoor and ask it. That is the position. I submit that he is out of order and I would ask for a ruling on the point as to whether he is in order or not during the course of this debate on a specific measure to raise such matters. Confine him to the Rules; he does not like the Rules.

Mr. CHAIRMAN: I have already said and I will repeat that the hon. Attorney General has explained in Clause 2 the reference to "soldier" includes a member of the Air Force. This has been dealt with by the hon. Attorney General and I cannot permit debate to continue in relation to Capital Estimates.

Dr. HAYNES: Mr. Chairman, I am sticking to the script completely and totally. I have not diverted in any way, and all I was seeking was a substantive explanation as to whether or not. . .

Hon. H. B. ST. JOHN: On a point of order, the hon. member is flouting your ruling.

Mr. CHAIRMAN: I want to let the hon. member know that I have dealt with this and I cannot entertain him anymore. (*Asides.*) I will ask the hon. member for St. James to please contain himself.

The question that Clause 2 stand part was put and resolved in the affirmative without division.

Clauses 3 to 25 inclusive were called and passed.

The Schedule was called.

Hon. H. deB. FORDE: I beg to move that this be the Schedule to the Bill. This is the particular Schedule that we feel those sections of the Wills Act dealing with, soldiers, persons in the Air Force, mariners, and seamen which is part of the existing law of Barbados.

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

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

On motion of Hon. H. deB. FORDE, seconded by Hon. L. S. CRAIG, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.
1.35 p.m.

On the separate motions of Hon. H. deB. FORDE, seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.

BILL TO AMEND RETIRING ALLOWANCES (LEGISLATIVE SERVICE) ACT, CAP. 12A

The Seventh Order was called – To move the Second Reading of a Bill to amend the Retiring Allowances (Legislative Service) Act, Cap. 12A.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, this Bill arises out of a pledge contained in the Manifesto of the Barbados Labour Party at the last election and out of a report by a Select Committee of the House relating to the pensions and retirement allowances to be paid to members of Parliament, Ministers and Parliamentary Secretaries. The Select Committee as you will recall, suggested that retiring allowances were being paid on perhaps too general a scale. The old scale of retiring allowances operated on a three-tier basis, that hon. members could receive after six years service a pension equivalent to one-third of their highest salary; that after, I think it is, nine years' service a pension amounting to one half of the highest salary; and after twelve years service what is known as full pension amounting to two-thirds of the highest salary; and for these pensions, as is not generally known to the public, it is necessary to pay a certain percentage of the salary in contribution to the Treasury. The

Select Committee recommended that the qualification of six years should be abolished as well as the one-third pension rate, and that in future there should be only two rates of pension — half of the salary which would be earned by someone who had served as a legislator for a period amounting to ten years or two full parliamentary terms amounting to eight years or more; and for a full pension a qualification period of fifteen years as against twelve years or three full parliamentary terms amounting to twelve years or more. These changes have the effect of reducing the generosity of pension to members of Parliament, a generosity dating back to 1968, I think, when pensions for members of Parliament were introduced in the first place. Government has accepted this report of the Select Committee, notwithstanding the adverse effects it may have on the present prospects of a number of hon. members of this side, as well as I believe one member of the other side, but we recognize that retiring allowances should be paid on a scale which reflects somewhat more fully the qualifications necessary to earn pensions in outside life. A number of unfortunate anomalies have already arisen through the pension legislation. For example, the former Senator Leroy Brathwaite who was never an elected member of any Chamber receives a larger pension than Mr. Frank Walcott, one of the most distinguished Barbadians and a man who served as a member of Parliament — in this House and in the Senate — for thirty-two years and who probably fought more elections than any of us will ever fight, since he fought some elections when the life of the House was only two years.

This leads me to another aspect of the Bill. Mr. Walcott had broken service in the House of Assembly as his service was broken between 1966 and 1971 by the loss of his seat and by his service in the Senate. There is at least one other member of Parliament, the present Leader of the House, to whom that situation also applies. We have given some thought to this, and it has been decided that since the scheme is a contributory one it may be unfair to a legislator to deprive him of paying the contribution we have made towards his pension if he has lost his seat and then regains it. So the Bill now provides for a member who loses his seat and is appointed to the Senate while in the Senate to make a contribution equivalent to that which members of the House make towards preserving his pension right so that he qualifies either by virtue of his membership in the House or in the House and Senate. This provision, however, will not be made retroactive. Indeed, there is very little retroactivity in this Act except that it is deemed to come into operation on the 1st April, 1979. Originally it was intended that it would come into operation on 1st April 1978, but this would have wrought some injustice to the former Leader of the Opposition, Mr. Frederick Smith, who retired after the 1st April, 1978, and therefore might have been found to receive on the basis of this Bill a pension and retiring allowance too large. We have therefore taken a year just forward in time.

Now Section 9 of the Act in any case protects the right of former legislators to their pensions, such as Senator Leroy Brathwaite even though they not now qualify under this Act. A case such as Senator Brathwaite's will not in future attract a pension, but those persons who have been in that position and have received pensions, their pension will be protected by virtue of Section 9. But it should be pointed out that the wording of Section 9 have been very carefully chosen and it is not as far as I can remember, written by me in my italic handwriting or otherwise. And the wording goes: "nothing in this Act shall be considered to derogate from the right to any allowance of any legislator where such right accrued before the commencement of this Act." What that connotes is that the right had fully to accrue either by loss of a seat or by ceasing by some other means to be a member of Parliament.

1.45 p.m.

That, Sir, is of some importance, as I understand it, to three members of the present House, I will be the fourth, but I have moved on to a different basis. It applies to those members of the House who have accumulated twelve years as legislators, that includes yourself, Sir, but who have not accumulated three full parliamentary terms or 15 years.

This matter was given some consideration, and really, Sir, what has to be viewed in all this is the fact that at the margin of every Bill such as this there are going to be hard cases. In 1968 with a great ruthlessness the then Government ignored the years of service of Mr. M. E. Cox, now Senator M. E. Cox, of Mr. Ronald Mapp, now Ambassador Mapp, and drew the Pensions Act in such a way that their terms in the House amounting in neither instance to less than 13 years, I believe in one case to 17 years, and in another case of House and Senate to an even longer period. This was drawn with some ruthlessness, a margin had to be drawn at some particular point. We have not been so ruthless, Sir, but we think that it would have been making a mockery of the pledge in our Manifesto and of the Select Committee's Report to have made any allowance for persons who have not retired and who have not already got their pensions, and for this reason the Act has been severe.

I would point out, Sir, that it applies with some force to the hon. member for St. Joseph who has just under one year's part service of a parliamentary term, the hon. members for St. Philip North and the City, who have also just a little less than one year's part service of a parliamentary term. They have also seen their prospects abbreviated, indeed they have seen their prospects curtailed in respect of their possible entitlements. There is also the hon. member for Christ Church South Central who if we had allowed him to take his

Senate service into account, he, Sir, I believe, is after the hon. members for St. John and St. Philip South the longest serving parliamentarian, but he has been in both Houses, if we had allowed him to take his Senate service into account he would now be very fully qualified for retiring allowances.

We have tried to draw the line exactly where the Select Committee asked us to draw the line, and all the hon. members on our side have accepted the necessity of curtailment of their pension rights in the interest of a more just and reasonable Pension Act. This matter has been discussed with all the four hon. members and the matter fully understood. Indeed, I believe that two of them were members of the Select Committee itself.

We have also introduced a new clause which will become section 5A that deals with undoubtedly what is a hiatus in the existing legislation. This new clause recognises that a member of Parliament may, so to speak, die in harness and may be unable to make the option by reason of his death. There are other incapacities too, Sir, but death is the principal incapacity to be considered here, the option to take a gratuity and a reduced pension. So far, Sir, all members of Parliament and legislators who have retired have exercised the option of a gratuity and reduced pension. It is very much like the Civil Service. Records of the Civil Service for a number of years show that nobody takes a full pension, nearly everybody accepts a reduced pension and a cash payment. I think there is only one case where a Civil Servant has opted for a full pension and no gratuity within the past five years.

Section 5A now permits a situation that where a person dies while he is a legislator his retiring allowances, the gratuity, may be paid to his legal personal representative without his having made the option. We have also allowed another privilege to legislators, which on reflection, Sir, I think that all hon. members will endorse. Again, it is very unfair where a man who has faced the necessary number of elections and if he lived would qualify for his pension should lose that right by reason of death, perhaps by assassination — in this day and age we cannot be sure of any of these things — perhaps he will be a member of an Air Force, and while the law will allow him to make a nuncupative will on active service and not have to observe the formalities or indeed of putting it down in writing, because if you are a member of an Air Force the law of Barbados very shortly will be that if you die in active service, such words as "all for Branford" may operate as a will, but this exists in the ordinary law, it did not exist with a legislator that if he dies and his qualification period is interrupted only by death he is allowed to treat himself as having qualified, or his estate. Well, section 5A(3) does now make provision which gives to a dead legislator's estate the right to

accumulate the remaining expected years of his parliamentary term as part of his pensionable service. No doubt some difficulties will arise, Sir, but I am sure the Ministers of Finance in the future will interpret the laws as liberally as they have so far in the past.

There are one or two smaller sections, Sir. There is a matter relating to the Prime Minister's pension, the Prime Minister may accept whichever of his pensions is greater. I myself happen to think that there are still one or two aspects of Prime Minister's pension that need to be cleared up. For example, a Prime Minister who has never served as a legislator other than Prime Minister will never have made any contribution towards his pension. You have a situation where at least one Prime Minister of this island has contributed to a pension for many years and now does not have the right either to recover those contributions or to recover the pension based on those contributions, where another Prime Minister who has never made a contribution obtains a pension, but these are matters which perhaps will be cleared up on some occasion in the future, I am not at the moment pursuing them, Sir. A number of anomalies will be removed, indeed this is something on which I think legal advice is required. It would have been possible for a Prime Minister to have a Prime Minister's pension and the Leader of the Opposition's pension as well if he is Leader of the Opposition after he became Prime Minister but not before.

There have been some of these anomalies, Sir, but I think that they can be left for now because only a limited number of persons have been Prime Minister of this country, and this situation may so continue for a number of years to come. We have made one other quite important restriction on pension rights.

It is 2 o'clock, Sir.

SUSPENSION OF SITTING

Mr. SPEAKER: The time is now 2 o'clock. This sitting now stands suspended until 2.45 p.m. today. 2.00 p.m.

On Resumption —

Mr. SPEAKER: This Sitting is now resumed. It is now Question Time.

QUESTION TIME

Mr. SPEAKER: Question No. 40 standing in the name of the Hon. Leader of the Opposition whom I do not now observe in his place.

Rt. Hon. J. M. G. M. ADAMS: The Reply to Parliamentary Question No. 40 asked by the Leader of the Opposition is as follows :—

- (i) "No Sir. Every effort has been made to inform the public by TV, radio and newspapers by the office responsible for the survey and the Government Information Service.
- (ii) The National Registration Programme is a statistical exercise and is designed at the registration of the entire resident population. For these reasons the survey is being conducted under the Statistical Act and is therefore wider in character than an electoral registration which would fall under the Representation of the People Act.

It is common knowledge now that within the next few months a National Health Scheme will be implemented in this country. It will be necessary for each person participating in the scheme to have a National Health number and an Identity Card bearing such number.

At present the National Insurance Officer issues an Identification Card to all persons who are registered with that office and the Electoral Office also issues a card to registered electors. Each office uses its own numbering system which bears no relationship to that of the other office. With the proposed National Health Scheme there could eventually be a third Identification Card also bearing another number. There are also other agencies which could carry their own numbering systems. There is bound to be some difficulty and confusion for the average office worker in the use of so many different numbers. It is therefore considered appropriate to create simplification through uniformity in the overall numbering system in the country; hence the National Registration exercise.

The Current Barbados Identification Card can only be issued to persons who qualify as electors. I should like to make it quite clear that the new Barbados Identification Card will be issued to all persons and not confined to electors only.

The Chief Electoral Officer has been delegated the responsibility of carrying out the survey because of his experience in the 1966 and 1969 surveys which were similar in content. Reference to the Electoral Act 1966-1 (which has been repealed) will show that the legislation empowered the Chief Electoral Officer to register persons from age 15 although the qualifying age of voting was 18 years. The registration rules made under that Act made provision for the particulars of each registered person to be recorded on —

- (a) a Master Registration Record Card;
- (b) a Polling Station Card: and

- (c) A Social Insurance Statistics Card; each card bearing the same number.

It can therefore be seen that there is nothing to fear about the National Registration Programme as it is an expansion of what was attempted in 1966 in the area of uniformity in the Electoral and National Insurance Numbering Systems."

Hon. L. S. CRAIG: A Supplementary, Sir, in the light of statements made by members of the Opposition and in particular the member for St. Michael South Central at public meetings, will the Prime Minister state if this is intended to trample upon the people's rights in Barbados.

Rt. Hon. J. M. G. M. ADAMS: I cannot comment on any statement made.....

Mr. SANDIFORD: I rise on a point of order, Sir. I would like to refer to Standing Order 16(5). It says:

"If a Member is not present to ask his question when his name is called, or if the question is not reached, the Minister to whom it is addressed, shall cause an answer to be laid upon the Table of the House, unless the Member asking the question has signified his desire before the end of question time to postpone the question to a later sitting or to withdraw it."

This Standing Order makes no provision for the question being called by anyone including the Speaker, and secondly having allowed the question or permitted the reply to be given I am submitting now that it is further in breach of the Standing Order to have Supplementaries on it.

Rt. Hon. J. M. G. M. ADAMS: I can assure the hon. member that I will cause the answer to be laid on the Table of the House as well as give members an extension of their rights to deal with problems if Your Honour permits but I will certainly cause it to be laid.

Mr. SPEAKER: The hon. member for St. Michael South should be told that the Chair considered and took into consideration the national importance of the question that was asked. Consequently, it was thought desirable that the reply to the question ought to be given maximum publicity and I hope inside this House and outside.

Rt. Hon. J. M. G. M. ADAMS: In answer to the Supplementary asked by the hon. member for St. James, I cannot carry any responsibility for any statement made at a public meeting in this House, in his consulting office or anywhere by the hon. member for St. Michael South Central but I will assure all hon. members that the national registration exercise is done for the rights of Barbadians

and is not in anyway a degradation or trampling upon their rights and I very sincerely hope that those Barbadians who have not yet taken advantage of the registration procedure would very soon do so.

Mr. SIMMONS: Mr. Speaker, Sir.....

Mr. SPEAKER: Are you asking a Supplementary?

Mr. SIMMONS: Yes, Sir. Will the Hon. Prime Minister tell this House how many persons thus far, that is of today's date, have been registered under this present exercise?

Rt. Hon. J. M. G. M. ADAMS: I cannot tell the hon. member how many people have registered so far today, but up to yesterday afternoon, 192,992 persons had registered by constituencies, Sir, because the Parliamentary constituency is the base area of registration. The numbers registered varied from 12,845 in St. Michael North West and 11,938 in St. Thomas to 6,541 in Christ Church South Central and 4,782 in Christ Church West. There are two registrations of 5,000 each in St. Michael South Central and St. Michael South.

Hon. L. B. BRATHWAITE: Mr. Speaker, a supplementary. In light of the cloud thrown over the whole question of registration, will the Rt. Hon. Prime Minister say if he would consider the registrations up-to-date to be responsible under the circumstances?

(The Opposition walked out of the House.)

Rt. Hon. J. M. G. M. ADAMS: No, Sir. I consider that there should have been a greater response to the registration. I have accordingly this morning signed an extension order extending the registration period up to the 1st March, 1980.

Mr. SIMMONS: Supplementary Question No. 2, Sir. Will the Hon. Prime Minister state how many are estimated to be likely to be registered by the end of this year?

Rt. Hon. J. M. G. M. ADAMS: The Chief Electoral Officer set out to register just over 234,000 persons. However it has been observed in particular areas, most noticeably the Northern part of St. Michael and very much in St. Thomas but also including St. Lucy, that the Chief Electoral Officer estimated the population for a number of them to be too modest and it can be anticipated that the target will be in the region of 250,000 of them. How many of them will register cannot be said with any certainty until the new closing date in March next year.

Mr. BRADSHAW: A Supplementary, Sir. I would like to know from the Rt. Hon. Prime Minister if after the closing date people would still be able to register.

Rt. Hon. J. M. G. M. ADAMS: I am obliged to the hon. member because I have been using the phrase "closing date" a little loosely. I am using it to mean the close of enumeration. After the closing date for enumeration, centres will be kept opened at the Rates and Taxes Office in Bridgetown, the National Insurance Office and the service of a Registration Officer will also be made available so that persons may register at anytime.

It would also be made possible for persons entering the country on a Permanent or Semi-permanent basis to be registered, of course on a non-electoral register, so that the overall number of residents in Barbados can be kept up-to-date.

Mr. SPEAKER: This brings us to the end of Question Time.
3.00 p.m.

PRIVATE MEMBERS' BUSINESS

Item No. 1 was called – To move the passing of a Resolution urging Government to sponsor a revision of the Treaty of Chaguaramas to establish a Code of Human Rights and a Court to hear matters involving violations of the Code.

Dr. CHELTENHAM: Mr. Speaker, I beg that consideration of that Resolution be deferred and instead Sir, that leave be given to me to proceed with the Resolution which I gave notice of earlier in the day.

Mr. SPEAKER: The hon. member is asking that further consideration of Item 1 standing in the name of the hon. member for Christ Church East, be postponed.

Item No. 2 was called – A resolution calling upon Government to take steps to ensure that the bus service in St. Lucy be improved without delay.

Mr. SPEAKER: I do not now see the said hon. member for St. Lucy in his place. The hon. member for Christ Church East is seeking the leave of this Hon. House to proceed with debate on a Resolution concerning the work of Dr. Charles Duncan O'Neal, notice of which was given earlier during the day. The hon. member is seeking the leave of the House to proceed with this Resolution. If there is no objection the hon. member may proceed.

Dr. CHELTENHAM: Mr. Speaker, Sir, this Resolution which stands in my name seeks to give national support to the celebrations about to commence commemorating the birth of Dr. Charles Duncan O'Neal who was born on the 30th November, 1879. I feel sure Mr. Speaker, that this Hon. House will carry this Resolution with little persuasion on my part. Dr. Charles Duncan O'Neal was, as I shall show you in a minute, a significant nation builder and I consider it appropriate that this House should take

the initiative in expressing the feeling that is growing greater and greater in this country, that we ought to have our whole history recognised by ritual ceremony and celebration of our own.

