

# THE House of Assembly Debates

## (OFFICIAL REPORT)

SECOND SESSION 1981 – 86

### HOUSE OF ASSEMBLY

*Tuesday, February 11, 1986.*

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock, on Tuesday, February 11, 1986.

#### PRESENT

His Honour C. L. Bolden, LL.B., (Speaker)

His Honour R. E. Brathwaite, (Deputy Speaker)

Hon. L. S. Craig, (Minister of Information, Telecommunications and Leader of the House)

Hon. H. B. St. John, Q.C., LL.B., (Prime Minister and Minister of Finance and Planning)

Hon. B. A. Miller, (Minister of Education and Culture)

Hon. L. B. Brathwaite, (Minister of Housing and Lands)

J. G. Odle, Esq., B.Sc., (Chairman of Committees)

B. M. Taitt, Esq., B.A., (Hons.), M.A., LL.B. (Hons.)

Hon. L. R. Tull, Q.C., M.A., (Minister of Commerce, Industry and Consumer Affairs)

Hon. A. Truss, (Minister of Tourism and the Environment)

O. S. Arthur, Esq., M.Sc., (Econ.), (Parliamentary Secretary, Prime Minister's Office)

Hon. D. A. C. Simmons, Q.C., LL.M., (Attorney General and Minister of Legal Affairs)

*Prayers were led by Rev. Father Ivan Harewood.*

Mr. SPEAKER: The House is in session.

#### MINUTES

Mr. SPEAKER: The Minutes of the Meeting of Tuesday, the 4th day of February, 1986.

Hon. L. S. CRAIG: Mr. Speaker, I beg to move, Sir, that the Minutes of the Meeting of Tuesday, the 4th day of February, 1986, be taken as read.

Mr. SPEAKER: If there are no observations or objections, let the Minutes stand confirmed.

#### ANNOUNCEMENTS

Mr. SPEAKER: I am to announce that I have received:

Accounts and Statements for the month of December 1985 as prepared by the Accountant-General.

#### PAPERS LAID

Hon. L. S. CRAIG: Sir, on behalf of the Minister of Finance, I am commanded to lay the following:

The 16th Annual Report and Financial Statement of Accounts of the Barbados Development Bank for the year 1984–1985.

Statement showing Net Customs and Excise Receipts for 8 months ended 30th November, 1985.

The Report of the Welfare Department for the years April 1981 to March 1984.

#### GOVERNMENT NOTICES

Hon. L. S. CRAIG: Mr. Speaker, Sir, I beg to give notice of:

A Resolution to approve of the compulsory acquisition of land at Speightstown, St. Peter for the construction of the New Speightstown Bus Terminal and for a playing field.

#### ORDERS OF THE DAY

Hon. L. S. CRAIG: Mr. Speaker, I beg to move, Sir, that Government Business be the instant Order of the Day.

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

## SUSPENSION OF STANDING ORDERS

Hon. L. S. CRAIG: I beg to move, Sir, that Standing Orders 6, 16, 18, 20, 42.5, 43 and 44 be suspended for the remainder of today's sitting.

Hon. L. R. TULL: I beg to second that, Sir.

*The question that those several Standing Orders be suspended for the remainder of today's sitting was put and resolved in the affirmative without division.*

Hon. L. S. CRAIG: I beg to move, Sir, that Government Business be the instant Order of the Day.

*Hon. V. L. JOHNSON, Hon. H. deB. FORDE and Mr. H. A. BLACKMAN entered the Chamber and took their seats.*

### Asides

Mr. SPEAKER: The Honourable Leader of the House has already moved such a motion.

Hon. L. S. CRAIG: Order No. 1, Sir.

Mr. SPEAKER: Order No. 1.

*Order No. 1 was called – To move that the House resolve itself into Committee of Supply, to consider the grant of sums of money for the service of this island.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. J. G. ODLE in the Chair.*

## COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee of Supply.

### SUPPLEMENTARY ESTIMATES 1985–86 No. 25 \$110 000

#### HEAD 75 – MINISTRY OF LEGAL AFFAIRS

Hon. D. A. C. SIMMONS (St. Thomas): Mr. Chairman, Sir, Members of the House will recall that, some months ago, I announced that it was Government's intention, effective April, 1986, to appoint an additional judge of the High Court. Subsequent to that statement of intent, the Supreme Court of Judicature Act was amended about three weeks ago to provide the legislative and statutory basis for increasing the number of judges.

Over the years the workload in the courts in Barbados, generally, has increased substantially, to the

point where we think it is now absolutely necessary, in order to achieve a fair and equitable distribution of the work, to appoint an additional High Court judge.

As Members are aware, Sir, currently the Supreme Court building in Coleridge Street has accommodation for four judges. If we appoint a fifth judge, we have to give him commodious chambers from which to operate, and a court whose facilities and amenities are reasonably comparable to those which exist in relation to the other four courts.

There was a fire in October, 1983, which destroyed the Civil Office and the Marshal's Section, and did damage to Supreme Court No. 3 and Supreme Court No. 4. Those latter two courts have been rehabilitated, and the top floor of that old building has been converted into a Magistrates Court of Civil Jurisdiction for the District A area.

What is proposed is that the former District A Civil Court, that is, the one in the Registry Section when you go up the steps – before you go into the Registry upstairs it is immediately on your left – be converted into the fifth court. I have the plans with me in the event that any Members are interested in the architectural design. Suffice it to say that the former District A Civil Court is being converted in such a manner as to allow for the court room, adequate judge's chambers, an additional jurors room and adequate lavatory facilities. It means we have to step back from the present location towards the library to get, I think, a proper design for the court that will meet the required standards of a High Court, until some time in the future when we develop a completely new Supreme Court complex.  
12.25 p.m.

The figures supplied by the Ministry of Transport and Works show that work started two weeks ago. The materials necessary, and the equipment and furniture that will be necessary for this court come to \$110 000. That, really, Mr. Chairman, is the worth of this Resolution which seeks to grant the sum of \$110 000 to equip this additional court.

According to MTW, the work will be completed in time to ensure that the fifth judge can have a court to resort to on April 1. I am not a construction planner or an architect, and I know very little expertise in the construction area apart from Construction Law – I will know something about that – so as to that forecast, I can only give the House the assurance that I have on the authority of those who are more conversant with constructing matters than myself ....

*Aside.*

Hon. D. A. C. SIMMONS: No, no, I did not say the Minister. I said the Ministry of Transport and Works has given me the forecast that we should be ready to start on the 1st of April.

Mr. Chairman, I want to take this opportunity to compliment the judiciary of Barbados, both the seniors and juniors, that is the judges and the magistrates, for the work they have been doing on behalf of the public of Barbados over the years. We have a judiciary of which we can all be proud, that is perhaps the envy of many Third World countries in terms of its competence and its integrity, and long may it continue. If the improvement of physical facilities will further enhance the dispensation of justice, you can rest assured that, as long as I have the responsibility for this Ministry, their needs will be duly attended to with dispatch.

At the time of Estimates I will have a lot more to say in terms of planning, but I can say that one of the improvements that will be brought to the Supreme Court after April 1, 1986, is that I shall be providing an electronic sound system in each court so that witnesses and judges and those having to do business inside the court-rooms will be better placed to hear and deal with the proceedings. At the moment we operate as we have throughout the history of our existence — without any electronic assistance and with great competition from the noise of Coleridge Street and the surroundings of the courts. As far as possible, courts will continue to be air-conditioned, we will keep out noise and provide for more congenial and commodious atmospheres within the courts and at the same time I intend to improve the aids — not the disease, the electronic aids — to the judiciary.