For generations, Barbadians have largely been taught in another historical tradition. The ordinary citizen, with an average education, is well informed about other great men and great incidents in far away places, but knows precious little about the history and about the traditions of our own country. It follows therefore, that those of us who are concerned to arouse and strengthen national consciousness, must as a deliberate act, set to work to make our history alive by every means in our power. This, Mr. Speaker, that we are attempting to make, is one of several exercises I would like to see attempted in our country to ensure that our history and the knowledge of it, is known by a people to the end, Sir, that it may make a significant contribution in the development of the national character.

Dr. O'Neal was born in 1879 at Nesfield in the parish of St. Lucy. He attended two schools in that parish including Parry School before proceeding to Harrison College. At Harrison College, he at once displayed intelligence well beyond the average and in 1889 was runner up to the Bovell Scholarship. Fortunately for him, his father was a man of broad acres having purchased Mount Pleasant Plantation in 1885 so his father was able to support his son at Edinburgh University where he read Medicine and graduated in 1905 with a gold medal in Surgery. For five years from 1905 to 1910 he practised medicine in Edinburgh Sir, and immersed himself in the politics of that country, Scotland. During that period, Sir, 1905 to 1910, from all that I have been able to gather, Sir, he read widely in the socialist literature of the day. He won for himself a seat as a Counsellor on the Sunderland County Council. 3.10 p.m.

In 1910 he returned to Barbados with an English wife and immediately became involved in local politics. Conditions in Barbados then were extremely depressing and there was much apathy abroad. O'Neal concluded that the country could not be awakened from the slumber of 300 years and so in disappointment he journeyed to Trinidad and Dominica sometime between the period 1910 and 1924. In both of these countries he practised medicine, but in Trinidad in particular he established his reputation as a doctor, as a politician and as a horse breeder. In fact it should be mentioned that in Trinidad he was responsible while there for the maintenance or the establishment of a national sanitorium.

In 1924 he returned to Barbados and founded the Democratic League along with Chrissie Brathwaite, Clennell Wickham and others. He it was who played a significant part in helping Chrissie Brathwaite to gain a seat in this House of Assembly. In a short time under the

banner of the Democratic League Elder, Lee Sargeant, Erskine Ward, H. A. Vaughan, Walter Reece and last of all O'Neal himself were to come to this Assembly. In 1926 he started the Working Men's Association which was the parent body of the Barbados Workers' Cooperative Company and the Workmen's Loan and Friendly Investment Society. This organisation had ambitious objectives. It was conceived as a corporation through whose agency education, credit facilities, training and collective bargaining would be made available to members.

In 1927 O'Neal was the principal spokesman for the lightermen in their strike, but he was cruelly betrayed by the Governor of that day and this so wounded him that for about a year and a half after he withdrew from public life and in 1928 he started a physical culture clinic and introduced sauna and turkish bath techniques in this Island. In 1929 he was directly responsible for sending a delegation to the Olivere Commission.

In 1932 after fighting for many years he won a seat in this House of Assembly. By this time he had become over-borne with ill-health. Four years later at the comparatively youthful age of 57 he died at the Tercentenary Hospital.

Our history had been characterised by a sharp division between the rulers and the ruled at the time when O'Neal made his greatest impact on the community. In the tradition of Samuel Jackman Prescod and Sir Conrad Reeves, Charles Duncan O'Neal emerged as an agent of national integrity and national cohesion. His main role was to integrate the working man into society rather than to encourage polarisation and the fragmentation of the various strains which constituted the society then. His was a continuation of a struggle which spanned many epochs on which we are still engaged. What was immediately significant however about O'Neal's involvement was that he was the first professional man of colour who committed himself both to the working class and to the masses rather than remaining aloof and capturing the glittering prizes that were available to a man of his education and his standing. He more than any of the other of his contemporaries was able to establish a rapport at all levels of the society even though it was achieved particularly at first with great difficulty.

In the early days he was seen as the *bête noire* of local politics; but in the twilight of his days his assiduous devotion to the plight of the workers won him the admiration and the respect of all sectors of the Barbadian public. His position was well known and was never characterised by equivocation or temporising.

As a nation builder his contribution to society has remained alive in the consciousness of the masses. It is clear that successive generations of Barbadians continue to venerate his name and to elevate him above partisan

divisions. In this regard I would like to say that I very much hope that in the course of the celebrations he is not seen by any section of this society as any partisan nation builder or any partisan hero; but if the expression of this esteem in which he is held has often been mooted, an explanation is certainly to be found in our national and collective failure to respect and to recognise our principal national builders and heroes. The doctor was the first local person to institutionalise political feelings in a quasi-party method in the 20th Century, but even more important, he defied legality to provide an industrial and bargaining machinery for the masses. In addition he attempted through the cooperative method to mobilise the funds of the masses for their own economic benefit. His reputation in my submission rests on his role as the John the Baptist, the harbinger of political change in Barbados. His ideals continue to inform the two leading political parties whose ideology of democratic socialism is but an extension of his own programme, and a mere statement or restatement of his programme is sufficient to suggest the debt of all of us who have followed him in building the Barbados which we now know. His major planks included an eight-hour work day, workmen's compensation, cottage hospitals throughout the Island, free and compulsory education, the abolition of child labour, old age pensions, the establishment of baby creches, free medical and dental treatment for school children, competitive examination in the civil service, the disestablishment of the Anglican Church, the introduction of death duties, adult suffrage, more representatives for the parish of St. Michael, the provision of more funds for the Barbados scholarship, an employment exchange, organised emigration schemes, the abolition of treating at election, the institution of a national insurance scheme, wage and arbitration courts, but most of all, the return to dignity of the working man. For his contribution O'Neal deserves to be seen as a significant nation builder. His record of service establishes him as a symbol of inspiration worthy of having his name inscribed on the roll of fame. I commend this Resolution to all hon. members.

Mr. SPEAKER: And you beg to move that this Resolution do now pass.

Dr. CHELTENHAM: Thank you, Mr. Speaker, and I so beg to move.

Mr. TAITT: Mr. Speaker, I rise to second the Resolution and in so doing I do not believe that anyone can do other than to repeat himself if he attempted to pay homage to O'Neal, for the honourable gentleman who has just sat down has said in short words most of what was felt within this Honourable House. I would say to this Honourable House at the same time that indeed the political party of which I have the honour to be a member and for the time being President, does not intend, never intended and will not intend that O'Neal

would be clasped to our breast as some precious gem not to be shared with our brothers and sisters in the rest of Barbados. In joining in support of this Resolution I hope that this will symbolise our attitude in our commending of this distinguished son of Barbados to all Barbadians as a man whom we revere as an original hero of Barbados.

3.20 p.m.

Mr. Speaker, if I differ from my friends and colleagues who introduced this Resolution, it would merely be at the point where he suggested that Charles Duncan O'Neal was following in the footsteps of Prescott and Reeves. I would suggest that going in the road they had taken O'Neal dared to see another path and turned in the direction of progress while they may have accepted the status quo. I believe that O'Neal can be considered the first of the modern heroes of Barbados. I recall very well — and it is unusual for one as young as I am to speak in terms of history — but I recall that I had many conversations with the late Chrissie Brathwaite. Indeed, they were not conversations they were occasions when I listened while he talked, and I remember his making the point that he would that a man would rise up in Barbados who could walk in the footsteps of Charles Duncan O'Neal. Indeed, the man who was my Godfather used to say that if ever a man came along who could tie the bootlaces of O'Neal, Barbados would have a hero. Today we are honouring in this Resolution a man who has dared to point Barbados towards a new hope and a new way. As we come to the last quarter of the twentieth century it is well that we remember the guiding light of Charles Duncan O'Neal. He dared at a time when it was not easy to stand up for the common man, and in the end he laid down his life for the common man. I believe it was an example to which all of us in this Honourable House can aspire and I pray God that in some way we reach it only half way.

Hon. L. B. BRATHWAITE: Mr. Speaker, I would like, as did the last two hon. members, to make a short contribution to this Resolution. I would like in my short contribution to deal not only with the question of what the late Dr. Charles Duncan O'Neal has done and the purpose for which he lived, but I would like to include in our thoughts at this time people like the late Clennell Wickham who though not a member of this House certainly made a very worthwhile contribution to the welfare and development of the broad masses of people of this country. I would also like to mention people like Micey Chase and people who though small have made a worthwhile contribution to the common good and development of the country, and in recent times the type of contribution which the late Sir Grantley Adams rendered to this country.

No one can deny that the time at which the late Charles Duncan O'Neal lived was an era in which it was

difficult for a person of colour to get up and say things in the way O'Neal said them. He certainly was pioneer at the time and certainly lived for the common man and made a very worthwhile contribution not only for the era in which he lived but was a forerunner, and a number of the benefits which we enjoy today are as a result of the untiring efforts of people like the late Dr. O'Neal. I would like to see the day come in this country when institutions which are foreign named, like even the Queen Elizabeth Hospital — of course the last administration was responsible no doubt for the naming of that institution — but I would like to see some of our institutions given the name of these patriots. That is the type of thing we have to do in a developing society for, let us face it, the monument out there facing Broad Street has little relevance to Barbados today and I want to see the time come when such monuments are taken down and placed, say in Queens Park and monuments to local patriots put in their place. I remember last year being in Dominica when I saw streets with names like Great Malborough Street and others named after distinguished Royal people, and I would like to see a new thinking in the naming of our streets in Bridgetown and areas throughout Barbados. I think it was a retrograde step when the suggestion was made to change the name of Penny Hole to Gemswick. I do not know what relevance that name has for Barbados and I hope we will reverse that situation.

I think there is no single Barbadian who has any pride in himself and who is conscious of where he comes from who will not today feel honoured to think that the hon. member for Christ Church East has brought a resolution of this nature to this Parliament. I therefore fully associate myself with the remarks of the last two hon. members and will give my wholehearted support to any Resolution which will have for its object the setting up of some monument which will redound to the credit of the late Charles Duncan O'Neal and to the credit of this beautiful Island of ours. We can only succeed as a people when we do honour to the people who went before us and to those who made a contribution towards the well-being of the country. It is therefore fitting that we should from time to time seek to honour those people who have served in the past, and I would not like a measure like this to be an *ad hoc* measure; I would like a Committee of this House to be set up with perhaps yourself as Chairman, Sir, to research from time to time the contributions made towards the upliftment of this country and to make recommendations from time to time to this Honourable House as far as honouring men of integrity, character and courage of the late Dr. Charles Duncan O'Neal.

3.30 p.m.

Mr. Speaker, with those very few remarks, I beg to associate myself with this very worthy Resolution.

Hon. Miss B. A. MILLER Mr. Speaker, I wish to support this Resolution. I am one who believes that in our time we should honour those who have brought honour to our country, to our culture, to our heritage, and the fact is that Dr. O'Neal is not without honour in this island. There is a bridge here in the City of Bridgetown, which City he once represented in this Hon. House, named for Dr. O'Neal. I and the Leader of the Opposition on Friday night before the last were privileged to sit and listen to the Charles Duncan O'Neal lecture which is delivered at the Queen Elizabeth Hospital from time to time, a memorial lecture, the third such lecture which was this year delivered during the Queen Elizabeth Week of Celebrations by a very gifted and brilliant medical son of Barbados, Dr. George — also known as "Champ" — Alleyne, so Dr. O'Neal is not without honour in this country, and it is good that I can stand and say that, Mr. Speaker, because there are many who deserve honour but whose contribution has not been recognised.

I am not one who feels that you have got to be dead before you can be honoured either. Witness the naming of the Maurice Byer Polyclinic in St. Peter. I felt, and I believe I persuaded the Cabinet, that the contribution to public life made by Maurice Byer who, still, well over 70 years old, is acting as a Medical Officer of Health in the Ministry of Health even today. His contribution is so overwhelming, so tremendous, he was such a pioneer not only in this country but in many other Caribbean islands, that I could not do other than name that polyclinic for Maurice Byer. I intend on the 2nd February, 1980 to rename the St. Thomas District Hospital for Dr. Hugh Gordon Cummins. I had wanted to do it on the 26th October this year, which was the anniversary of his death, but it so happened that we could not get members of his family and the representative for St. Thomas, which parish he represented in this Hon. House, was not going to be here, it just was not suitable. It turns out that the anniversary of his birth, 2nd February, will be a more suitable time and we will rename the District Hospital for him.

I do not feel that we should rush into the business of renaming every institution, street and road in Barbados for the sake of doing so. There are some hospitals which, certainly in my time, I am not proposing to rename for any person but rather for a place, but I do agree with the hon. member for St. Andrew that our street names and the names of our institutions can be a vehicle for us to honour sons and daughters who have given much to Barbados. Unlike the hon. member for St. Andrew I do not believe that the statue standing at the top of Broad Street, and other streets like King William Street and Prince William Henry Street have no relevance for Barbados today, I am of the

opinion, Sir, that this is all part of the history of Barbados.

If we look at the stained glass windows in this Chamber we see Kings and at least one Queen of England. I should not like to think that in a moment of madness we will tear up this exquisite stained glass. In the other Chamber we have former Speakers of this Hon. House, and that is part of our heritage. Some have described it as bastard heritage. Whatever it is, it is ours, and I am of the opinion that we must cherish it, and so I will support the Resolution which is seeking to persuade hon. members that some proper likeness of the late Dr. Charles Duncan O'Neal might be considered for permanent and prominent display within the precincts of this Hon. House.

Dr. HAYNES: Mr. Speaker, as a Barbadian, as a Fellow of the Royal College of Physicians of Edinburgh, as a graduate of Edinburgh University some many years after Dr. Charles Duncan O'Neal, it is with great feeling that I rise to support this Resolution to commemorate the revolutionary work done on behalf of the masses of people in this country by someone who was not only a distinguished graduate of my own university — reference has been made to the fact that he graduated with a gold medal in surgery at Edinburgh University — the natural progress in his professional life would have been to seek the glare and the honour of specialties that were a necessary flow from that because indeed, Mr. Speaker, it would have been no mean achievement at that time, as being one of the first West Indians not only to enter Edinburgh University but also to have graduated with such distinction. Yet over the years during my stay in the North East of the United Kingdom, on many occasions many persons have approached me, persons associated with the workers' movement, with the dock workers' movement, with the coal workers' movement in various parts, and indeed with the co-operative movement in that part of Scotland, the South East of Scotland, North Eastern England, the area between Newcastle and Edinburgh, and from time to time have made mention of the name of Dr. Charles Duncan O'Neal.

He, Mr. Speaker, was clearly one of the beneficiaries of a tradition of medical training which did not see medicine purely as treating the occasional symptoms of a society where those symptoms of ill health may be only the result of deep-seated social and economic problems within the society. Therefore he addressed himself not only there, not only elsewhere in the Caribbean, but in particular here in his homeland to a linkage of the practice of his medicine and seeking to deal with the social and economic problems at the same time.
3.40 p.m.

It is not often appreciated that he was one of the first people to advocate community medicine within the Caribbean and indeed, in a recent tribute to the establishment of the College of Community medicine in the United Kingdom the same group of people, including Kerr Hardy was subsequently mentioned and many of the Doctors who worked with him at that time so I would not be surprised if Dr. Charles Duncan O'Neal was not a major factor in the Genesis in the concept of community medicine which has taken place over the World over the last few years.

Now, Sir, I would not like to recite the many years which have been mentioned already by the hon. member for Christ Church East except to say that it should not be forgotten that he was the major advocate for the reforming of the franchise in this country. Apart from his advocacy for old aged pensions, compulsory and free education, equal opportunity, equal educational opportunities, he not only supported the concept of Trade Union Organisation, not only as a bargaining body but also as a functional unit including such areas as credit facilities and training.

In many ways one reflects whether or not the activities and the physical establishment which we see today in the Barbados Workers' Union, whether these are not in a sense the fulfilment of the terms and objectives of such a distinguished son of Barbados.

Finally, Mr. Speaker, it is important to state that he also saw the need, not only for improvements in the lot of those people involved in the main industrial exercises in Barbados at that time, mainly the Sugar Industry, and with other minor industries existing, but he foresaw the need for industrial development in this country and he foresaw that need in the concept of a co-operative system of development on the part of all Barbadians.

So, Mr. Speaker, despite the fact that he was often charged as being wild, as being impulsive, as being audacious, as being revolutionary, although these charges were levelled, I think that the way in which he expressed himself, the way in which he put forward the need and the case for social and economic change in this society would necessarily have evoked responses of this kind and it is only fair to say that looking back through the history of Barbados since his death, particularly in the kind of causes espoused by the two major Political Parties in this country, the Democratic Labour Party and the Barbados Labour Party, it is only fair to say that in a more sophisticated way, perhaps in a different age and a different environment, the broad and wide concepts embraced, expounded and enunciated by Charles Duncan O'Neal is only that these concepts had been put into effect stage by stage down the years.

I am very pleased, Sir, as I said from the beginning not only to be able to speak as an hon. member of this House and as a Barbadian, but also to pay tribute to a great physician, a great Barbadian physician, who has been able to combine his professional commitment with the wider goal of the society and to have made his contributions even though they involved significant sacrifices. I am sure that he is happy now in the far beyond.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, I would like to join in support of this Resolution and to lend the support of the Government to suitably contribute to the memory of Dr. Charles Duncan O'Neal.

We have not proven in recent years to be a politically generous people in Barbados. Our society capitulating in the politics of personality, has unfortunately found that for many of its wider spirits generosity in politics attributed to a noble opponent a recognition of political achievement on the part of one's political enemies has not come easy.

I would not I think have to go much further than the career of the Leader of our own Party when we entered the House, Mr. Speaker, to see how difficult it still is for many Barbadians to accept the fact of political prominence, and indeed political greatness or from considerable efforts at denegrating and at dragging down.

In the last few years I have really come to think that the sole purpose of political analysis of the modern political scene at the University of the West Indies is an attempt to shake the memory of Sir Grantley Adams and to force scorn on those of his achievements which I can almost say hon. members in here at least recognise very fully and completely.

I am glad to say that this process has never been applied to Dr. Charles Duncan O'Neal. I am proud to say that I have never heard any member of my Party, any member of the rank and file supporting my Party attacked Dr. O'Neal, attacked his achievement, sought to take away the contribution which he made to Barbados, or tried to denigrate Dr. O'Neal in the interest of continuing the political struggle of this country.

There have been times when a person less scrupulous in this instance than the hon. member for St. Michael South Central has sought to build up Dr. O'Neal by dragging down the Barbados Labour Party and its heroes. I have never seen a corresponding spirit abroad on this side of the House nor, Mr. Speaker, does any such spirit, as far as I know, exist. It is not as if we say well you cannot let O'Neal get too much fame because that will not reflect well on Barrow and I sincerely hope the Leader of the Opposition does not mind my mentioning his name in that context.

Mr. SPEAKER: The Chair does, according to the Standing Orders.

Rt. Hon. J. M. G. M. ADAMS: I am sorry, Sir. Never have I heard that said neither would I wish to hear that said.
3.50 p.m.

We have to understand in this country that the two party political process is a part of our political life and it is what lends our political life its peculiar quality that contributes to the Island development through stability. It is a paradox, Sir, that the events of 1976 in Barbados when the Government was changed, was a contribution to the political stability in this country. Political stability will not exist unless certain people, as far as I can see, Sir, speaking as objectively as possible, mainly on the other side of politics from the Government side, unless those persons can abandon all thought of the destruction of the two party system. Unless they can abandon all beliefs that one party is good and the other wicked, and that there is somebody on that side who stands at the top of the hill like the Ayatollah driving away the Shah in the winds of Tipan in recent newspaper cartoons. Unless this can be entirely abandoned, we too may find ourselves emersed in the politics that have brought certain of our CARICOM neighbours to the jaws of economic hell and indeed of physical hell as well.

I am aware that where you cannot criticize reasonably the Government for its misdeeds and where its deeds would attract only praise, however grudgingly, that you have to attack the personnel of people that run that Government falsely. It does not matter. You have to.....

Mr. SPEAKER: We are getting home much later on Dr. Charles Duncan O'Neal.

Rt. Hon. J. M. G. M. ADAMS: I am getting to Dr. Charles Duncan O'Neal. Do they want me to attack him falsely? Do they want me to say that he profited unreasonably out of politics or that he bought houses or he bought property? I have no such intention. The entire point is that unless we recognise our national heroes for their national achievements, we will be a people without roots in the spirit of concord and harmony that alone will allow us to proceed to any form of national sense of fulfilment. Another paradox, Sir. It is when a Government is doing well that the forces of hatred are summoned up with the greatest amount of zeal. This is a burden which unfortunately, our Government has to carry at this moment.

I am taking this opportunity, Sir, to speak on the resolution and to indicate the Government's support for it. The fact that I have related the subject matter of the resolution to the contemporary developments is quite

deliberate. It is no accident. The tribute that we are paying to Dr. Charles Duncan O'Neal now, somebody has to be able to pay from the Government side of the House to the Honourable Leader of the Opposition in 2006, or 2011, whenever it may be, or the year 2020, when the anniversary of his birth comes up, without any criticism.

Dr. Charles Duncan O'Neal, Sir Grantley Adams, the Honourable Leader of the Opposition have all made a contribution to this country. Sir Grantley Adams and the Rt. Hon. Leader of the Opposition perhaps in division one. Dr. Cummins also perhaps not in division one. Time will measure others whose political life has many more years to run, others on both sides of the House at present. But unless we recognise that people enter public life in this country, 99% of them in the interest of doing something for the public of Barbados and that people do not enter public life, not from my experience, to steal, to cheat, to obtain sweets for themselves and not for the people, unless we recognise this, we will create a class of persons who will enter public life for that very same purpose. Nobody could think that Dr. Charles Duncan O'Neal entered public life for any purpose, other than for the welfare of the people of Barbados as he found them. Nobody could make any attack on the sincerity of purpose of Dr. O'Neal, of his determination in fulfilling the goals outlined in the speeches of the Honourable members for Christ Church East and St. Michael South Central.

In paying this tribute, Sir, I ask for no more than for anybody on this side of the House that when our own epitaphs come to be written, our achievements may not be as large, our careers may not have been extensive, but I ask for no more than the recognition of sincerity that conformed our entry into the public life in the first place, as the sincerity which I recognise in Dr. Charles Duncan O'Neal on his entry into public life. I have much pleasure in supporting the resolution.

Mr. SPEAKER: The question is.....

Rt. Hon. E. W. BARROW: Mr. Speaker, I have no intention of entering into the debate. I should just like to compliment the Honourable Member for Christ Church East in moving the level of debate in this House to a plateau that it has not reached certainly during the past 3 years and 3 months. As a matter of fact, I would go further than that I would say the level of debate which he initiated today in moving this resolution, the sincerity and the research of the debate transcended everything that I have heard during the past fifteen years. I cannot go so far as to say that it evicts my experience during my 28 years in Parliament off and on, because there have been many debates. There have been many ^{validatory} addresses and many statements issued by Ministers on one side or the other.

I myself, having been closely associated with the person who is the subject matter of the debate, I do not think that it is really fit and proper for me to say anything at this stage other than to compliment the Honourable Member for Christ Church East. I do not think that it is a matter of magnanimity, on the part of anyone to move an address of this kind, or to support it. I agree with the Honourable Prime Minister that it is a question of feeling partisan. It is a question of national importance.

4.00 p.m.

I should only like to say that the members of my family would have had no intention of marching up the steps of this building to present anything to the House unless invited to do so by the members of Parliament of one Chamber or the other or both Chambers, and therefore having been I believe, if the Resolution passes, invited to do so, we will do everything possible in our own way to assist. I should like to say of course that I am not the senior member of the family, but I believe that sometimes they do listen to my advice, and at other times I am made to understand in no uncertain way that I am the least among the apostles in other matters; but we do have a democratically organised tribe and I am sure that if I recommend to them that they should pay due respect to the wishes of Parliament that these wishes would be carried out. Thank you very much, Mr. Speaker.

The question that the Resolution do now pass, was put and resolved in the affirmative without division.

Mr. SPEAKER: That brings us to the end of Private Members' Business.

GOVERNMENT BUSINESS

Mr. SPEAKER: Government Business is the instant Order of the Day.

THE RETIRING ALLOWANCES (LEGISLATIVE SERVICE) (AMENDMENT) ACT, 1979

Mr. SPEAKER: When the suspension was taken, the Rt. Hon. Prime Minister was addressing the Chair.

Rt. Hon. J. M. G. M. ADAMS: At the stage where the suspension was taken, Sir, I was on the point of dealing with the proposed Section 5B of the amending Bill before the House. This is the only remaining matter left for me to deal with, but it is a very important one.

We have been operating on the basis that the highest salary earned by a legislator is to be his qualification for a pension. This is one of the areas where our pension legislation is at variance with that of many other countries. Some consideration was given to ameliorating it one way or the other, whether or not a Prime Minister should have a qualifying period, whether or not there

should not have been a period of service in a salary before it could be used as a qualification. After much consideration the Government has decided that the present law required an amendment only to the extent set out in the Bill. While it is true that for example in Great Britain there is only one level of parliamentary pension, that is, a pension attached to the ordinary member's salary — in other words Ministers do not get any special pensions other I believe than the Prime Minister and the Lord Chancellor, and the Lord Chancellor does not get a pension, he gets a salary for life, and the Prime Minister gets a pension I believe in addition to his pension as a member of Parliament, but normal Ministers in Great Britain receive a pension based on parliamentary salary. In the United States of course the provisions are similar because there are no variations in salary between a Congressman and a Senator. Each Congressman gets the same salary as every other Congressman and so on.

We have retained the principle of the highest remuneration, but we do not think that a few days or even a few weeks' service in an office should qualify as a highest remuneration when you consider all the possibilities of caretaker Governments, a caretaker Government perhaps appointed on defeat of a Government in the House, appointed for a few weeks to hold an election and nothing else, also the somewhat remote possibility granted the level of responsibility all political parties in Barbados have shown, of appointment of a man as a Minister for a very short period of time in order to enhance his retiring benefits. I do not think that is a serious possibility. Certainly I cannot conceive that anybody can be a Prime Minister for short periods of time so as to enhance benefits. It may not be a serious possibility, but the fact that it might happen inadvertently is sufficiently significant in our view that a qualification period be introduced, and we are therefore introducing a qualification period of 90 days henceforth. Indeed from 1st April, 1979, if the Bill goes through in its present form, you will have to serve in your qualifying office for 90 days to use the salary of that office as qualification for a pension, and we think that this period of 90 days which after all covers the maximum period of expiry of Parliament before another election can be held, which is a substantial period, will meet most of the arguments contained in the report of the Nicholls Commission on salaries as well as in the report of the Select Committee. The Nicholls Commission on Salaries quite misconceivably in my view sought to equate the position of Ministers with civil servants and to make it necessary for a Minister to have long periods of service in order to qualify for a full pension. This I think entirely ignored the transitory nature of ministerial office. What is important about ministerial office is to have served the country as a Minister, not to have served it for ten years. That is our view, and we think that service for 90 days should be a

sufficient recognition of the fact that a man was carrying out ministerial functions without his having to hold on for years and create great difficulty of computation. The only exception to the 90 day rule will be where, and we used the word "substantive" holder of a legislature office dies in office before 90 days, then his estate will be granted the benefit of the remainder of unexpired time for qualification purpose. That, Sir, I think, sums up the essence of the Bill.

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

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

Mr. TAITT: Mr. Speaker, in rising to speak on this Bill before this Honourable House, I do not propose to take too much of the House's time. Mr. Speaker, the principle of pensions for parliamentarians having finally been accepted, I believe that when we discuss pensions for parliamentarians that we can discuss them in the calm and serenity of the discussion of principles without reference to the particular milieu within which the objects of our discussion operate. I say that because I wish at the outset to make a point of departure with a position taken by the Prime Minister, and I am glad that I am able to discuss it as a point of principle and without reference to any individual member in so far as the principle is concerned.

Now, Mr. Speaker, another good piece of fortune is that nothing I say would have any application to myself as a beneficiary, and therefore I can all the more take the position which I now propose to take.

There has been throughout the history of the kind of legislative system we have, the kind of legal system we have, a resistance of the concept of a retroactive legislation or legislation that would have retroactive effect except in certain circumstances.

4.10 p.m.

Now we have been told by the Hon. Prime Minister that he has consulted hon. members on that side — and I am not sure if he included Your Honour in the consultation but I am assuming he would include you — but notwithstanding any consultations he may have had or any agreement reached, it is my contention that this is not a desirable thing for us in the Honourable House to pass legislation which will in effect alter the conditions of work of a few hon. members of this House. We know that in all walks of life there is the principle — especially in the context of work — which says that once you have employed a man under a given set of terms and conditions you must not vary these terms and conditions except with the express consent

of the person for whom the conditions were made. It seems to me that in the context of Sections 9 and 10 of this Bill the interpretation which the Hon. Prime Minister has given to those sections is not necessarily the only interpretation that could be given. He said that the section was very carefully worded after much consideration and arising out of that section which says that no rights which would have accrued can be derogated from the right of any legislator where such right accrued before the commencement of this Act. My understanding of the Pensions Bill as it stood before would suggest that there are some members of his Honourable House whose pension rights had accrued at a particular date some time during the past three years and certainly some time after the date of April 1, 1979, which is the date from which this legislation is asked to commence. What this must mean is that for those two persons they are not in a position to exercise a right which they would have had as of the date they accrued those rights under the old legislation. I took careful note of the fact that they have made provision if a person should die, but what about anyone in this House who is affected and who decided that he wanted to resign? Should such a person decide to resign, that person should find himself in a position where the terms and conditions under which he came to work have been changed and some of the rights withdrawn. I do not believe that as a principle we should adopt this. It seems to me that once we adopt that principle we may be inclined to accept it as a precedent for future similar situations. I know legislators in here may be unable to invoke the pressure of a trade union, but it is the principle we are looking at and I feel that even now it is not too late for this House to give consideration to a rewriting of this particular part of the Bill which in my view interferes with the rights which those persons had every reason to believe they had accrued at a given time under the circumstances.

Mr. Speaker, there is another aspect to this. In the Bill the phrase "amounting to twelve years or more" appeared, and it would seem to me that if the Government proposes to change the legislation in the manner set out in this Bill at least when they are discussing full terms to take a full term of the House of Assembly to be a full term without reference to whether a man accrued twelve years or not. It is entirely possible that a man should come to the House of Assembly having faced three elections without having served in essence what would be three full terms because the Government had decided to have early elections. We have come to regard a Parliamentary term as the period between which a party winning election establishes a Government and the subsequent period when elections are called. It is possible such a situation could arise and a man could find himself having served three full terms but not reaching twelve years. I believe the concept of twelve years is tied to previous legisla-

tion which sought to make twelve years the minimum time within a three term period. If we seek to change the concept to make it three full terms, I think consideration should be paid to removing the added "up to twelve years" because it seems to me that in spite of what the Prime Minister says about facing three elections it is entirely possible that a member could face three elections and yet fall short of the qualifying period.

I am also a little concerned with the principle of — the hon. member says his first entry to this House was through a bye-election. I believe that as a matter of principle where you have the legislation for pensionable rights of Parliamentarians a bye-election should be taken into account as part of the period for pension right. If one examines the pension rights of most public servants in the world and if one examines the agreement reached between unions and companies one will find that very often there is a certain kind of calendar accounting of time for certain purposes, and then when it comes to pension there is another system of accounting to accommodate anomalies which may arise as to the calculation of pensions. Indeed, a look at the matter of how pensions are calculated in Britain would indicate an elaborate system of accounting days has made it possible for a person to receive a Parliamentary pension after he has been in the House of Commons for twelve calendar months.

4.20 p.m.

I looked at the provision last night and that is what I found. Of course, having said that honesty requires that it be pointed out that a member of the House of Commons becomes eligible for pension at 60, in some cases 65, but at the same time it must be pointed out, it also has to be pointed out, that in Britain social welfare has reached a particular point far in excess of what we have so far, and furthermore, parliamentarians are able to bring other pensionable rights into the House of Commons scheme, or take pensionable rights accrued under the House of Commons scheme into other areas of operation. In other words, Mr. Speaker, it is possible for a man to serve as a member of Parliament and having accrued certain parliamentary rights in the pension scheme, to go out and be a Director of a company or a ditch digger if there is a pension scheme at that particular place, to carry the rights accrued in Parliament with him. So that the two systems are only on all four in so far as you recognise the system.

The point I am making is that the moment at which a person who goes into the House of Commons begin to acquire pension rights begins after a certain number of days. I would have thought that in the attempt to amend the legislation that the Government would have given some consideration to that kind of principle.

Mr. Speaker, I am entirely in agreement with the Prime Minister when he says that an attempt to equate Ministers with Civil Servants is not a felicitous application of administrative techniques. It does not augur well for the thinking in a community when it begins to see that all of the rights or all of the conditions which apply to persons in pensionable and permanent positions could be equated with those who have swift but intense periods in a particular line of work. This is not a principle that is applied only to Ministers and Civil Servants, it applies for example in institutions like the Statutory Boards in Barbados where precisely because the persons working in the Statutory Boards have different conditions from those working in the permanent Civil Service they were allowed different remuneration and different terms to obviate the express difference between the two systems.

Mr. Speaker, 90 days in a position cannot be termed unreasonable, and so I do not think that anyone will find any difficulty supporting the Bill in principle. I think, however — and I reiterate as I end — that careful consideration should be given. I was not here in 1968 and I do not know what were the circumstances which might have informed or misinformed those whose task it was in that House of Assembly to put together the Pensions Bill. It has to be recognised that in 1968 the bringing of pensions for members of Parliament would have been considered a revolutionary step in those days, but in 1979 I think it can be said that it is now a concept and a principle that is accepted by all and flouted by none, and for those reasons I see no point in attempting to assuage a particular political view which may come from elsewhere in drawing a line, as the Prime Minister said, quite rigidly as a result of which the rights of a few persons may be trampled.

Mr. Speaker, it is an unquestioned principle of democracy that the view of the majority must prevail but the rights of the minority must be protected, and in this context, even though the minority may fall on this side, I still believe that the principle ought to be adhered to and rights accrued by those hon. members ought not to be simply taken away, and if you will pardon the expression, slaughtered on the altar of a political promise.

I have one last point to make, Mr. Speaker. I believe that those persons who serve in the Senate ought to be treated as parliamentarians for purposes of pension at least. It seems wrong to me for us to continue to accept that the Other Place is a worthwhile institution. If we accept that the Other Place is a worthwhile institution, then those persons in the community on whom we call, albeit without election, but nonetheless on whom we call to serve, I believe that we cannot treat half of those persons on whom we call to serve in one way and the other half in another way. As you are no doubt aware, Mr. Speaker, in a place like Canada Senators are nominated,

they are appointed I believe for life or during good behaviour, and they are very well taken care of. It is true that the Senate in Canada performs a slightly different role from the Senate in Barbados, but nonetheless the principle which applies to an Upper House of nominated members is still one that is abroad in Barbados.

For those reasons, Mr. Speaker, I cannot see, and I am not asking anyone to agree or disagree with this view, but I cannot see why it is that in the case of a member who starts out in the Senate, that member gets the time in the Senate added to him if he holds office and if he comes from the Senate to this Place. If, however, he starts out in This Place and he goes up to the Other Place, the time he spent up there, even though he may come back to this Place, is somehow not counted as service, Mr. Speaker, logically there has got to be something fundamentally wrong with that. There will have to be something fundamentally wrong with that. It defeats logic. If service is service is service, I for example, Mr. Speaker, will benefit from service in the Other Place under the terms of the previous Bill and the present Bill because I happened to have held office. The hon. member for St. George South, however, who was up there as well, and who, let me say, showed a lot more interest in debate then than he does now, Sir, that hon. member as he comes down here holding office equivalent to the office I held, his service up there does not count.

Mr. SPEAKER: The only difficulty might be that when you are in the Other Place you can be called by a single voice, but when you are in This Place you can be called by the many.

Mr. TAITT: Sir, having myself been called by the many in large numbers, I know what you mean, and it is precisely this point I am making. I hope the Prime Minister will bear in mind this point as well, that it does not seem to make sense for two hon. members, both of whom have served their country from, say, one year to ten years later, if they can be compared taking note of the position they have held, they have both held office in the Other Place, they have both been in this Place, it cannot be logical that one will end up with more pension rights than the other. The short answer may very well be to remove the pension rights from the one to equate him with the other. I do not think, however, that anyone would be so callous as to suggest that as the answer, rather I think that the Government would be more gracious as to consider elevating the one to join the other. I thank you.
4.30 p.m

Mr. SANDIFORD: Mr. Speaker, this Bill that is before us is one which I will find great difficulty in speaking on and I intend to be fairly brief on it. Let me

at the start declare my interest or loss of interest depending on how you wish to look at it.

Like my colleague, the hon. member for St. Michael South West, I wish to look at this matter from the point of view of principle and it is the principle relating to retroactivity in legislation. I find it very difficult to agree to legislation based on the principle of retroactivity unless there are very special and important reasons why that legislation should be looking back. It is my opinion that as far as possible legislation should take effect from the time the necessary steps are taken by the legislation including the Governor General. Retroactivity always creates certain problems and it certainly, in my view, does create some problems in this particular case.