I was rather disappointed, since I am Minister of Legal Affairs, to have read in the *Advocate* an article by one Douglas Leopold Phillips, but it was a letter, I believe, written by E. W. B. and signed by him, in which he sought to give the impression to the readers of that newspaper, (a) that there is a severe drug problem in Barbados, (b) that it started under the Barbados Labour Party, and (c) that the Barbados Labour Party is not doing anything effective about it. I wish to disabuse the public's mind once and for all about this.

The fact is, we have had a steady build up of drugs, starting with marijuana from the early 1970s to the extent that in 1974, it became necessary for Dr. Caddle, when he was Minister of Health, to amend the Narcotics Act to provide then that so long as you were found in possession of cannabis, by whatever name called, and whatever it was — the female part of the plant or male part of the plant, you were liable. Subsequent to that, having regard to the interpretation of laws and the need for legislation to deal with problems which were showing themselves over time, drug legislation in Barbados was amended as recently as 1983 — I believe the Act 1983,

No. 29 — which provides for very stiff penalties indeed, and allows for the court to confiscate the profits, or vehicles, or conveyances used for the purpose of distribution of drugs. The penalties were made stiff by this Government. A number of police officers have been trained specifically in the area of drugs, locally and overseas, and the courts have been doing their best in the cases, when they come before them, to mark down society's disapproval of drug abuse and misuse in this country.

Lest it be conceived that nothing is being done, I wish to give the House the provisional statistics of drug offences for the year of 1985 — provisional, they are not final and complete — and you can copy: cases brought — 234; persons charged — 241; found guilty — 96; found not guilty — 2; pending — 136; possession of marijuana — 219; cultivation of marijuana — 8; possession of cocaine — 7. Those charged under age 16 — 2; listen for this one now — those between the ages of 16 and 30 — 173; those age 30 and over — 66, and the final statistic relates to 25 non-nationals who have been charged with drugs in Barbados.

12.35 p.m.

The Government has set up a task force — completely free from political composition, inter-disciplinary, inter-departmental, of a secret and confidential nature, which obliges me not to disclose for public consumption its composition. Friendly Governments are co-operating with the Barbados Government and the Royal Barbados Police Force in devising stratagems and tactics to counter the drug problem. The Ministry of Health, the Ministry of Education and the Ministry of Legal Affairs have embarked upon individual plans, which are being co-ordinated by the task force, to fight the war on four fronts which I have made public several times, and I do not intend to repeat today.

I wish the country to be assured that the police and the Government are doing everything in our power to try and eradicate this terrible, wicked illness from the society. We require public co-operation, and I make an appeal for the public to share information, on the strictest confidential terms, with the police authorities so that we can enhance our intelligence gathering capabilities.

I just thought, having regard to what I read on Sunday, that it was time that a full statement was made in here to Members of the House so that all could be aware of the way the Government views the matter of drugs and the fact that we are taking active and determined steps to root that menace out of this society.

With those few words, Mr. Chairman, I beg to move that Head 75 stand part of the Schedule.

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

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, it is obvious, or should be, that this side of this Honourable House will not oppose a Resolution for \$110 000 to make accommodation for a fifth judge in Barbados.

We in the Opposition are able to say without any difficulty whatsoever that Barbados is particularly blessed, and has been throughout its legal history, to have always found people of the highest integrity and character to sit on the benches in our judiciary. I well recall, Sir, that in the last decade there was a debate in the House which occasioned discussion on the capability of a Government to appoint judges. Our position was, and is, sufficiently well known, and does not need repetition. But it is instructive that it will, in fact — subject to the advice which the Prime Minister gives in due course — the Barbados Labour Party, which will be involved in the appointment of the first judge since that time. And we have no doubt whatsoever that, in their political capacity, they will not fall from the very high standards which have always been set in Barbados on the question of the appointment of judges. So that that is not a matter which should occasion, or which apparently still occasions, any discussion.

I have heard a rather waterwash statement from an honourable Member on that side, whom I will not identify because of the nature of this debate, when this question was put to him recently, in which he attacked north and south and said nothing. But, Sir, the truth is that we accept, once the Government has decided there will be the appointment of a fifth judge, that proper accommodation will have to be made and so that will not occasion any debate.