Let me make the position clear. I believe there are members on both sides of this House who would be affected adversely by this particular piece of legislation. In my own case, under existing legislation I would have qualified for a full pension in August of this year, 1979. In terms of the matter that is proposed before us, this legislation, Clause 10 states: "This Act shall be deemed to come into operation on the 1st April, 1979."

So today, except for the question of age that the pension could not be drawn until one reaches the age of 50, I would have qualified under existing legislation for the full pension. Because of the retroactivity put into this legislation going back to the 1st April, 1979, that particular approved right would be extinguished and that brings me to the principle which I found enshrined in the Report of the Commission appointed to review the Remuneration and Pension Scheme of Parliamentarians, commonly known as the Nicholls Report.

On page 19 of that Report, under the Heading "Preservation of Rights", it reads as follows "It is an accepted principle that any adjustment to pensions legislation should not adversely affect the approved rights of those who have already qualified under existing legislation. Accordingly the Commission recommends that the rights of those persons who qualified for retiring benefits under the present condition should be preserved."

The Report of the Select Committee on Proposals For The Review Of The Remuneration and Pension Scheme of Parliamentarians, under your distinguished Chairmanship, Mr. Speaker, at page 13 and commenting at paragraph 4(17) of the Nicholls Report states "The Committee agrees that any adjustment to Pension Legislation should not adversely affect approved rights."

Now my layman interpretation is that if there is any member whose right may be affected fully or partly by this legislation, somehow or another his or her position should not be affected by any decision that this Parliament or this House of Assembly might take. I think we

have the original Report and we have the Report of the Select Committee both of which seemed to be strong on this particular point.

Mr. Speaker, I say no more on that because it is very difficult for me to speak under these terms. It is my feeling that maybe a look can be taken at that last Clause of the Amending Bill and some adjustment made thereto.

I would like to make another point. It is my general feeling that as far as the rights of Parliamentarians are concerned, those rights in relation to existing legislation, that far from derogating from those rights we should be ensuring that we should be put in as favourable a condition as possible and I join with my colleague, the member for St. Michael South West, stating that where a member has served a period of time in the Senate and subsequently holds Ministerial Office, however distinguished or undistinguished that service may be, I believe that that period of time should be taken into account in terms of the calculation of Pension rights.

I believe that this is a principle. We are doing it in reverse that when you leave the House of Assembly and by the grace of the Prime Minister on the Leader of the Opposition, and it has to be by grace, one is sent to the Senate, let us face it, in order to fulfil the conditions for service and for pension rights in this particular piece of legislation.
4.40 p.m.

I am saying the other way should also work. That if you served first in the Senate, and subsequently rose to Ministerial Office that that period of time, by some process, should be taken into account. For good and sufficient reason, I believe the Prime Minister quite rightly indicated that one should not be beholden in that type of way for ensuring that their basic entitlements may be met or complete.

Mr. Speaker, I would in conclusion make a point, that I gave my support to the original legislation. I personally see, and I say that openly that I agreed with the original legislation and I do not see myself anything significantly wrong with the original legislation, but, as a Government, you are entitled to make whatever — you can quote me on that, because I am not afraid to speak my mind as I see it on matters before this House. I have spoken my mind on Parliamentary and Ministerial salaries. I did not necessarily accept a position that would be popular in the country or even, on my side. I am prepared to speak as I see it because I believe this is what being a parliamentarian is all about.

Dr. R. L. CHELTENHAM: Mr. Speaker, Sir, I do not know whether the last Honourable Member who has

just spoken did have certain approved rights under the Act which we are seeking to amend or not. I do not know sufficiently well the details of his political career, when precisely he came into Parliament and so on, so as to be able to work it out myself. If indeed his rights have accrued, I am sorry for him and would wish, Sir, that some second thought should be given as to whether or not he should be prejudiced. What I am concerned about, however, Mr. Speaker, and this is a serious message if I may say so to Honourable Members on the other side is that he is in this respect, if indeed he is prejudice, the victim of the collective folly of Honourable Members on that side. Something is not clearly understood on that side which is going to affect them again and again if they are not careful.

There is legislation coming before this House from time to time affecting the entire political class in this country. People like you and me, Mr. Speaker. Salaries and Pensions come before Parliament and go to Select Committee. Score your political points on the floor of the House, but come to the Select Committee meetings, if not you cannot protect your rights. We saw the Honourable Member for St. Philip South come before that Committee of which you were Chairman, Mr. Speaker, Sir, and literally crying saying do not mind the fools in the Democratic Labour Party, help me. I had to break for myself. I am about to go into retirement. Help me to get a pension. No Committee on which I sit will operate on the basis of any spite. I want to make that clear. We did our utmost to accommodate him and found that we could not within known pension principles accommodate him. From time to time, I give thought as to whether or not he could be accommodated.

We have important legislation before this country again dealing with integrity. The entire political class is going to be affected by the integrity legislation. Let them remain outside the Committee, be seriously affected and then be heard to get up and say "Well, Sir, I would like to cry now because I am affected." Come before the Committee and make your points known. No Committee on which I sit will be a Committee of spite, it will be a Committee of reason. If you are adversely affected today, I say again that you are the victim of the collective folly of your side. Again and again members of that side of the House would be affected by legislation if they do not sit and do their business, and the people's business in the Committee of this House. That is the point which I make. I have no doubt that I will see it again. Members of that side come crying on some other matter, but it makes no sense to remain away from your business and the people's business. Come on the Committees and let your viewpoints be heard. No spite or party consideration characterise our consideration on that Committee. I can remember which side I was on, I was just a member of the public life of this country prepared to do my best. In the same way that the member for St. Philip South

was heard, your viewpoint would have been taken into consideration, or most likely, the bill would have been in a different form. That is all I propose to say at this point, Mr. Speaker. It is a warning to members on the other side to mind their own business and to stop running away from their business and the people's business.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, I believe I was on the original Committee in the Session 1966-1971 in which consideration was first given to the determination of eligibility for pensions of parliamentarians. I believe, Sir, that at that time there was a genuine effort by everyone on the Committee to try and work out a reasonable scheme for pensions not based upon generosity, but upon reasonableness. At that time, full consideration was put forward to cover some of the points which were mentioned by the Honourable Member for St. Michael South West and in particular, the anomalous position of members who served in the Lower House, vis-a-vis members who served in the Upper House. It was argued then that service in the Legislature of Barbados should count for all purposes of eligibility and that the distinction between services in the Upper Place as a Minister would only go towards the quantum of the pension but not the same eligibility.

I recall very clearly too, that at that time, the report of the Committee was that a reasonable period of service, a matter of twelve years should be the criteria for eligibility for pension. Notwithstanding the efforts of the Committee at that time, the then Cabinet of Barbados decided in its own wisdom that it would create its own conditions for pension. Obviously, the Cabinet was deeply divided on this because it may be recalled that it is the very issue of the terms of the legislation that was brought down here, that a member of the then Government resigned, or was asked to leave the front bench of the Democratic Labour Party so that when you come to this question of pensions and eligibility and terms and conditions, the Democratic Labour Party can never speak with any degree of objectivity.

4.50 p.m.

They have always approached pensions upon the basis of what they can get out of it individually, never on the question of principle. Now we in our manifesto went to the public of this country and stated openly that the existing pension legislation was riddled with injustices not only to individuals in Parliament, but also to the taxpayers of Barbados, and if elected to power we would make a valiant effort to straighten out and iron out the anomalies, and this is what we are doing. We had a Select Committee. Before the Select Committee we appointed a Review Committee as is done in other countries of the world for the purpose of getting an objective appraisal. Hon. members on the other side led by their Leader of the Opposition who has never found it convenient to give the House and the nation

the benefit of his views on pensions or parliamentary salaries in Parliament attacked us saying that we had no right to permit any third party, any group of people to look into the question of the remuneration or pensions, that that was the exclusive prerogative of Parliament. Of course I do not know how it could be the exclusive prerogative of Parliament when he as an individual and as a member of Parliament brags and boasts that he refuses to participate in any debate. He never refused to participate in drawing though.

Mr. SPEAKER: Drawing what? A gun?

Hon. H. B. ST. JOHN: No, Sir, the money, whether it is salary or pension or both. He never refused to participate. So this abdication of responsibility by the other side is nothing unusual. I am now going to deal with some of the points raised. I say and it is my submission to this House that no member in here now can say that he has an accrued right to any pension. Accrued rights to any pension what! The hon. member who says that his rights are being affected; what rights? He has not satisfied all of the criteria to be eligible for pension under the rules and terms and conditions drawn by his own party, not by us, drawn by the law of the Democratic Labour Party contrary to the then Select Committee recommendations; so what accrued rights? There cannot be any accrued rights. If the hon. member died tonight, God forbid, there is no pension for him. He is not fifty, so how it could be accrued? There are four conditions set out; there is service, there is an age barrier; so how can it be accrued.

Secondly, he talks about it being a well known principle. It is a well known principle if he leaves in here, if he resigns tonight he still cannot draw the pension because he has to fulfil the other conditions. There is a condition precedent to drawing. All of these things. There is no question of accrued rights. What he has is an incoherent right; that is a different thing. He is well on his way to a vested right, but until he satisfied all the pre-conditions it is only incoherent. That is the big distinction and, Sir, under this Bill he has the same incoherent right. He only has to do one thing, that is to get back in here. Just as he does not know whether he will live, he does not know he will get back in here. How does the hon. member say he has a vested right?

The specious nature of the argument is that when the Select Committee reported, it said at that time that you must not interfere with anybody's rights who accrue, but at that time the hon. member did not have any rights because he says he qualified in August this year. He only got the rights from August this year. The Select Committee reported since last year. Everybody knew and it was recommended that the pensions legislation should be passed co-terminously with a review of the salaries. They objected to the review of salaries, they objected to the Select Committee, they objected to this, they objected

to that, and the only thing they are coming forward with now is that the Bill must be amended so as to preserve some accrued right which does not exist. It is time this hypocrisy of the members of Parliament be exposed for what it is worth. As the hon. member for Christ Church East has said, they had full opportunity to make representations. They made none. I am perfectly prepared to continue a system in which the service I had in the Other Place is not counted. The Democratic Labour Party laid down the ground rules; it is law for them, it is law for me. I do not want any law changed to interfere with my position, but I am not supporting any change in the law to give any individual who feels that he has a vested right when in truth and in fact he does not have a vested right or any special privilege. Let them come forward and learn a lesson that they must participate in these bi-partisan matters because it is not the Democratic Labour Party nor the Barbados Labour Party, it is the legislature, the people whom the Barbadian electorate elect, who must be men enough to stand up and say that the privileges of members of Parliament are privileges which we are granted ourselves, because we perform a public service in this country in the same way that other public servants perform their service, and all over the world it is recognised, and cut out this vote catching exercise. The vote is on the other side this time, because I have lived to see a member of Parliament get up in here and ask the whole House of Assembly to change the law because of his individual particular circumstance.

Dr. HAYNES: Mr. Speaker, I had absolutely no intention whatsoever of speaking on this particular matter before the House.

Mr. SPEAKER: Well you can take your seat.

Dr. HAYNES: However, when I hear suggestions of duplicity on the part of Her Majesty's Loyal Opposition, when I hear charges of neglect of duty being made by someone who should know better, the hon. member for Christ Church East, when I hear the hon. member for Christ Church South Central getting up in one of his more lively performances that usually add up to nothing but is entertaining to listen to, but nevertheless casting some serious reflections on this Opposition, I think I must get up and speak, and I want to say that I am committed to the principle that persons who hold public office in this country whatever formula is derived, that during their period of holding office they should earn an income which reflects the general levels of income in the community, but that, and this is most important, when they leave public office they should not be paupers to die in almshouses and to be laughed at in this community. Therefore I will support any pension measures that would make sure that people who hold public office would be able to live a reasonable life afterwards. However, I want to make it absolutely clear that this Opposition did not participate in the Select Committee that was

set up on matters of principle. We did not consider dollars and cents which might be lost by one person or another as being of any importance, and the fundamental principles — and I must apply it to the hon. member for Christ Church East in this regard — were (1) that the present administration in its manifesto stated that it would not increase the salaries of parliamentarians except after an independent commission. One can only draw one conclusion from that — any reasonable person — that they would accept the findings of that commission, although I must say that in any exercise of cynicism, any exercise of the fine letter of interpretation to the advantage of any particular individual, it could be said that the manifesto pledge was carried out in terms of setting up a commission, but nevertheless totally rejecting the findings.

5.00 p.m.

That was one major principle, because we believe in integrity in public life and believe that such integrity springs from the political sources; we believe that integrity in terms of political position is as important as integrity in keeping your hands out of the public purse.

Secondly, we did not sit on that Commission because as the Deputy Leader of the Opposition — a distinguished parliamentarian, distinguished historian and distinguished student of Parliamentary Affairs throughout the world — pointed out that a better course was to have a proper discussion among parliamentarians who would be affected by any changes in the conditions of service. So it was a matter of principle; therefore when the hon. member for Christ Church East comes to this Honourable House and suggest that any member has to take the consequences of deliberations within the Select Committee in case of non-participation, he must understand that we operate on the basis of political principle and I am quite sure the hon. member for St. Thomas would agree that if an Opposition cannot take position at least on principle, even if Government from time to time have to do some jigsawing, at least an Opposition should be able to take position on principles. So to attempt to penalize any member of this Parliament on the grounds that they did not participate in the Select Committee — I heard the hon. member for St. Thomas speak in this House earlier today and this is the basis of political integrity and political life and while we have been able to survive as a democracy from other third world countries when one side or other from time to time can take a position on principle — and I would hate to see it reduced to the stage where in order to protect their financial interest or anybody's financial interest one must sit on a committee or bear the consequences.

I would like to repeat what I said. I would like to give full support to the concept that people who have served in public office should not find themselves in almshouses. I would also like to reinforce the principle that while in

public office they should expect reasonable remuneration, because in the final analysis, implicit in the statement made by the hon. member for St. Thomas when he talked about September 2, 1976, the stimuli for change and the frequency of change is the only salvation and protection for people in third World countries from dictatorial and imperial objectives, whether airforces, supporting defence forces or Seraphine visits and so on. The final analysis is going to be frequent changes of Government and that is where stimulus for remuneration should be.

Hon. L. S. CRAIG: Mr. Speaker, I think that since 1966 we have had the honour, along with you and my colleague here the hon. Prime Minister, of being the only ones who came in during those turbulent years. But we have hung in here for some time.

From early in the first salary revision I have the idea in the back of my mind and you may recall I said on the floor of this House then that Parliamentarians should not be paid, that it should be a duty to the people of the country to serve. I was young and inexperienced but surely I was not a hypocrite; it was a sincere feeling and belief. But I recall Mr. Lloyd Smith calling me outside and saying to me: "You put out your hand and draw, not open your mouth and talk". I asked him what he meant. He said the Government is bringing down this; you are working for a Government, you do everything to reduce expenditure, but be the first person to be in the Treasury. That is the example of the hon. member for St. Michael South Central who has just sat down. Only a few months ago in February or March of this year he said on the floor of this House and on public platforms that it was a 300% increase that Parliamentarians were getting, a 5000% increase and the old age pensioners did not get this or that. And he went further and said he will not draw a single cent and if he did draw he would give it to charity. I know the hon. member for St. Michael South Central and I was looking in the Nation, the Advocate, the Bomb, the Daily Express and the Truth if it was still in existence to see his picture on the front page giving away money. Now let me say I have a way of finding out things. I do not want to embarrass the hon. member but would let him know that he directed an officer of the House to which Bank to send the money and he has never paid out any of the money he spoke about up to this day. Now he contradicts himself this evening saying a person who served in public life should not have to go into the almshouse but after public life should be able to enjoy the fruits of his labour. I would like to know Sir, how are you going to enjoy the fruits of labour if you do not keep up with the cost of living as it is rising throughout the entire world?

5.10 p.m.

Throughout the world the high cost is caused by oil hikes which we have no control over. The hon. member

said not a cent, he does not want a penny, Sir, he is going to give it away. I recall I was Leader of the House on that occasion, there was a vote against the increase in salaries. I think they called for a Division, one of the clowns on the other side called for a Division and a vote was taken that they did not want an increase in their salaries. They took to the hustings and instead of talking about the 300%, it is that the Prime Minister is going into Ilaro Court now and that the house cost a million dollars. I heard them in Independence Square last Friday night. The School Meals Workers have to carry Squezy to wash plates, the Prime Minister has 25 flats and he has to get telephones in them, that is why the people cannot get telephones. All these things I heard in Independence Square, not a gigantic crowd. I also heard when the Acting Leader of the Opposition arrived the member for St. Michael South West called on the gigantic crowd, those thousands out there - I was among them, Sir - asking to give a hand, a loud applause, he said 'move away let my colleague and comrade, the Deputy Leader of the Opposition, come in. Ladies and Gentlemen, give him a big hand,' and, Sir, I must confess they gave him a thunderous silence. I hope you call a public meeting next Sunday night and tell them how you, the member for St. Michael South, was quarrelling on the floor of the House that you want a pension and more money, that your rights have been eroded and you were in here too long, you were crying on our shoulders.

Mr. SANDIFORD: I rise on a point of order, Mr. Speaker. What I said is being misrepresented. I was not quarrelling in here, I think if I was quarrelling you would have stopped me.

Hon. L. S. CRAIG: I apologise; not quarrelling, crying on the shoulders of the members of Government, please help him. What he is implying is that he may not want a seat in the coming election.

Mr. SANDIFORD: Mr. Speaker, on a point of order. I wish to point out again that what I said is being misrepresented and I would really hope that you would protect me in these matters. The only person's shoulder I would rely on in here is that of Mr. Speaker.

Mr. SPEAKER: I think that what is being misrepresented is your action, not your words.

Hon. L. S. CRAIG: Not crying then, Sir, beseeching the members of the Government, that his position is now weakened because of this Bill before us, that his position is weakened after serving 12 years at the end of this Session. He will be serving 12 years in office. It is a piece of change now, you see, it is touching you directly now so you are leaving the ship now, you are jumping off by yourself, but you have to face the electorate again. You faced it twice already, you have to face it a third time. Show me where you are a man as I have done,

three times in the winner's stall. Let me see you out there now, you have not got to be afraid. If I were in your position....

Mr. SPEAKER: The hon. member must address the Chair.

Hon. L. S. CRAIG: Yes, Mr. Speaker, you have not got to be afraid, I have faced it on three occasions, you can too, you do not have to be afraid of any Dr. Blackmans or anybody else, so the ship is being cleared for you now, you have not got to come in here this evening and cry on the shoulders of the Prime Minister, that they have eroded your rights, they have reduced your strength, you are still getting a little grog anyhow, but you want to get the full grog in 12 years. That is why you said it was too generous, you must tell the people that now. If you don't tell them, remember this front bench capable of firing those salvos.

Sir, I support the Bill which you have before the House this evening. I have always said on the other side and on this side that a man must be paid for his day's work. In here is only the talking shop, and the three hon. members on the other side should know this, do not mind the clown you are running about behind, you were talking about Squezy all night. Imagine you, a former Minister of Trade, talking about Squezy instead of talking about the economic position and why you want a good pension, maybe in 1996, but you are talking about Squezy and toilet paper, and the Prime Minister has 25 phones in flats, a lot of nonsense.

Mr. SPEAKER: What has this got to do with pension rights?

Hon. L. S. CRAIG: I am saying they must talk to the people about the pensions how they quarrelled about pensions this evening. That is what I want to hear at your next meeting, a big DLP rally and let me hear about the pensions, you and Eric Sealy, I want to hear about that. Tell them how you cried and beseeched members of the Government to give you an opportunity to get a full pension by not amending the Bill. That is what I want to hear you telling them now, do not be a hypocrite, come out like a man and say you want more when the occasion arises. You are now feeling the pinch, sit on the Select Committees you were invited to sit on and stop being hypocritical and vote against things of this nature when they come before the House. This is the whole idea, because whenever you are finished we are all brethren, never mind how you fight and motivate your supporters and force them into situations. Remember this, I am satisfied beyond a shadow of a doubt that the Barbadian electorate knows exactly what is going on. They know you can't get carpenters, masons, you can drive all over the country and see...

Mr. SPEAKER: Carpenters and masons have pension rights with parliamentarians?

Hon. L. S. CRAIG: Yes, Sir, at the National Housing Corporation they have pension rights. The carpenters, the painters, the masons, the electricians and labourers all have pension rights and we are entitled to some also, but let the hon. member serve three full terms, go out there again. I am giving you either Rannie Field or Dr. Blackman, I am not quite sure, I wish you luck. Send the people to me for the houses and you will get through. Thank you, Sir.

Mr. SPEAKER: Is there any hon. member who wants to exercise his right to speak? The Prime Minister.

Rt. Hon. J. M. G. M. ADAMS: Sir, I have really listened to a most entertaining and instructive debate. The instruction has come from both sides. I have sat down here in the House and in the last year and a half I have heard the motives of the Government attacked and impugned for wanting an increase in parliamentary salaries after six years and seeing the Opposition vote against them. I have seen the Government introduce an Integrity Bill and not only have I heard our motives for doing that impugned, but I understand that statements which I have made in here have even been contradicted by an hon. member opposite on a political platform who I gather at a time when he is a student of slander, apparently means he willing to risk the results of a law suit for accusing the Prime Minister of lying to the House of Assembly. That is what we have to put up with. I have seen a Bill against corruption, to add Ministers and Members of Parliament to the list of those persons who under the Corruption Act shall not take bribes not supported by the Opposition; seeing Opposition members sit in their seats and abstain on a Corruption Bill designed to cover Members of Parliament.

5.20 p.m.

I have heard the hon. member for St. Michael South Central say that we are getting enough money and he is not supporting an increase of salary and now I hear him come in here today and say that members of Parliament must earn an income which reflects the general level of incomes in this country, as if he had supported the other Bill.

He spoke of the Manifesto of the Barbados Labour Party as having only one meaning. The way he put his argument as to how we must earn an income and that he is not against us earning an income which reflects the general level of income in this country, anybody would think he supported the salary increase. I have to say that I am sorry that I did not insist on a Clause being put into the Remuneration and Pension Scheme of Parliamentarians Act saying that any member who does not posi-

tively support the increase by his vote will not benefit from it as exist in some other legislations.

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

Rt. Hon. J. M. G. M. ADAMS: I would say that that is what is meant by having no principle but it is expunged from the records so I cannot refer to it.

I have lived to see members of the Opposition who come in here with all sweet reason get on political platforms, one of them, the hon. member for St. Michael North Central, even attacking one of my children at a Meeting at Deacon's Road and saying that I bought a house in London for £120,000 and that I own Powell Spring Hotel, and also attacking women and children in public life, that hon. member over there and now they are appealing for sweet reason and principle in this matter.

Are they going to serve on a Select Committee to deal with this Bill? If one of them, when I move the passage to Committee, moves that it goes to the Select Committee to consider the matters raised here today, I will accept it. They cannot sit on the Select Committee for the Integrity Bill. They tried to make the public believe that an Integrity Bill is somehow a threat to people's lives.

They cannot sit on the Select Committee to deal with corruption but they want the things that Select Committees give. They could not sit on the Select Committee that dealt with this very matter but they want, outside of the Select Committee, to get the rights when the Select Committee was the very place to discuss these rights in.

The hon. member for St. Michael South Central said that they did not sit on the Select Committee because they believe in maintaining their political position, but whose political position was he talking about? This is the first time in my political life that a political opponent has said that he did not take a step because he believes in maintaining "my" political position. My political position was that no salary increases would be voted by members of the House of Assembly except after an independent review by a properly qualified outside Body.

If anybody on earth can read into that a commitment to accept the Report of a Committee, well he is a remarkable person. I know no Lawyer can do it. A Doctor might be able to do it but I know no Lawyer would be able to do it because Lawyers at least are trained in the use of language and an understanding of language. Lawyers are accustomed to having their words taken at their face value and not for reassurance.

If the hon. member wishes to move an amendment, I believe the hon. member for St. Michael South as he says that his 12 years were up in August, if he wishes to move an amendment in Committee saying that this Act should come into operation on the 1st September, 1979, if this will help him, I will accept it but he must move it and it must be supported by one of his colleagues. I give a pledge on that and if hon. members want Senate service to be taken into account let them move for a Select Committee to consider the point. Let them move for that.

Mr. Speaker, hon. members opposite believe that the patience of Government is unlimited. The Opposition is deliberately seeking to avoid participation in the public life of this country. Do not fool yourselves. They understand only the platform and tactics to abuse.

Peter Morgan wrote a letter to the Press attacking Colonel Lewis and I but why is it the Leader of the Opposition never offered the country the courtesy of coming to Remembrance Day, or saying he could not come, or asking the Deputy Leader of the Opposition.

Mr. SPEAKER: Remember the Pensions Bill.

Rt. Hon. J. M. G. M. ADAMS: Sorry, Sir. In here it is all sweet reason, sweet love and reason. Outside it is all confrontation. You can afford to confront us on the salaries because we are all human beings and we are not going to do you like what is done in some other countries to Oppositions, preventing you drawing the salaries unless you vote for them. That is not unusual, that is done.

Some countries have those Regulations that a man who says in his conscience that he cannot take a salary increase, he is given legislative means of avoiding the increase. The hon. member for St. Michael South Central is abundant with wealth. He feels he does not need a salary increase. Perhaps he can pay all his colleagues as he used to pay Cameron Tudor and Sleepy Smith. He can pay all his colleagues and not let them take the salary increases.

Dr. HAYNES: Mr. Speaker, on a point of order.

Mr. SPEAKER: Please. When a member rises on a point of order or on any occasion that he rises, he must first be called by the Chair before he speaks.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I suppose I should withdraw the names since I have not given Your Honour.....

Dr. HAYNES: Mr. Speaker, I have risen on a point of order.

Rt. Hon. J. M. G. M. ADAMS: What he wants? I will withdraw any allegation that the hon. member was giving Cameron Tudor \$225.00 a week and that he paid...

Mr. SPEAKER: Is that his pension money? We are dealing with the Pension Bill.

Rt. Hon. J. M. G. M. ADAMS: It might very well be, Sir. I will withdraw. I do withdraw the statement. We are dealing with Parliamentary Pensions. Our position has been known for over one year. The Select Committee has reported and all of a sudden now today we are hearing an appeal. This is not a Party whose back is to the wall. This is a Party that is aggressive, which feels that it can ignore the co-operation of the Government in matters of public life, which feels it can abuse and tell lies on members of the Government, which feels it can drag the families of the members of the Government into the political processes which now puts its reasons, its few positions and its few houses here and there trespassing upon the Laws of Defamation.

If they wish arising out of this matter of pensions and if the hon. member for St. Michael South would take my disinterested advice, it matters little in my opinion what he chooses. That is only in passing. Apparently he chooses to take the advice of the hon. member for St. Michael South West. If he wishes to take his advice I cannot help him, Sir, nobody can help him under those conditions.

If he wishes he must come and put his neck right out in this matter. You cannot expect anything other than that from animals. We are animals on this side, disgusting people, stealing the people's money and borrowing \$2 million from the Barbados Development Bank, (*Asides.*) \$1.3 million, an outright lie. We are animals on this side. We are wicked. We are trampling on the rights of Barbadians.
5.30 p.m.

We are destroying the country, we are opposing Eric Sealy. O Lord, how wicked we are to be opposed to Eric Sealy. We are the worst people this world has ever had, giving the worst Government this country has ever had and all we are trying to do is to save the taxpayers some money and Honourable Members opposite are insisting that we must not pay them so much money.

You draw salaries for 5 years or 10 years. You probably draw pensions for 20 or 25 years. Pensions have to be taken a good deal more seriously than salaries. You do not draw gratuities at salary time, but you draw \$90,000 or \$100,000 when you retire as a Minister. If you have in enough years of service and you draw a salary as a Minister, you would draw a pension as a Minister higher probably, than your salary as a Parliamentarian. I have just invited Mr. Smith to apply for a recalu-

lation of his pension, because by virtue of the four days in April, 1978 that Mr. F. G. Smith was Leader of the Opposition in a new Financial Year at a new salary, he is qualified for a few thousand dollars more in gratuity and \$100 or more in pension by reason of the old Act. If you backdated it to then, he would get it. We have been so tender that not only have we allowed him to get that additional but we have not taken away from him, what he is in fact getting because if we had backdated it — we did announce that would be the date, Sir. Many Honourable Members have forgotten. This has been through here before. It was announced, I announced it, when the Select Committee reported that it would be backdated to 1st April, 1978. The Honourable Member could have resigned in August because he knew it was backdated, and his rights would not have accrued, but they would have waited until he was 50. That was the Honourable Member's position. It was open to him to do that if he wished to get the accrual. It was open to you, Sir, and it was open to the Honourable Member for St. James. Both Honourable Members would have had 12 year's service last year. It was open to all Honourable Members who were affected. It was open to the Honourable Member for St. Joseph to have resigned and get the benefit of a period if he cared. The Honourable Member for St. Philip North perhaps it would not have affected him as yet. The Leader of the House. All these Honourable Members were affected, every single one.

A right does not accrue, as far as I know, until you resign or are removed by other process. The position of the Government is quite clear. We are carrying out the recommendations of a Select Committee, on which the Opposition refused to serve and it would not now have to do the work it should have done in the Select Committee. You cannot expect constantly to smite the Government on the right cheek and have us turn the left. Smite us on the left cheek and have us bow down our heads. Just have a little honesty before the public and come for your objectives in a straightforward way and openly. Do not try, as Lloyd Smith used to say peeping up under your cells and expect us to see what you see there. We do not want to see it. Thank you, Mr. Speaker. I beg to move that this Bill be now read a second time.

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

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

Rt. Hon. J. M. G. M. ADAMS: I beg to move that Your Honour do now leave the Chair and the House go into Committee on this Bill.

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

The question was put and resolved in the affirmative without division, and Mr. SPEAKER left the Chair

and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clause 1 was called.

The question that Clause 1 stand part was put and resolved in the affirmative without division.

Clause 2 was called.

Mr. B. M. TAITT: Mr. Chairman, Sir, during the second reading of this, I should like to express my view with regard to the position of Senators on this Bill. I believe it is being taken care of in this Clause.

Mr. Chairman, I would like to make a point that insofar as the Prime Minister and his Cabinet are concerned, I have no sweet reason at all. I did not come in here with any sweet reason looking for anything for anybody on this side. There is nobody on this side whom it affects and I think it is a question of ungraciousness on the part of the mover of this Bill. If he wishes to curse me for a few things I said on the platform, let him go on the platform and curse me like he has done before. He said he is going to court. Do you think court is made for dogs? From dust you came, to dust you return. The Prime Minister in this country today could never frighten me. I am dealing with Clause 2, Sir, Senators. I am not now going to allow the Prime Minister's raising his voice to give anybody the feeling that I am afraid of him.

I am saying that in Clause 2 Senators.....

Hon. L. S. CRAIG: Mr. Chairman, I must draw to your attention, I think my experience in here teaches me enough that the member must stick to the particular clause on this occasion.....

Mr. CHAIRMAN: Are you on a point of order?

Hon. L. S. CRAIG: On a point of order. Yes, Sir and I am making the point of order. I am drawing it to your attention.

Mr. CHAIRMAN: Your point is well taken. Will the Honourable Member take his seat. One moment please. You will be heard. The Honourable Member must be heard, but the Honourable Member must understand that we are in Committee discussing the principle of this thing. Will the Honourable Member continue and please speak to Clause 2.

Mr. B. M. TAITT: Mr. Chairman, Sir, with the greatest respect, Sir, I am dealing with the matter of Clause 2 as it is now phrased and the effect that this phraseology must have on a Senator who, having served in the Senate and then having come down to the House and having ministerial office. That is what Clause 2 is about

and I wish the Honourable Member for St. James would look and see what Clause 2 is all about. Clause 2, Sir. Any Honourable Member who comes into this House as this is presently worded, having served in the Senate and any Honourable Member who holds ministerial office as this is now worded, Sir, will suffer significantly because the service which he would have given in his capacity as a representative of this country; he is not serving in any particular constituency, because I understand those who sit in the Senate to be serving the country at large, since they do not represent any particular constituency.

5.40 p.m.

They will have to be serving at large. I am arguing for the rights of any person who finds himself or herself in that predicament. I would have liked myself to hear the only other hon. member who has this particular experience, the hon. member for St. George South. I would have liked to have heard his views on this. I believe it would have been instructive because in spite of the attitude of the Government to the debate, the fact still remains that that hon. member whom I do not now see in his place is in a position where the service he gave in the Senate will not come towards the accumulation or the accrual of his rights which we are seeking in this Bill. If however, the Attorney General or the Prime Minister is willing to listen to principle, no sweet reason, Mr. Chairman, I would like to suggest.....

Mr. CHAIRMAN: I cannot permit the hon. member to make a second reading speech in Committee.

Mr. TAITT: Mr. Chairman, with the greatest respect, I am trying very hard not to make a second reading speech. Where a person who ceases to be a member of the House of Assembly subsequently becomes a member of the Senate, he may, while he remains a Senator and for the purpose of receiving a retiring allowance based on the highest salary received by him in his substantive office while he was a member of the House of Assembly, make contributions at the rate applicable to a member of the House of Assembly who is not the holder of an office. I am arguing, Mr. Chairman, that perhaps what we need is another Bill which says that where a person who has been a member of the Senate — and this is the point I am making....

Mr. CHAIRMAN: Is the hon. member going to move an amendment to the Clause?

Mr. TAITT: I am giving an idea of the kind of way the principle could be encompassed. Mr. Chairman, it may very well be that hon. members do not wish to hear me on this. That is all right with me; but I would not wish them to keep talking about sticking to Clause 2 when I am doing precisely that and on the one occasion where an hon. member may be speaking about

the particular clause in question, that hon. member may find himself running afoul of the Chair. Mr. Chairman, I ask you to understand the point and to bear with me.

The point I am trying to make is that members who are in the Senate before they come down to the House are worse off under this section too, and no effort is being made by this Honourable House to preserve the rights of those persons who are in continuous service. It is not a case of a break in service. If the hon. member does not wish to take the point, he does not have to, but when I come in here on a point of principle, I would not listen to hear anyone suggesting that the point is something to do with other than principle. It is a point of principle. If he does not wish to take it, so be it. I did not hear him respond to it, and I wish the Minister would respond to it now.

Dr. CADDLE: Mr. Chairman, I should like to take a look at Clause 2, but I see this is going to be a rather difficult position to find a solution for. Now a person in the Other Place, if that person is not an office holder, that is, a Minister or Parliamentary Secretary, will not be making any contribution towards a pensions scheme, and if such person then comes into the House thereby getting a salary, he would then be contributing to a pension scheme, and one would have a serious situation. I want to take the term whereby an ordinary member of the Other Place not contributing to a pension scheme, then to consider that period as eligible for calculation of pension. In the other way there is a difference. When an hon. member of the House of Assembly ceases to be a member of the House of Assembly and then becomes a member of the Other Place in the first instance when he was a member of the House of Assembly he had already been contributing towards a pension scheme, and therefore if on becoming a member of the Other Place he desires to make a contribution so as to enhance his pension rights, one sees that as being easily practical, but the reverse of that where a person is in the Other Place not being the holder of an office, either a Minister or a Parliamentary Secretary and therefore not making any contribution to a pension scheme, when that person subsequently becomes a member of the House — I am not saying it cannot be done but I think in the present circumstances it would be rather difficult for one to take on that period served in the Other Place and make it eligible in the calculation of pension for the person now as a member of the House.

I take the point, Mr. Chairman, that people who serve their country should be given some form of pension on cessation of that service, but I think we will have to look at this matter in an entirely new way or different way from what is now being put before us, because I do not believe that the situation of the

ordinary member in the Other Place and the situation of a member of this House are on all fours, and unless one makes a definite decision to pay a pension to the members of the Other Place on some other basis, it will be rather difficult as the Bill now stands to want to allow a period served in the Senate by an ordinary member to be calculated in the determination of his final pension. However, I think it is not beyond this present Government or any future Government to make some decision as to whether or not members of the Senate should be given some form of compensation for the period of service whenever that may be, ten years or less, for which they served this country. If you are thinking in terms of service to the people of this country and you have the Other Place one has to accept that the people in the Other Place are also serving the people of this country, maybe not to the same extent as hon. members of this House, but they are serving the people of this country and therefore by virtue of their service they should be entitled to some form of compensation on the cessation of that.

We have come a long way whereby we are paying them some sort of allowance; we do not want to pay them a salary at the moment, but it is quite possible that in the future one may very well decide to pay these people in the Other Place a salary, and I think once a stage like that is reached, it becomes a lot easier for them to contribute to a pension scheme, and then when they move from one place to the Other Place, the question of continuation of contributing to the pension scheme and thereby enhancing their final pension would be completely erased.