I will take this opportunity to say to the Attorney General something that I have said in here before, and which I continue to believe to be pertinent: the Government should examine very carefully the kind of assistance which judges have been given and are given at this stage in our development. I have always said that I believe that Barbados is not beyond the pale of providing judges with clerks, or at least one clerk for the judiciary, to assist them in the preparation and the research of the number of varying matters which come before them in the course of a term. I have said that for the last five years, and I will continue to say it until someone gives me a definitive reason why not. It seems to me that to require a judge to do all the research in all the matters which come before him and expect of him the same high level and quality of scholarship, the same high level of knowledge, is perhaps extending our judges unnecessarily and at the same time reducing the efficiency with which the process of justice go on in our community.

All of that notwithstanding, Sir, I think that we in Barbados can be pleased and proud that the course of

justice in Barbados, generally speaking, is one of the highest anywhere in the world. May it ever so continue, Sir!

I am sorry that the Attorney General had to take this opportunity to import the issue of drugs into this particular debate. I am not here suggesting that he did anything improper so to do, but I think that when we are debating and discussing matters relating to judges, we try very hard to avoid any areas of controversy or contention, and I am going to say in that spirit that the Attorney General may be forgiven the innocence which he displays with regard to the attitude taken by his Government on the question of drugs, because his re-entry to this Honourable Chamber is of relatively recent vintage. But for a considerable time before his re-entry the Government of the day continued to say, when we on this side raised the spectre of the drug issue, that we were making the issue larger than it was, that there was no issue of drugs in Barbados. You will well recall, Sir, that when the Commissioner of Police, himself, made a statement in the public arena about the police inability to prosecute people at a certain level, we raised questions on the floor of this House and we were ridiculed from the other side.

12.45 p.m.

I am very happy to hear that there is a task force, and I look forward to the day when the Attorney General, in reading out his statistics, will be able to say that not only persons between the age of 16 and 35, not only 25 foreigners, but all of those persons of whom the Commissioner of Police indicated that he could not get co-operation to have them prosecuted — those so-called businessmen and other big shots that he spoke about in his public capacity elsewhere. We look forward to hearing — not that they were prosecuted, because you cannot prosecute them unless they are guilty of something — that all of the co-operation that is necessary has been given and that they, too, are being brought to book.

I am saying from the floor of this House that the drug problem is not the issue of a few young people with a few joints, even though we deplore that. I am saying that marijuana in this country, even though it is increasing at alarming proportions, is not the major issue. The major issue is those persons in this community of influence who are involved in the drug problem, who are involved in trafficking drugs, who are involved in making the west coast a place of terror for the Defence Force and the Coast Guard in terms of tracking them, those who are finding increasingly ingenious ways to bring cocaine and other similar drugs into this country, a small country 21 x 14, plus the little bit that we are putting on from time to time.

*Asides.*

Mr. B. M. TAITT: Twelve acres, on the good authority of the Prime Minister.

This country cannot afford to have barrels of cocaine lurking in the waters of the Deep Water Harbour. This country cannot afford to have its young people exposed to the whims of a few wicked, spiteful animals who, for the want of quick profits, for the want of early luxury, would contaminate the rest of this entire society.

Mr. Chairman, the terrible thing about drugs is that it is a great leveller — it does not pick class, it does not pick colour, it does not pick creed — so none of us knows if it is going to be your son, my son, their sons or anybody else's sons the next day. Drugs is not something on which there can be any political divide in this country. The people outside of Barbados should know, in no uncertain manner, that the people of Barbados, whoever they are, that are in power will never condone the bringing of drugs into this country. The people outside must know that all of us are committed to rooting out drugs from the very bottom to the top, and if it is our brother, our sister, our uncle, our own children, if we discover that they are purveyors and pushers of drugs, we must help root them out of the society.

Mr. Chairman, the area of drugs is a very dangerous area in which to have discussions. Rumours can go very easily from place to place, and that is why, Sir, I am always very careful with what I say; because I know that there are people in this community who easily run down other people for no apparent reason at all, and that is why you have never heard me saying that X, or Y, or A, or B is personally involved in the pushing of drugs. I would say this, though, that I have beliefs about certain people and certain groups of people, based on empirical knowledge. I have been threatened in this country because I had the temerity to come into this House on one occasion and raise a question. I shall not go any further, because I do not wish anybody to say that I was using it for political purposes, but I want the record to show that I feel personally very strongly about this whole issue of drugs.

I feel that there should be no respecter of persons. There should be no friends, so if the Attorney General says we have a task force, I am with him; and if he says that it is without political taint, I am with him, and I want to wish him all the best with the task force. But we have to make it clear to the task force, and to the rest of Barbados, that the task force is interested in rooting out drugs. That is its responsibility. So if it discovers that this honourable Member who is speaking now, or the Attorney General, or anybody else, is involved, the task force has to behave as if we were just like anybody else. That is the difference between a task force that is functioning properly and one that is merely appointed. I am not now saying that that is the position with the one that has been

appointed. I do not know who they are. I am hoping that they will turn out to be of the right stuff.

Mr. Chairman, there are other things that can be said, but this Resolution is to do with a fifth judge. We will have opportunities to discuss these matters.

*Asides.*

Mr. B. M. TAITT: I do not need anyone over there to tell me what to say and how to say it.

*Asides.*

Mr. B. M. TAITT: That is right. You have to say them in the right context. If you have things to say, you get up and say them.

*Asides.*

Mr. CHAIRMAN: Order.

Mr. B. M. TAITT: When your turn comes, you get up and say them. Let me say what I have to say and you say what you have to say. Do not tell me what to say.

Mr. CHAIRMAN: Order, please.

Mr. B. M. TAITT: Mr. Chairman, it is remarkable. Now, they are going to tell me how I am to speak. I never had any difficulty with that and do not expect to have any.

*Asides.*

Mr. B. M. TAITT: Mr. Chairman, my time is up. Suffice it to say that in Barbados today it is obvious, and it has been obvious for some time, that there are people of influence who are able to push cocaine. That is now no longer a question. It is a fact. We will need all the co-operation of everybody in Barbados if we are to root out the problem. From this side of the House, I am going to call for the co-operation of the people of Barbados with the task force, or with any other agency that will help to root drugs out of Barbados. I am going to stop at that, Sir.

Hon. L. R. TULL (St. George South): Mr. Chairman, I am glad to support this Resolution that provides for a fifth judge in Barbados. There is no doubt that the volume of mitigation in Barbados has increased steadily over the years and Barbadians have become a more litigious people than they used to be. Many things that they used to settle in an amicable way between themselves, they now resort to the law courts to settle, and as a result of this, the list of cases to be heard in the Supreme Court, and, indeed, in the Magistrates Courts have increased steadily year after year. We have had a

problem with the whole question of appeals. There has been a serious backlog of cases to be heard in the Divisional Court, and, also, there has been a very slow pace in the hearing of cases in the Court of Appeal.

12.55 p.m.

All this is understandable, but there has also been a certain problem with the administration of the courts and the Supreme Court Registry. This has been occasioned by the fact that the judges in Barbados, from time to time, have other assignments, some externally, assignments in other countries and for international organizations that are useful for their own experience and for exposing the Barbadian judiciary to a number of international developments. It meant that, very often, the Registrar of the Supreme Court was acting as a judge many times during the year, and that was responsible in some way for a lack of continuity in the administration of the system in the Registry. Again that is not the fault of any individual, but because of the system that operated over the past two or three years. So this introduction of a fifth judge is important to ease the volume of work that has been going through the courts.