Dr. HAYNES: Mr. Chairman, I rise to speak on Clause 2. Before I speak, I think in the Rules of the House it is important to declare your interest, and I have to declare my interest now. I want to let the other side know that there is nothing that they can offer me so long as I am alive that I would be interested in accepting, and when I speak, I speak purely in the interest of the Parliamentary body politic, because there is nothing that I want to receive from you all, and there is nothing that you can offer me and particularly you (the hon. member for St. James) there is nothing that you can offer me. *(Asides.)*

Mr. CHAIRMAN: There must be no cross talk.

Rt. Hon. J. M. G. M. ADAMS: There is a fundamental rule of this House that debate has to be relevant. There is absolutely no relevance in my respectful submission in anything the hon. member has said, that he must declare an interest and that he has no interest in an offer which is related to the debate on Clause 2 in Committee. That is absolutely in my submission totally irrelevant.

Mr. CHAIRMAN: I take the point. The hon. member started by way of introduction and I believe has gone quite far. Please come to the point and speak to Clause 2.

5.50 p.m.

Dr. HAYNES: Mr. Chairman, any ruling made in this House I wish to abide by because I am prepared to stay in here.

(Certain remarks were ordered to be expunged from the record by the CHAIRMAN at this stage.)

Dr. HAYNES: The point I am trying to make Mr. Chairman, is that if we accept that the Senate is of some importance and that those persons who made a contribution from the Senate — and from time to time many persons have made major contributions from the Senate — I agree with the hon. member for St. Michael North Central that the degree of involvement in political life might not be the same for someone in the Other Place as for someone in this Honourable House — and if one is going to seriously look at the question of an equitable basis for computing the contribution of those who may have served in the Other Place and in this House whether before or after, I would like to throw out a suggestion — not in the interest of advancing the pension rights of any particular person or group — but I would throw out the suggestion whether it might not be relevant to say that for the purpose of pensions five years in the upper House might not be equivalent to “X” years in the Lower House. If the principle is accepted that service in the Upper House can be considered to be pensionable service whether it is fore or aft, as a matter of fact for the purpose of holding office in the Senate or otherwise, then I believe that the general principle can be accepted that if someone is in the Senate and holds office as a Minister or Parliamentary Secretary when in the Senate you have a basis for computation of pensions fore or aft. If there is an ordinary member of the Senate who subsequently becomes a member of the House and holds any office, let us determine what sector of that five years on the basis of an assessment of how do you value the computation of an ordinary Senator or an ordinary member of the House. I do not think that this suggestion is original; I am not sure whether I did not hear this either on the floor of this House or from a member of the other side somewhere; I believe I heard it from the hon. member for Christ Church East, but I am not sure, that five years in the Senate might well be evaluated as two years or whatever in this Honourable House. But if we consider a period in the Senate to be of significance in public life and consider it worthy of a pension that is a matter for this Honourable House to decide, but it is only fair to listen to what the hon. member has to say because it has considerable merit. It is as straightforward as that.

Mr. CHAIRMAN: If no other hon. member wishes to speak the Prime Minister will wind up.

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I find it difficult to reply to the debate. It started out with a false statement by the hon. member for St. Michael South West, false to the effect that nobody on his side is affected by this proposal; that Senators who subsequently become members of the House should have pension rights. That is not true. The hon. member is not telling the truth. I do not believe he was telling the truth when he said he was not afraid of the Prime Minister either, but that is a different matter. *(laughter)*.

The hon. member for St. Michael North Central was in the Senate before he became a member of the House, although I could not have learned it from listening to his speech because his speech achieved levels of incomprehensibility that made it impossible for me to follow his argument.

The contribution of hon. members on that side is a contribution that should have been made in the Select Committee when this matter was gone into, and the Government cannot entertain it at this stage. If, however, the hon. member wishes to move a Private Members Resolution for the establishment of a Select Committee to consider the pensionability of hon. members of the Other Place, whether a Committee of this House or a Joint Committee, the Government will support it, but I cannot support it at this stage in here.

Mr. Chairman, I beg to move that Clause 2 stand part.

The question that Clause 2 stand part was put and resolved in the affirmative without division.

Clause 3 was called.

Mr. TAITT: Mr. Chairman, you are not going to hear me again on this Bill after this intervention, because it is obvious that the Government is totally disinterested in any debate on this Clause or any other Clause and it is clear that the failure or otherwise to sit on a Select Committee is the basis on which the Prime Minister will punish or not. If he chooses to punish people because he thinks somebody is afraid of him, let him go ahead; it is a matter entirely for him and them. I am through talking on this; it does not affect me and I "done with that".

Rt. Hon. J. M. G. M. ADAMS: Mr. Chairman, I observe that the hon. member has disclaimed any hope ever of a claim to a Prime Minister's pension because he says Clause 3 in no way affects him and he is not making any speech on it; Clause 3 is the one which deals with a Prime Minister's pension.

Mr. TAITT: On a point of order, Mr. Chairman. The hon. member has said that he observes that I am not interested in being a Prime Minister. The fact is that if I thought I would be a Prime Minister like him I would not want to be one.

Mr. CHAIRMAN: That is no point of order.

The question that Clause 3 stand part was put and resolved in the affirmative without division.
6.00 p.m.

Mr. SANDIFORD: Mr. Chairman, I speak on clause 4 and I am making my contribution on this right here in Committee, a Committee of the whole House, and I would like to make it clear that when I speak in this particular House I speak on matters as I see them and I speak from a point of view of principle, and if that principle also affects me I will declare my interest but make the point within the framework of the principle.

Under this clause I would hate to see that it goes anywhere and then has to be returned back to this Chamber, but it seems to me that in clause 5A(1) the second line, that that line is defective. Right now it reads: "Where a person dies while he is legislator" and I believe the indefinite article "a" has been omitted, and I would like to move an amendment now that it be included.

Rt. Hon. J. M. G. M. ADAMS: I beg to second that.

The question that clause 4 as amended stand part was put and resolved in the affirmative without division.

Clauses 5 to 9 were called and passed.

Clause 10 was called.

Rt. Hon. J. M. G. M. ADAMS: I beg to move that clause 10 stand part. If the Opposition wishes to amend this we will consider the amendment. Am I really to believe that after the hon. member for St. Michael South West has put such a strong case which has been supported by the hon. member for St. Michael South Central although with some diffidence, the hon. member for St. Michael South has put his own case, they have talked about retroactivity, no doubt they have those who in the Press are going to make a big splash about the Government making this retroactive. I am sure we will see this in the newspapers tomorrow. We are giving them the opportunity to avoid any matter of retroactivity about which they have complained, all they have to do is to get up and put their mouths where they want their money to be, all they have to do is to get up and move an amendment to remove the element of retroactivity. I challenge them to do it or stand condemned as a pack of parliamentary hypocrites. You have the power to

remove the retroactivity. Do it now, I say unto you. (A VOICE: You have the majority on that side).

Mr. Chairman, on a point of order. I hear somebody say something about a majority. We will support it, make no mistake. They say they are against retroactivity in the interest of one of their members. Let them move an amendment removing the retroactivity to that member.

Hon. H. B. St. JOHN: I have consulted with all my colleagues, Mr. Chairman, and the Government has no objection to them moving an amendment. The hon. member in here complained that his rights were affected, we have our own views on it. *Ex abundante cautela*, Sir, I would suggest to the hon. member, and we on this side will accept it, that he moves an amendment to clause 10 that the words "1st April 1979" be changed to "1st September, 1979." He is entitled to it.

The question that clause 10 stand part was put and resolved in the affirmative without division.

On the motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. B. St. JOHN, Mr. CHAIRMAN reported the passing of one Bill in Committee with one minor amendment, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. B. St. JOHN, the Bill was read a third time and passed.
6.10 p.m.

GOVERNOR-GENERAL (CONDITIONS OF SERVICE) (AMENDMENT) ACT 1979

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, Sir, this Act makes provision for certain alterations in the conditions of service to the Governor-General. The Act, when compared with the original will, I think, sufficiently reveal the purpose of the amendment which broadly speaking is to provide for Government House to be treated for pension purposes in the same way as the Prime Minister's residence and for a Governor-General who dies in office to enjoy the same conditions as would be enjoyed by legislators following the passage of the Bill which was passed in the House.

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

Hon. H. deB. FORDE: I beg to second that.

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

On the Motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, Mr. SPEAKER left

the Chair and the House went into Committee on the Bill, Mr. ODLE in the Chair.

Clauses 1 – 6 inclusive were called and passed.

On the Motion of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. Speaker resumed the Chair and reported accordingly.

On the separate Motions of Rt. Hon. J. M. G. M. ADAMS, seconded by Hon. H. deB. FORDE, the Bill was read a third time and passed.

Mr. SPEAKER: Item No. 1 is the instant Order of the Day.

Rt. Hon. J. M. G. M. ADAMS: Mr. Speaker, I beg to move that Your Honour do now leave the Chair and the House go into Committee of Supply for a money Resolution for the service of the Island.

Dr. CHELTENHAM: I beg to second that.

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

Mr. SPEAKER left the Chair, and the House went into Committee of Supply, Mr. ODLE in the Chair.

SUPPLEMENTARY ESTIMATES 1979–80 PART I – CURRENT – NO. 14

Hon. H. deB. FORDE: Mr. Chairman, in referring to the Estimates the sum of \$37,150 has been provided under this Item and the detailed Estimates indicate that of this amount \$10,500 is provided for the insurance of vehicles. The amount of premiums for insurance of all appliances in the Fire Service has so far totalled \$24,533 and it is necessary to supplement the items and pay for some additional insurance premiums.
6.20 p.m.

An additional 50 drums of Monex Dry Powder were ordered during the last Financial Year for use by the crash tenders at the Grantley Adams International Airport Fire Station. This powder replaces the sapphire powder now in use. It is necessary to pay for this in this Financial Year, and as a result, we will have to supplement this item in order to pay for the expenses of materials out of the vote to the end of the year. The supplement being asked for is \$28,982 Sir. I beg to move that this Head stand part.

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

The question that Head 10(6) stand part was put and resolved in the affirmative without division.

SUPPLEMENTARY ESTIMATES 1979-80 NO. 15
HEAD 15(10) MINISTRY OF EDUCATION
AND CULTURE

Head 15(10) Item 6 was called – A resolution to grant the sum of \$22,500 for supplies and materials for the Government Industrial Schools.

Hon. L. R. TULL: Mr. Chairman, the funds being sought in this resolution will meet the cost of supplies and materials and maintenance of the lands and buildings of the Government Industrial Schools. Responsibility for the maintenance and upkeep of the Government Industrial Schools had been traditionally in the hands of the Ministry of Communications and Works.

Over the past number of years, little substantial work has been done to the Schools for a number of reasons. In the 1961-1966 Manifesto of the Democratic Labour Party there is a firm promise to look into the administration of the Schools and to come up with some improvement both in the physical aspect of the Schools and the content and direction of the Schools. Noticeably absent from the Manifesto of the Democratic Labour Party of 1966 – 1971 has been any provision for the improvement of the Government Industrial Schools.

I know that there was a report early in the 1960's. A Commission was set up by the then Government to investigate into the many aspects of the Government Industrial Schools. I do not have with me the terms of reference but I do know that in 1968 a Report was handed in to the relevant Ministry. A Report from the Commission that was appointed to examine legislation affecting children and young persons in Barbados, and to make recommendations in consequence to that. It was never laid on the floor of Parliament and indeed nothing was done about it. I say this, Mr. Chairman, to point out that what has been happening over the past decade or so, is that there has been a gradual falling off of standards and a build up of indiscipline and general run down of the physical compound at the School. The wrong that was sowed by the then administration; we are now reaping the whirlwinds of that wind.

The problems that are at the Schools, and I do conceive, Mr. Chairman, that there are many problems, are increasing in pace. I will speak later on to give my idea as to why the problems exist. Over the past decade or so, not much has been done to upgrade the standard of the schools. Indeed, the system of administration at the Schools is one that is archaic and out of step with modern thoughts on reform and rehabilitation of young offenders.

In April, this year, I visited the Schools and found that the building and the tone of the Schools in general, was less than desirable. I also found at the time I was

there, a very noticeable indiscipline as I did my tour. At the end of that tour, I gave certain instructions. Among them, Mr. Chairman, was that there must be a physical separation of the young offenders and the old ones. Contrary to what appeared in the press, and what I reiterate is a very sensational story; a story that exhibited all the absence of social responsibility that one would expect of a leading newspaper in this country; I went on that tour and I gave firm instructions that there should be a physical separation between the young boys in the School from the age of 8 to 18. What bothers me is that a number of 8, 9 and 10 year olds who are there for wandering, indecent language and that sort of thing, are in the same compound mingling with, sleeping with and playing with the older boys many of whom are in there for robbery, rape, breaking and entering and murder. That is the situation that has obtained for a number of years. I gave firm directions that there is to be a physical separation of these young children from the older ones.

The work started at the Government Industrial Schools several weeks before the so-called expose that we hear about in the newspaper. I was alarmed when I read in the newspaper that something was published in the newspaper, and then the following day instructions were given to the Ministry of Communications and Works to go and start to work. That is a categorical untruth, because the people at the Ministry of Communications and Works were already working on my instructions several weeks before this particular incident. I want to state one or two other directives that were given at the time. I was unhappy about the type of food that was being served, the diet of the children in the Schools. Early in the year, I think it was in June, I got an Assistant Supervisor of the School Meals Department to be seconded to the Government Industrial Schools to work on upgrading the diet for the children in the Schools and I required that the menu for each of the 3 meals per day would be handed to me on a regular basis, so that I could be satisfied that the children in the Schools were being properly fed. None of this appeared in the sensational report that I read in the newspaper.

Let me point out, in respect of the beds that I read something about, Mr. Chairman. When I visited in April, there were enough beds in the Schools for all the children who were then at the Schools. What has been brought to my attention subsequently, is that the bigger boys broke up all the wooden beds, took them out in the yard and started a bonfire. Now, this is the type of vandalism that has been going on at the Schools for quite a long time. I understand from reports reaching me that the reason why the older boys burned the beds is because they have a godfather system up there. Only the older bullies are entitled to sleep on beds according to them. The young ones must sleep on the floor and can only be elevated to a bed if they do certain favours for them – that, I understand is how the system works. I gave

instructions that all the wooden beds should be replaced and they should give them iron beds because that would at least minimise the possibility of the type of vandalism that was being reported to me. That did not do any good either, Sir. What they did, was rip the springs out of the iron bedsteads and threw them away. I am saying this, Mr. Chairman because I notice that the press is very sensitive. They believe that they can take up their pens and criticise politicians but when the politicians hit back at them, they all run for cover. I do not ask for any special consideration from the press. They can write whatever they like, but I want them to understand that what they have done in printing the alarming story that I referred to, was to give the boys of the Government Industrial Schools the feeling that they were heroes.

6.30 p.m.

They now consider they are glamorous because the newspaper takes them on and comes and talks to them and publishes what they say, and ever since that report in the newspaper, the problems at Dodds have magnified. The boys are now telling the staff up there "you can't tell me anything because I can talk to the *Nation*."

I am saying, Mr. Chairman, and I am saying it in very measured tones, that my own conclusion is that the newspaper has done this country a tremendous disservice in printing that type of alarmist story without having a word with the Ministry, because if the Reporters and the *Nation* had spoken to me, I would have pointed out to them what has been happening, what I saw, what the problems were and what remedial steps were being taken to correct the situation; but apparently that type of story does not sell newspapers. What sells newspapers are stories of walls of woe.

Now there is another reason, Mr. Chairman, why I am very sadly grieved about the irresponsibility of the press, because the press went into the Government Industrial School, broke and entered the Government Industrial School in breach of the law of the land and glamorised it in the press. That is a serious matter, Mr. Chairman. If you have boys who are put in a reform school because they have been in breach of one of the criminal laws of Barbados and they are kept at the school, and then they see adults who should be considered responsible freely breaking the law and coming in their compound — as a matter of fact I checked it out and they were in breach of three separate laws in Barbados — the attitude will build up among the boys as to why you punish them and these fellows from the newspaper can break in as they please and do as they like. And you know something else, Mr. Chairman? I understand that the press also set a stage for photographs. You understand what I mean. They went in and they arranged with the boys to lie down two or three in a bed and took a photograph. They arranged to have people sitting on the floor and that sort of thing. Let me

tell you something as far as the regulation of the Government Industrial Schools are concerned. If you are watching television at the Government Industrial Schools, you are not in bed because there comes a time when the television is turned off and everybody has to go to bed. The fact that you saw photographs of some children watching television while others were in bed bears out what I am trying to tell you.

I was not at the Government Industrial School. That is what was reported to me by the people who run the school. I am not trying in any way to abdicate any responsibilities for any institution that falls under my Ministry, and I am going to stand on the floor of this House and defend all the officers who work in my Ministry whether it is in the Ministry proper or the staff at the Government Industrial School. I will defend them and if anybody wants to share any lashes I offer my back, but I am also telling you, Mr. Chairman, that I am going to fight back too.

Now I want to go a little further in respect of this whole business of philosophy of reform and rehabilitation of young offenders. There is a Professor Howard Jones from the University College of Wales who was brought to Barbados early in the year through the Attorney General to take a look at the corrective services and so on in Barbados. Professor Howard Jones is a distinguished penologist. I remember a long time ago as a law student reading from my jurisprudence courses some of the writings that Howard Jones had done. He is a man with not only a great reputation in that field, but he has actually been a practitioner. He has not only been a academician writing about it, but he has actually been in the field. He was in Barbados and did a study of the penal system and made recommendations to Government as to how you set about trying to reform the law. Now all of this came before this so called expose at Dodds, but the press was not interested in that because that does not, as I say, sell newspapers. Professor Howard Jones has made certain recommendations and I must say that his experience and scholarship have landed him in conclusions that are not dissimilar to mine. Mine may have been arrived at by accident and his by learning, but some of the specific instructions that I gave early in the year are contained in the recommendations of Professor Jones.

Now I believe, Sir, — I am not acquainted with the law recently — that children under the age of ten are considered in the law to be *doli incapax*; that is the law in Britain, that under ten you are *doli incapax*, incapable of forming criminal intent. The law as I understand it in Barbados is eight years. I understand it is seven years according to the Attorney General. Now I also understand, if my memory serves me correctly, that between the ages of ten and 14 there is a common law presumption of the same *doli incapax*, incapacity to form a

criminal intent. Now our law is archaic in terms of modern thinking in penology.