I have not heard what the plans of the Attorney-General are with respect to raising the level of civil liability damages from the Magistrates Court. I know that the Civil Courts — Magistrates Courts, I have been informed — have been having themselves a great deal of difficulty in clearing their lists, principally because of volume but also because of a number of complex legal matters that are being brought before the Magistrates Courts, things like severance payment hearings, landlord v. tenant, master v. servant and so on. So this is very welcome.

But I am moved, Sir, to make an intervention in this debate more specifically because of the rather alarmist, lurid and emotive statement made by the honourable Member for St. Michael West (Mr. B. M. Taitt). I do not know, Mr. Chairman, how he managed to sally forth into the debate on drugs, if not I would have brought myself my papers from the time when I was Attorney-General and Minister of Legal Affairs, with the figures, the statistics, the meetings with the Commissioner of Police and others, to give a more accurate representation of the developments in that area, and more specifically the developments in respect of policing and detecting crime relating to drugs in this country. But I could not, even without having my notes to hand, have allowed the honourable Member for St. Michael West to get away with the kind of statements he made when he said things along the lines of, 'These matters require that there be balance and responsibility. They are sufficiently sensitive and sufficiently important and indeed they are sufficiently insidious that we should bring a mature and responsible and balanced approach to it.'

The honourable Member is a very astute debater at times, and he has a way of saying, "I do not want to

do this," while he is doing exactly what he says he does not want to do. And what did the honourable Member do, Sir? He gave the impression, in fact he said very specifically, that when the Opposition here in Parliament made statements in relation to the increase in activity in drugs in Barbados, scorn was poured on their comments by this side.

(Mr. H. A. BLACKMAN: True!)

Hon. L. R. TULL: Now, that does not square with the facts. I remember specifically, Mr. Chairman, that on one occasion — one I remember, Sir, — when the honourable Member for St. Michael West came in here and made specific allegations of such activity in one part of Barbados and he was asked to produce what information he had, he could have produced it to me when I suggested it at the time when I was Attorney-General, or, if he did not feel like dealing with me because he saw me in terms of a political opponent, he should make the information available to the Commissioner of Police. When I enquired of the Commissioner of Police if the honourable Member had ever given him that information, he told me, "No."

I also remember, Sir, the honourable Member for St. Michael South Central getting in here, when I had responsibility for the Police, and making a very wild and irresponsible statement.....

(*Aside*: Hon. H. B. St. JOHN: As usual.)

Hon. L. R. TULL:.....with a certain amount of specifics, about drug activity. I did something that I find it extremely difficult to do in normal circumstances, but because of my concern, Sir, not only as a citizen of this country but as a parent with teenage children who has as much concern about the spread and proliferation of drugs as anybody else in this country, I asked the honourable Member for St. Michael South Central by letter — I wrote him a letter, and you know that is a hard thing for me to do — to make the information that he said he had available to me, as Minister of Legal Affairs, or, if he chose, to the Commissioner of Police. He wrote back some scurrilous letter, and the Commissioner of Police, up to this day, has never received the information from the honourable Member. So it is very easy, Sir, very easy for honourable Members on the other side.....

*Aside.*

Mr. CHAIRMAN: Order.

Hon. L. R. TULL: I will deal with all that. I will deal not only with your substantive contribution in this debate, but even with your asides. Just give me time.

The point I am making, Mr. Chairman, is that this is an area where responsibility is required. I accept the hon-

ourable Member's contention that all of us consider this a serious issue in this community, a cancer that is eating at the very entrails of Barbados society. So if we agree on that, we also should agree that we bring a responsible and mature approach when we are discussing it. You cannot have it one way on one hand and another on the other hand. It just cannot work like that.

*Asides.*

Hon. L. R. TULL: Mr. Chairman, Sir,.....

Mr. CHAIRMAN: Order, please.

Hon. L. R. TULL: .... I remember that, some time ago, there appeared in a newspaper a report that a senior police officer had said that they were not making any progress — words to this effect, Sir — with drug investigation because of certain prominent people — that was the word — prominent people in the community. We might as well talk these things out, because in the old days when you wanted to tarnish a man's reputation, you used to say that he was involved in certain unnatural activities. Nowadays when you want to tarnish a man, you just say that he is in drugs. Easy! Very facile statement! And the statement that was made at the time about prominent people involved was one that caused me enough agitation and concern that I summoned the Commissioner of Police and I asked him to give the public of Barbados further disclosure of who he was talking about, and moreover — I am sorry the Commissioner of Police is not in the Gallery — that if anybody in Barbados, no matter who, the investigation point to their involvement, he could count on my support, one hundred per cent, in terms of any resources he wanted to bring them before the courts. The Commissioner of Police told me at that time, I would not like to misquote him, that the people he was talking about were people in the business community. I asked him if he would make a statement to that effect, that the people who he thought were involved were people in the business community, and he said he would. I do not now recall whether he did or did not, but I know that he agreed to that.

You have to be very careful, Sir, when you begin to start slinging mud. We are good at it, too. And the honourable Members on that side must appreciate that I have perhaps greater knowledge of some of the activities in that area than anybody else in this Chamber. After all, I went through a period of four and a half years or thereabouts — four years — when I was Minister of Legal Affairs, which was in recent times, and I have bits of information that would have come to me, both officially and unofficially. So let us not get into that kind of debate, because if it gets to that, I will have to protect not my flank, but the flank of this side. But I want, Mr. Chairman .....

1.05 p.m.

*Loud asides.*

Mr. CHAIRMAN: Order, order on both sides of the House. I will not tolerate this behaviour. An honourable Member must be heard in silence on both sides of the House.

Hon. L. R. TULL: But I can speak, Sir.

Mr. CHAIRMAN: Yes, Sir. You are the honourable Member. You must be heard in silence.

Hon. L. R. TULL: I am an honourable Member.

Mr. Chairman, Sir, having said earlier in this debate that I found the statement of the honourable Member for St. Michael West as totally reprehensible because of irresponsibility and its luridness, I will not ....

Mr. B. M. TAITT: On a point of order, Sir: The honourable Member is describing my speech, I submit in terms that would make the speech unparliamentary. The honourable Member himself has just said that the Commissioner of Police made the statement, and when he questioned him, the Commissioner said "prominent businessman." He now tells me about lurid.

Mr. CHAIRMAN: No point of order.

*Asides.*

Mr. CHAIRMAN: Order, order please. The honourable Member for St. George South must be heard in silence. Order on both sides of the House. Cross-talk must cease!

Hon. L. R. TULL: I do not know why the honourable Member is getting so hot under the collar. I have not said anything yet to get worried about.

Mr. Chairman, we have taken an approach to this whole question of proliferation in drugs in what I consider a responsible way. We have set up an advisory committee — it is an inter-departmental advisory committee — to deal with this problem. This was done about two years ago, and at the time it was set up under the Ministry of Health, and included the Ministry of Health, Ministry of Education, the Police Department, and one or two agencies who would meet on a regular basis and study developments and come up with a programme not only for prevention, and indeed detection and prosecution when necessary, but also a programme of rehabilitation for young drug takers when they were discovered. In more recent times, as complementary to the work of that committee, we set up another committee, Sir, as referred to by the Attorney General — honourable and learned too, the Attorney General

who set out clearly in his introduction to this Resolution precisely what was happening as he saw it from his vantage point. This recent committee that has been set up is charged with the responsibility of having publicity programmes and educational programmes on drugs, and also a programme of rehabilitation of people who are affected by use.