Mr. Chairman, I am going to tell you something that might be a little bit startling. I have given instructions that all those boys between the ages of 8 and 10 who are in the Government Industrial Schools should be released. That is my view, and I told them that. All those boys between the ages of 8 and 10 should be released on my instructions. I hear some comment from the hon. member for St. Michael South. He was the Minister in charge of the Government Industrial Schools at the time when they were going on the downhill path. As I said, he sowed the wind; the hon. member for St. Michael South sowed the wind; he was Minister in charge in 1967, and I am now reaping the whirlwind; so I am surprised to hear the hon. member making his asides over there.

Now, Mr. Chairman, as I said, there is a common law presumption that there is no guilty intent between the ages of 8 and 10, and there is no doubt that we will have to move in that direction. The days have long past when one can think in terms of punishing young offenders as a form of rehabilitation. There are more enlightened and modern methods of dealing with this problem. One of the most common devices used is the device of community service where a young offender is attached to a certain authority and he is required to carry out certain duties and community service.

6.40 p.m.

This is done to give the offender a new sense of worth and a feeling that he can make a serious contribution to the society in which he lives.

Now I do not understand why the hon. member for St. Michael North Central thinks he is on a good wicket when he tries to make an issue out of this on public platforms, because if we do not as a whole society look at the problems of the Government Industrial Schools and try to put our heads together and consider it a problem that transcends party politics — because, Mr. Chairman, if we turn out from the Government Industrial Schools young men and women who are anti-social and who have a grudge or a chip on their shoulder and feel that they have been wronged by society, they will take it out on the society; and the hon. member for St. Michael North Central knows only too well what happens when he goes out and people break into his place. It is not a problem for one side only but for everybody who has got a decent thought in their head.

Now we are seeking this money to provide certain new amenities for the children at the schools. For instance, we are giving them new clothes. Now I told them earlier this year — and I want the newspaper to put this side now — they put the sordid side first — earlier this year,

in June or July, I gave clear instructions that the boys at the Government Industrial School should be given a new set of clothing. I have seen them in torn and patched up clothing. They have been given that clothing and the money we are asking for is to meet the cost of the new clothes given. We are also asking for a sum of \$50,000 for the remainder of this financial year to continue a programme of maintenance of buildings which has been started since August; we need the money to complete that. The other side did not spend any money on the Principal's residence for the last two years that they were in power. The result was that the building became unfit as a residence and the Principal was unable to live on the compound and provide the necessary supervision. We have started to repair that house so that we can get the principal back on the campus; and this was before I heard of the notorious expose. If there is any decency in the Press they must put the chronology straight. It is not only since the exposure that the Government is doing something about Dodds. The Government was doing something before that — spending money, upgrading the facility separating little boys from the others, repairing the Principal's house so that he could live in it and exercise more control over the boys in the school. I am not pleading to the Press; they can think what they like. But if the facts must be told, I have just told them.

Now, Mr. Chairman, I have taken a further look at this whole question of teenage and young people's offences. I understand it is a shocking figure by any standards. I understand that at some point there were 144 inmates at Glendairy Prison and that 70% of them have been to the Government Industrial School. That is why I am talking to the hon. member for St. Michael North Central; 144 inmates at the Prison and 70% of them former inmates of Dodds. These are alarming statistics by any standards, and what is very significant is that there is an extremely high rate of recidivism among criminal offenders in Barbados. So let the hon. members on the other side play their politics.

Now I believe, Mr. Chairman, that there is no hon. member on that side who can get up and tell me that he has more concern for these young offenders than I have. I defend them in the courts; I know a lot of them up there; I went up to Dodds and talked with them and their parents; I fought the people who tried to detain them, but Mr. Chairman, I want to make it quite clear that in talking about the problem of recidivism that these boys I know currently at the school have been in the school since I left down there; I am not making the point at all that I was responsible for their going up there; they were there subsequently. But what is important at this stage is that the Government which will not shirk its responsibility must look for ways and means by which it can replace a lot of the institutional treatment. We have to look for more

creative ways of rehabilitation, think of more humane and sympathetic ways of dealing with young people who commit offences in this country, in the full knowledge that in many cases when they commit offences it is almost involuntarily that they are victims of a society and a system that causes this and they deserve the sympathy and understanding of all people in the society who think in right terms.

6.50 p.m.

We need also, Mr. Chairman, as I said, to try and get at the causes, we have to go at the causes of what make young people commit most of the wrongs they do in this society. It is easy to write them off and say they are no use, it is quite easy to brand people as criminals and wrongdoers, but quite often, as I pointed out, the root causes of the wrongdoing is something that is born out of the environment, the social environment, the domestic environment, the economic environment that makes wrongdoing a feasible alternative, and we have to get at that.

I am equal to the challenge, Mr. Chairman, and I propose, as I have stated in the Press, that I will institute an investigation into the Government Industrial Schools and I would put the type of person who meets a number of criteria. People with backgrounds in social work, people with backgrounds in probation services, people in community and youth services, people in law, we will put the type of person who will have an important input to make for the solution we are looking for towards the ill in these things. It is not going to be easy, I can see that, but I believe that unless we make a frontal attack at this stage on this particular problem then we are going to have a lot of difficulty in this country in the foreseeable future.

I am prepared, Mr. Chairman, to take a close look at the report that the Democratic Labour Party Government had prepared and then threw aside. As I said, they never brought it to Parliament, in fact it never went to Cabinet. They did not even think it was worth their while to discuss it in Cabinet after they set up a high powered committee of a Bishop, a Chief Justice, a Headmaster, a Crown Solicitor and a Henry Forde, I see. After setting up this Commission with all these high power people, and after all that they threw the report aside, never took it to Cabinet, never put it before the House of Assembly and never took any action on anything contained in it. I had the pleasure of reading this report and finding that it is full of enlightened recommendations. (Mr. TAITT: When was it published?) April, 1968. The hon. member for St. Michael South would know about it, or should have known about it, if he knew what was happening in his department, but it has had very useful recommendations for the correction, and we are going to take a close look at this report to see how much we can implement to cope with the problems.

Mr. Chairman, the laws relating to children in this country span 100 years, and as far as I understand by a superficial research there are at least 22 pieces of legislation on the Statute Books of Barbados dealing with children, and I consider it important that it is time that we try and harmonise all these diverse bits of legislation dealing with children and seek to have one composite, one comprehensive piece of legislation for easy reference that can help us as the tool in trying to resolve the difficulties that exist.

I beg to move that this part of the Resolution stand part.

Hon. H. deB. FORDE: Mr. Chairman, I beg to second that and reserve my right to speak.

Hon. H. B. St. JOHN: Mr. Chairman, the time is three minutes to seven and it is obvious that this debate cannot be concluded in three minutes. I beg to move that you do now report progress to His Honour and ask for leave to sit again.

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

The question was put and resolved in the affirmative without division, and Mr. CHAIRMAN reported progress and asked for leave to sit again, and Mr. SPEAKER resumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Mr. SPEAKER: The time is now 7 o'clock. This sitting stands suspended until 8 o'clock this evening.

On Resumption:

Mr. SPEAKER: This Sitting is now resumed. When the Suspension was taken, the House was in Committee of Supply, to that it now reverts.

Mr. ODLE took the Chair.

The question that Head 15(10) stand part was put and resolved in the affirmative without division.

SUPPLEMENTARY ESTIMATES 1979-80 NO. 14 MINISTRY OF THE ATTORNEY GENERAL - HEAD 110

Hon. H. deB. FORDE: Mr. Chairman, as you can see a full explanatory note is given. I beg to move that Head 110 stand part.

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

The question that Head 110 stand part was put and resolved in the affirmative without division.

MINISTRY OF EDUCATION AND CULTURE HEAD
115 ITEM NO. 24 (NEW) GOVERNMENT
INDUSTRIAL SCHOOLS

Hon. L. R. TULL: Mr. Chairman, this sum of \$113,992 is being sought to carry out certain repairs and alterations to the Government Industrial School.

I beg to move that this Head stand part.

Hon. Miss B. A. MILLER: I beg to second that.

Mr. SIMMONS: Mr. Chairman, I just have a short contribution to make on this. (*Asides.*) I have to respond despite what anybody thinks. The Industrial School, Mr. Chairman, is in my constituency and I have had a close relationship with the School since 1948. In fact, in June this year I paid three separate visits to the Industrial School to see if I could help the then Principal straighten out some of the problems with the boys. He has resigned and since then there has been someone appointed to act as Principal and it is fair to say that in the last few months the condition at the Boy's School has deteriorated substantially.

I want to say that I do not necessarily agree with the Minister of Education that the *Nation's* expose was purely sensational. It might have been sensational, Mr. Chairman, but it was substantially true. We have got to face the reality of the situation at the Industrial Schools. There have been a deterioration over the years. I am not prepared to say because I am not in possession of all the facts as they date back to 1968. What I am prepared to say is that it seems to me that the people who are in authority have tended to abandon that authority or that sense of authority over the last few years.

If you took a look at the physical condition of the Industrial School last year — do not wait until this year when things have happened, — Last year or in 1976 or in 1975, you would note that there had been a deterioration in the surroundings of the School. There is a hedge when you are coming up the road from the Chapel to Dodds. That hedge has been allowed to be over-grown. The hedge around the Principal's house is the same thing.

The yards of the plot where the boys used to produce vegetables to feed the Institution as well as other people, they used to be enough there in vegetables, milk, pigs, chickens or whatever for the Industrial School to be self-sufficient and it used to be self-sufficient. No direction from the top was ever given and so over the years if you drove into that place you wanted to drive back out because the yards and the surroundings were in a very untidy and unpleasant situation.

It seems to me that I have to blame the people in authority. It is not only the boys. You are dealing with

difficult children but it is not only the boys who are at fault or who have been at fault. If the members of staff do not co-operate the one with the other then there is no unity in the staff and the boys themselves recognise this and they are going to play on the fact of disunity of members of the staff and that of support especially at the top.

That is the principal problem that I have identified although there may be other diagnoses, of the problems but the principle cause of the present situation at the Industrial Schools I believe, has been the lack of direction from the persons in authority, a lack of co-operation between them and a lack of commitment to their job. I say that unhesitatingly. If I have mashed any corns, I am sorry but it is true.

There has been no proper regime set out for the boys at Dodds. I remember when I was there for the 12 years between 1948 and 1960 we had bigger boys, physically bigger boys than you have now and you did not get the problems that you now have because there was a strict regime.

At 5 o'clock in the morning the 60 or 70 boys would be up. They would have a bath and by 6 o'clock they would have had tea or breakfast. From 6.30 a.m. to 8.00 a.m. they had duties to do in and about the place. Some were cleaning animal pens, some were cleaning the lavatories and the baths, some were cleaning the yards, trimming the edges and so on. Every one of these inmates were employed usefully between 6.30 a.m. and 8 a.m.

There were classroom instructions between 8 a.m. and 12.00 noon. Lunch was at 12.00 noon and from about 3.30 p.m. I think it was, they had vocational training instructions, carpentry, masonry, animal husbandry, shoe making whatever and all of them were there. There were trade areas, more participation and all of them had to work.

In the afternoon from 4.30 p.m. until 6.00 p.m. there were organised games under supervision. Nobody ever ran or absconded in the proportion which they are doing now. Nobody ever did it then. In the afternoon there were organised recreational activities. They had no television. They had Rediffusion, table tennis whatever was being organised. Then they had tea, went to bed, got up in the morning and the routine continued. That was within the Institution.

In addition to that one of the great problems at Dodds this year, as told to me by the boys themselves the three Sundays that I went up there is that they have not been allowed to mix in any way with the open society. Now in the olden days, the boys used to go and attend cricket matches. They used to play in the BCL.

They used to go up to camps in the Summer in the afternoons. I myself as a boy went to one down at Half Moon Fort and at Walkers.

Boys on good behaviour would be allowed to go out on weekends. They would be allowed to spend a weekend with their relatives and come back in.

8.10 p.m.

All of that seems to have died at Dodds in the last three years and the chaps resent it. They are in an open situation and if you do not organise them in such a way that they can join other members of open society, but on an organised basis, then they are going to rebel.

I agree with the Minister that one of the worst things that could have been done, was to over-expose in the newspaper, the situation at Dodds for this reason. When I went there in June, it was after the Nation headline "Dodds in the Dumps" which came out in March or April this year, I tried to talk to the boys and the first thing they told me was look the Nation say "Dodds in the Dumps". What do you expect? We are going to behave like we are in the dumps.

There is no point, Mr. Chairman, in thinking that the solution to the problems at Dodds lies in imprisonment as has been happening in the last couple of weeks, because at District C he has been sending them down to prison. That is the short term way out of a problem, that is not the answer. The answer is not to hold prayers for two hours and ten minutes 2 or 3 Friday mornings ago and preach the religion of unity. That is nothing to do with it. You cannot solve the problem that way. You have to organise the chaps to work within the institution and then give them areas where they can express. Their pent up talent sometimes emerges.

The first corrective measure, I think that this Government can adopt is to start looking seriously at who you have on the staff and whether there are any necessary changes that have to be made, Sir. I believe, Mr. Chairman, that the person in charge of an institution like the Government Industrial Schools must be a person who understands, who has been trained in the problem of social grievance. To pick up any person who is going to come heavy handed is going to further exasperate. The chaps will act out their aggression against physical objects like chairs, benches, beds — they will break them up. There will be mass vandalism unless you have somebody at the top who understands. I do not mean to be suggesting that the staff should be too soft or too theoretical, but I believe that some response has to be made to the attitudes, needs and problems of the inmates themselves.

In time to come, I hope in the next couple of months, the Government will see the wisdom of changing

the Law in Section 7 of the Juvenile Offenders Act. At the moment, the age of criminal responsibility in Barbados is 7 years. That is completely out of line with other countries. It means that you are creating a criminal population at 7 years old, when in fact, a person of 7 can hardly understand what he is punished for. Every year since I have been in this House and during the time that I have been back in Barbados I have seen pleas made for it. You have got to decide once and for all to separate the age ranges at the School.

I do not agree with the Minister who said he had ordered separation of the little boys from the big ones before the expose. That is foolishness, Sir. You cannot separate the little boys and the big boys at Dodds. You cannot put the little boys to sleep in No. 4 dormitory and the big boys to sleep in No. 5. They are going to walk down the steps and have homosexual relations with the little boys the same way. You have physically to separate the big ones from the small ones. Send the big ones to another plantation house somewhere or the other and the Government take up that and set up an institution in another parish or whatever. But you cannot achieve separation in the same compound. They have to mix at sometime, and I tell you the worse time is at night when you have one overseer. You have one Instructor or whatever you call them on at night, a watchman who has got all that compound to patrol. That is no security. In the old days there used to be a clock on each dormitory to check on the boys. The boys will come down, they used to do it in the old days and they will do it now, Sir, when discipline is even less firm than in the past. You have got physically to separate them, you cannot segregate them within the institution.

I would like to see, Mr. Chairman, a programme where we invited people with skills from the open society to come and be attached to the Industrial Schools in various trades. There should be a shoemaker. Mr. Jackman used to go two or three times a week and hold shoe-making classes for a particular set of boys. There must be somebody there who is a skilled carpenter attached to the staff so that in the afternoon, after lunch, each group of fellows would have a skilled artisan attached to that group who would give them proper instruction. You cannot be satisfied with the situation where you can drive into Dodds and see the boys running all over the place and somebody sitting down on a bench with a newspaper in front of them, head down sleeping. That is no supervision. Or, as happened when I went to a funeral about 3 weeks ago and I come through Padmore and saw a group of boys at 5.30 in the evening breaking the people's canes, next door to the Vice-Principal's house. About 10 boys were breaking those canes and further down another set breaking the people's canes. Nobody was around. They go up in the village at Miss Wharton's shop and buy

rum for all kinds of people. All that must stop. We must be able to enforce the discipline. It used to be encouraged in the past, people would send them out to buy rum. People on the staff would send them out to buy rum and cigarettes and so on.

There is a situation there where everything is starting to go down hill. What do you expect? Now, they tell me that the staff is interfering with the boys, that is because when the boys came in, the staff never dealt with them. In the old days when a fellow was sent up, there used to be a reception room where he was kept and he was given certain tests as to his attainment and so on. You would be surprised to see how many showed a mental retardation between 3 to 6 years. None of that happens now.

When last has anybody from the Government Industrial Schools won a first prize in anything at an exhibition. They used to send exhibits to the Annual Exhibition, the boys and girls. The boys used to win prizes in every division of woodwork in this country. It does not happen now and it has been because — I am not blaming this Government — but I feel that people have tended to neglect the Industrial Schools because they feel you do not hear of any problems up there. You did not hear of problems until this year and it would seem that things were right.
8.20 p.m.

They have been wrong for many years. All that has happened is that it has come out in the open now. I blame myself for one thing connected with the Industrial School and it is that we got a better bus route through Padmore Village, and the boys have utilised the fact that the bus route has improved to get on the bus and come down to town.

Now money has been passed in here today for clothes for these boys. I want to know what kind of clothes you will give them because they should have uniform. They should be returned to the khaki days, going back to the days when Leroy Brathwaite was in khaki. Some of them have done well. The former Senator was one; he has done well. There are examples in this society that those boys should be taught to emulate, and I am not suggesting that he is one necessarily, but there are boys who have been through and have done well. As long as I have known Dodds they had the khaki pants and khaki shirt. When we first went there they had a topee; you got rid of the topee, but I understand that the boys wear their own clothes. Well when ten abscond a night and are found out by Oldbury, the only way you can identify them is because the person who finds them knows they are Dodds boys, but the police would drive all around and cannot find them because they have no means of identification. If you had khaki uniform you could tell it was them. The Sunday uniform used to be

a different thing, grey pants an white shirt, shoes and socks; but if you are going to buy clothes, buy a uniform to help in the problems of recapturing them when they abscond.

Mr. Chairman, I am not going to speak any longer on this matter. I think I have given some indication. It is all right to cry down. It is all right for the Opposition to make a political issue out of it as a means of attacking the Ministry to say that the Ministry in this particular area has failed. But the Minister is quite right when he identifies that the problem has serious consequences for the society at large. I am not saying that any member of the Opposition in here today has laughed at the situation or taken any comfort for short term political gain, but I am saying that outside that has happened, and I think it is very short-sighted. The statistic that 17% of the 144 or whatever they are present have a history of Doddsism is one we should bear in mind. It may show that we have failed to a large extent in preparing these people for the open society. In 1958 thirty-three boys were discharged and the after care committee was able to find jobs for thirty of the 33 who were discharged in that year. I would like to hear what is happening now, how many of them are being employed, and to what extent is the after care service a success or not, because one of the things that was brought home to me by one of the boys I spoke to — I think he was discharged in June this year — was that nobody was making preparations to help him when he went back out. If he comes out with no money, nowhere to go because a lot of them come from broken homes, he is going to find himself in bad company sooner or later trying to get money and he is going to slip back into crime. So if we want to assist the problem of recidivism we must ensure the continuity of the after care service is so organised as to be able to put this fellow on the right track.

As I said, there are many in Bridgetown whom I see daily holding good jobs, some ministerial in all, and there is no reason why the boys at the Industrial School today should feel that they have no place in this society or that no one is going to do anything to ensure they have a place. Part of the problem rests with the boys. Part of the problem is that you have a variety; you have the aggressive types, you have the timid types, you have types who are self-reliant, you have other types who must have somebody to lean on; you have an all-range school from 7 to 19, all mixing up. Two that got murder this Sessions reduced to manslaughter are up there and are now mixing with eight year olds. You do not tackle the problem and determine that there must be some separation and you have clear goals. The name is still in the Act, the Reformatory and Industrial School, and you will have to give these words some meaning. If you are going to maintain one institution for the time being, ensure that your regime is such that they have set hours for classroom instruction, set hours for vocational training, set

hours for recreation within the institution and the ability to move around in the society for good behaviour. In other words, try and encourage discipline by a system of rewards, if you like. One of the systems of rewards has been licensing provisions where the Minister can order the release of a boy unconditionally from the school, and I think if they are told this and we attack it by having a rapport with them, we might start to return Dodds to its former heights.

Hon. L. R. TULL: Mr. Chairman, I am grateful to the hon. member for St. Philip North for his statements on this particular Resolution.

Mr. CHAIRMAN: If you would give way, the hon. member for St. Michael South wants to make his contribution to the debate.

Mr. SANDIFORD: Mr. Chairman, in making my contribution to this particular matter, I should like to say that I listened to part of the address by the hon. member for St. Philip North and it was filled with a great deal of commonsense and good sense on this particular issue. He can speak from a background of detailed knowledge and as someone who is interested in that particular institution, and I could not help but reflecting that the type of regime which he was indicating should prevail is in fact the regime which I recall prevailing certainly by the time I was leaving the Ministry of Education in about 1975. I cannot tell what has happened since then. At that time I know that there was a strict regime in terms of hours for work and recreation and there was a great deal of training provided. There was training provided in agricultural technology and animal husbandry; there was training in carpentry and masonry; there was training in tailoring and handicraft. Would you believe it, Mr. Chairman! There was also training in mattress-making and in shoe-making, motor mechanics and so on, and the girls also were given domestic science and handicraft among other things. 8.30 p.m.

I myself recall visiting that institution — the girls were given domestic science and handicraft; there were periods for recreation and drill and there was a routine and a regime. And one thing with these institutions, if you do not have that routine and regime the old saying still holds that the devil finds work for idle hands to do. The Minister can tell us about the livestock they have there; about agriculture. Dodds was a plantation; there was a vegetable plot of about six acres. There were problems because of a lack of irrigation and they had to rely on the rainfall, but they used to cultivate the land for vegetable and then they went on to certain other food crops as well; and I recall that they went in for a poultry project. I believe they started with about 500 broiler chicks. I remember visiting on one occasion with my Permanent Secretary and I remember he got a cut on his forehead while visiting this project.

It is wrong for the Minister to call for a bi-partisan approach on this matter and then go on to blame the previous administration for what is happening now at Dodds. I do not think that approach very helpful; you make a call on one hand for cooperation and then criticise on the other. That type of approach will not work, because if you criticise us we will criticise you. And the only reason why I am speaking is because my name has been called in vain and I am constrained to make a reply. The fact is that when we look at Chapter 169, *Reformatory and Industrial Schools*, there may be ways in which the legislation may need updating but there is nothing that cannot be done within the framework of this legislation that cannot pull this school back to where it should be. The legislation places a clear responsibility on the Minister to maintain the school on Dodds plantation and to maintain the buildings standing and erected on that particular plantation. There is to be a programme of instruction and training in agricultural work for the boys and as often as necessary the Minister shall make all such alterations or repairs as may be required, and it is a responsibility of the Minister to provide for the schools all such furniture as required and all such implements, utensils and things as are required for the agricultural work in which the boys sent to the school are employed. There is a clear responsibility in this Act for the Minister to do certain things.

Now it is clear that there has been a breakdown somewhere. The Minister has said that his shoulders are broad and that he will defend the people in his Ministry directly and those outside of it who may fall under his responsibility. Wherever the blame is, something obviously has gone wrong and there is no point coming in here and for anyone on that front bench for three years to be blaming anyone over here for what is going wrong. In three years you can build the largest building in Barbados; in three years you can repair the largest building; It can't take three years to find clothes and beds. So to come now to blame me as a former Minister or any other previous Minister of Education for what is taking place at Dodds today is beside the point and is starting off on the wrong foot. Three years is more than enough to carry out repairs and to supply furniture clothing and what not, so for the life of me how anyone can accept that type of "not me but a previous administration" — it may work in other things but not in this case. There is a clear responsibility on the shoulder of a Minister who has been a Minister for three years not to come today and blame a previous administration but to come and admit that something has gone wrong at the Government Industrial School and that they are taking measures to deal with it; not come and blame a previous administration; three years is enough to correct what has taken place.

Now I want to make a statement about the Press. It is quite easy to blame the Press for highlighting ills in the society. I know there may be a temptation to do that. I

have seen in other societies where through the vigilance of the Press ills and cancers in the society have been exposed and as a result of that exposure remedial action has been taken to the benefit of that society. It was through the investigative skills of the reporters of the Washington Post and other reporters in the United States that certain cancers in the body politic of the United States were exposed and measures taken to deal with them. Only a few weeks ago in Britain the questioning of reporters brought out certain problems as far as the security of Britain was concerned and the people engaged in spying activities. So if the Press in carrying out its duties highlights problems in the society I do not think that they should be beaten with many stripes. What we should be concerned about is not to blame the Press but to say that these were problems which we overlooked; there are real problems and let us see how to deal with them. They tell me in the Press today that it is difficult to get the type of answers they want, so they have to pry for themselves. So from time to time they are going to earn the ire and the wrath of those who are in political authority. But they are courageous; they will stand up and continue to do their work.

8.40 p.m.

I do not know if they went in illegally or not, however they got in there I suppose they are prepared as journalists in their profession to be responsible for their actions, and if they do something illegally no doubt they are prepared and were prepared to stand the consequences of that particular situation, but I just wanted to get that particular point clear. I am not being critical in any way, all I am saying is that it is wrong for anyone out there to come to blame the previous administration for any breakdown in the Government Industrial Schools, that the period of time they may have been in Government is enough to be familiar with what the problems are, and if it was building a new school you had time enough; three years is time enough to do that. If it was a question of repairing, three years is time enough. This is a point that bears repeating, because you seem to be able to think that you can go on blaming the Government and that people will swallow that line that all the ills that exist are due to a previous administration. Not so, certainly not in this case, though we have a problem as far as reform of legislation dealing with reformatory and industrial schools may be concerned may be a problem which is confronting this society for a long time.

The question of separating the older boys from the younger boys, that is something which might be examined and you may come up with solutions for that. Let me say I am not passing any judgment of what the solution may be, I know there is a tendency to talk about borstals, but I know that the very borstal system is under criticism in Britain itself as being the wrong approach in dealing with these matters. There is no one clear solution to these

problems, because what you may think is a solution may turn out not to be the solution.

First of all, let me make the point that there was a time in this society, and indeed in Britain itself, when all offenders, children and adults, were in the same penal institution, and it was as a result of legislation passed in this country that a separation was made. That is why Dodds Plantation was bought, to separate them, and I agree with the member for St. Philip North, you cannot separate them on the same compound unless you put up barriers to get two different buildings, you cannot do it. (*Asides*). I am happy to err with the member for St. Philip North. That is precisely what I am saying, you would have to put up separate buildings on separate plots for it. You may be able to sub-divide it, but you will have to put up a separate institution altogether.

We have heard about doing service in the community. This is a type of reform for dealing with a certain type of young offender. There is no doubt about that, I believe committees in Britain have studied this particular problem. I do not know, I did not hear the learned Attorney General on this. There have been committees set up to study this. We read the same literature, legal or not, whether it was the Seagal Report or the Kilbrandon Report for Scotland, we know the literature on the subject, community service orders or whatever they may be, all of these are approaches which can be studied, and when once some type of consensus has been achieved on the matter then you can take decisions, but even that report of the committee which was set up not through the Ministry of Education but through, I believe, the Ministry responsible for welfare, it was a pretty large body as far as I can recall, the name of it was the Report on Children and Young Persons — I do not remember the exact name — but I am saying that even in terms of that report you are looking across here to blame the previous Government. All right, we take the responsibility that the report was produced and that it was not laid in Parliament. It was being studied in the various Ministries responsible, but what I am saying is that you have been in power now for three years and three years is time enough to study any report. You had the Nicholls Report and you studied it in less than three years, you had three volumes of the Report of the Commission on the Status of Women and you studied that report and you brought it down to the House and you took decisions on it, so how come you are going to come and blame us now? You have had three years to study the report yourself and you have up to this day not laid it in Parliament, and you have up to this day not taken any decision on it.

When I study it I will also tell you what we did on it, but all I am saying is this. Whatever measures the Minister has for the improvement, for correcting the situation which occurred under his administration and

which will be for the improvement of the care in the institution and the after care of those in the reformatory and industrial schools will find support from this side, but all we say is if on these matters you say we must be bi-partisan because what happens there affects us all in this society, you cannot come and launch the same time you are calling for that bi-partisan and bi-polar approach, you cannot come at the same time and try as they say in good Bajan, "to juck out our eyes."

Hon. H. deB. FORDE: Mr. Chairman, I will be very brief on this matter. I intervened in the debate merely to put things right, because although I believe in the strong sincerity of the hon. member for St. Philip North and the hon. member for St. Michael South, I think that both of them minimise to a large extent the drastic changes which must be brought about before we can deal with the problem of children in this age group who are presently sent to reformatory schools, and I believe that they both laid stress too much on maintaining the existing system and seeing it only in terms of discipline, drill, providing beds and all the other facilities that are being asked for in this Resolution.

Obviously the Minister is quite right when he says that this is a problem that confronts the whole society and that it is a problem which involves our attitude to penology and trying to bring proper concepts into dealing with the situation of children who are obviously in need of care. The only point I will concede to the hon. member for St. Michael South is that perhaps the problem pre-existed his Government in that it is the problem of how the society has for several years approached these children, but I will never concede to him at any time that his Government took any step of any value to deal with the fundamental problem at all. 8.50 p.m.

For this reason, Sir, the Committee which reported in 1968 was set up by the then Minister of Health, the Hon. DaCosta Edwards in 1962. I was Chairman of that Committee. I was Secretary of the Committee and I remember using my own funds even to provide stationery. The Government set up a Committee and this Committee made recommendations.

Some of these recommendations were of a very confidential nature as to how one should approach the issue of children in need of care and attention and the Government made a half-hearted start at the Child Care Board namely with children who were going to Day Care Institutions but failing to look at the juveniles between 17 and 18.

Now, Sir, we must disriminalise a lot of the factors which cause these children to go into such homes. For instance, a large number of children are sent there for swearing and cursing. They had no right to be there at all.

Let us be frank about it. What the children really need is what the Minister said. They need to be placed, and those who cannot under the aegis of the Child Care Board, probably some of them being kept in what we call Foster Homes with probably some counselling. They should not be put in Institutions, so that the hon. member's Ministry and his Government failed to look at this basic fact in approaching these children.

It is nonsense to talk about the fact that this Government had three years and it could have built an Institution. Again he is making a mistake in believing that the answer to this problem is simply building a new Institution or repairing a few buildings. That is not the answer at all. The Minister should point out to the hon. member that we had set up a Committee to study the 1968 Report and that Committee reported to an Internal Inter-departmental Committee comprising of persons of various Ministries reporting earlier this year to us. I think it was something like three or four months ago, just before the then Chief Probation Officer, Miss Hildergarde Weekes retired. It is one of the last documents that she has handed in. It is now being studied and we hope that we can bring that too before the House.

In addition, the Minister of Education agreed with my suggestion in bringing Professor Howard Jones here and his Report when it has been studied by Cabinet and laid in the House will show that he had due discussions with the Minister well ahead of any expose you saw in the Newspapers because we were conscious of the defects that were existing not only in the physical building but in the concept of how you approach the problem of what one would now call "young offenders." I prefer to say "young delinquences" or young children in need of proper care and protection for various matters.

It means changes in the concept of how we adjudicate misuse involving these children. They should be looked at by the Child Care Guidance Officers and not called before the Court as the hon. member seems to be pleading to get people before the Court and send them up to the Institutions.

I think the Minister has a very good point, no matter how strongly I feel about freedom of the Press. I am not saying that the Press should not have adverted to the conditions but he has a good point when he says that if you over publicise the situation where you make these children believe that they are star-boys and star-girls and you do not put a little balance in an article of this nature to bring responsibility on the children well, of course, you make the children their own worst enemies. That is what I understood the Minister to say.

There is no use changing the whole thing around as though the Minister is making an attack on the Press for doing their work but I think any responsible person in

the community must say to the Press as well that the responsibility of the Press is not only meant to expose something that is wrong, it means a constructive and total approach to the problem and it is on that question that although I welcome some idea of what was going on up there that I would have liked to see the Press also exercise a degree of restraint in the way in which they approached this problem.

Had they asked the Minister or anyone of us who are looking at this problem on a day-to-day basis, we would have given them on a confidential basis Howard Jones Report to show them what the Government has been doing in restructuring the whole system. We would have showed them that the Ministry of Education, the Ministry of Community Services, the Ministry of the Attorney General and the Ministry of Health are looking at the problem in order to have a long-term plan for dealing with this.

Let me give you another instance. We have been trying to find a building to take young people between 15 and 18 out of the Prison. It was recommended to us that we use one of the Agricultural Stations. We were not able to get that. We have a high capital cost to do this plus a recurrent cost. That is one of the areas where we are trying to separate the younger offenders from the hardened criminals. That is only one of the several approaches which the Government is taking in attacking this problem because we do not believe in piece meal autocism in planning and it is a pity that conditions that have pre-existed at Dodds before should only be highlighted now when actual positive planning is going on to deal with the problem.

I do not accept, as the hon. member for St. Philip North is saying, his memory on this point. I can recall since I have been back here between 1959 and prior to 1976 instances in which there have had very bad conditions at Dodds. I know the personal interest which the former member, and his distinguished father had in these issues but I also know for a fact, Sir,....

Mr. SPEAKER: It is now the moment of Interruption. I have just enquired whether the Item under discussion is controversial. Is the Item under discussion controversial?

Hon. H. B. St. JOHN: No, Sir.

Mr. SPEAKER: Is the item under discussion controversial.

I cannot have two hon. members on their feet at the same time.

Mr. SANDIFORD: Mr. Speaker, you ask if this particular item is controversial. All I can say is that it has

been controversial up to this point. Whether it continues, Mr. Speaker,....

Mr. SPEAKER: I am now hearing that it is controversial. It is either controversial or it is not. Is the item controversial?

Mr. SANDIFORD: It is controversial, Mr. Speaker.

Hon. H. B. St. JOHN: Mr. Speaker, the hon. member has spoken already so I do not see how it is controversial. There is no other hon. member on the Opposition Bench so we can put the question. I will put the question. There is no other person over there to speak, Sir.

Mr. SPEAKER: I want to inquire. Is the item being vigorously debated or is it controversial? I am advised by the lone Opposition member that it is controversial.

Hon. H. B. St. JOHN: Mr. Speaker, from this side it is not controversial because there is nobody over there to speak and we are supporting it from this side.

Mr. SPEAKER: The hon. member from the Opposition has already made his contribution?

Hon. H. B. St. JOHN: Yes.
9.00 p.m.

Hon. H. B. St. JOHN: Mr. Speaker, Sir, we are waiting to put the question. This matter could be completed in half an hour, Sir.

Mr. SPEAKER: I am advised that the hon. member for St. Michael South did not speak against the Resolution. I do not deem this Resolution to be controversial at this point. The matter is controversial at this point.

Hon. H. deB. FORDE: I am not going to continue my speech. Perhaps when we lay the Report I will get an opportunity to talk on this matter.

Hon. L. R. TULL: I beg to move that this Resolution do now stand part.

Hon. H. deB. FORDE: I beg to second that.

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

SUPPLEMENTARY ESTIMATES 1979-80, NO. 15 HEAD 116 MINISTRY OF EXTERNAL AFFAIRS

Head 116 Item 4 was called - Permanent Mission to the United Nations.

Hon. H. deB. FORDE: I beg to move that this Item stand part.

Mr. CHAIRMAN: The question is that Head 116 – Item 4, stand part.....

Mr. SIMMONS: Since this deals with external affairs, I have a comment to make. Barbados and Trinidad are both in the United Nations. Mr. Chairman, I understand that earlier this year an agreement was settled between...

Hon. H. deB. FORDE: On a point of order, Sir. We are dealing specifically with an item under Capital Estimates for the United Nations Mission. Every Head must come under External Affairs and we must deal with a particular Head but this is a sub-head of the Estimates.

Mr. CHAIRMAN: I am sure that the hon. member will have an opportunity to speak on this subject.

Mr. SIMMONS: Mr. Chairman, do you and the Hon. Minister know what I am going to talk about? You said that I would have an opportunity to speak on it in the future.

The question that Head 116 – Item 4 stand part, was put and resolved in the affirmative without division.

On the motion of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, Mr. CHAIRMAN reported the passing of two Resolutions in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. H. B. St. JOHN, seconded by Hon. H. deB. FORDE, the Resolutions were read a third time and passed.

Item 9 was called – A Resolution to approve the compulsory acquisition of land at Arthur's Hill, Tweed-side Road, for the purpose of highway improvement.

Hon. H. B. St. JOHN: As Leader of the House, I would like to deal with this Resolution. It is a Resolution Sir, to acquire 72 square feet of land for road improvement. The land is butting and bounding on certain lands of Neville Graham, Doorly Atwell and on land of the Barbados Government and in order not to hold up the work, Sir, it is necessary to resort to the land Acquisition Act.

I beg to move that this Resolution do now pass.

Hon. H. deB. FORDE: I beg to second that.

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

ADJOURNMENT

Hon. H. B. St. JOHN: That concludes the Government Business for today. I beg to move that this House do now adjourn until Tuesday, 4th December, 1979 at 12 o'clock noon.

Hon. H. deB. FORDE: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly at 9.10 p.m.