I want, Mr. Chairman, to say this quite categorically, because although one does not want to be saying or making any extravagant statements, yet we must face a number of things fairly — squarely. Who guards the guardians, Sir? That is a question that has been asked a long time. Who watches the watchman? I will not give them the *quid custodiat custodien*. They will not understand that, Sir. But there is a feeling at large in this country that certain sectors of the people who are charged with the responsibility of investigating and detecting are themselves a little dirty in the hands, a little mud has gone in their hands. That is a popular view. I am not in a position to authenticate that point of view. But it is a view that has been given sufficient currency in this community that we have to face it squarely, and we have to devise a means and a system of getting to look behind the veil, so to speak. Now we can only do this by co-operation. We cannot do it by making it a partisan, political issue. The honourable Member of St. Michael West has said, and he is perfectly right, that this business of drugs is no respecter of persons. It is destroying the lives and the families of people of every class and group in this community, and that is why we do not want any partisan debate out of it. We want to work together.

Mr. Chairman, the Honourable Prime Minister, has used a number of occasions in recent times to focus, not only nationally, but regionally and internationally, on the drug problem in the Caribbean and in Barbados, and is seeking ways and means of combating what is the most serious social problem in our time. I remember that at the CARICOM Heads of Government Meeting in Barbados in July last year, he made a very strong statement on it. He also made a statement on it in Nassau. And he made a statement to the Government of the United States, which perceives its role in this whole business of drug investigation and prevention as a hemispheric one, because they are the largest, by thousands of times, consumer of illegal drugs anywhere in the world. They see their problem; they see the small, isolated, unguarded and unprotected islands of the Caribbean as perfect spots for the people who deal in drugs at the international level, with billions of dollars, to use these islands to promote their own wicked ends. We have been having discussions, and we cannot go into details — these matters do not warrant detailed information — ongoing discussions in the region between regional Governments and in the wider region, that is the hemisphere, in trying to set up systems of co-operation that are complementary in the job we are doing to limit the flow of illegal drugs through these

countries. I believe that we are beginning to see some headway in the plans and policies adopted by Governments in the region and Governments like the Government of Barbados.

So, Mr. Chairman, I would not myself at this particular time seek to go any further into that matter. But I want to conclude as I started. It does not appear a proper thing to me, Sir, for an Opposition to use the public forums to provoke partisan debates on drugs, because their concern is our concern, and it is the concern of every decent and right-thinking person in this community. It is a problem that can only be solved if all these forces of goodwill in the community are prepared to work together to combat it. This is a time when everything is going to be turned into party politics — it is the season for that — but I think that all of us on both sides will be doing a serious disservice to this community, and indeed to our families, if we do not approach this whole matter of drug proliferation and abuse in our country with a level of maturity and responsibility.

1.15 p.m.

Hon. H. deB. FORDE (Christ Church West). Mr. Chairman, I wish to support the Resolution before the House, which is for an increase of the vote to accommodate changes to the law courts, consequent on this House having voted recently for the appointment of a fifth judge. I take the assurance of my learned friend and colleague, the honourable Member for St. Thomas, that steps will be taken, I hope in the immediate future, in order to commence the construction of a new law court.

It is with a little bit of regret that I know that the Act passed in 1981 consolidating and revising the Supreme Court of Judicature Act has not been brought into effect. I believe that this Act was 1981-27. It envisaged an increase in the judiciary to accommodate five High Court judges and three Judges of Appeal, with the Chief Justice being *ex officio* a member of the High Court, but only sitting in exceptional cases, and remaining always the President of the Court of Appeal.

I understand that two principal reasons for the delay in proclaiming the Act and implementing its provisions are: firstly, because of the physical conditions existing — the lack of adequate space and the need for a new Supreme Court building — and secondly, Mr. Chairman, because I believe that Government has probably not made up its mind as to whether we want to pursue our own independent Court of Appeal, a reformed Court of Appeal, not constituted as the present Court of Appeal is, or whether we want to take another step at achieving a Caribbean Court of Appeal.

Mr. Chairman, no one should have any mistake or any doubt about my strong commitment to Caribbean unity. Having been one of the original Under 40s some

years ago, wedded to the concept of another trial at a federal union, I remain an unrepentant believer in Caribbean integration at the maximum level. But one has to grapple with developments that have taken place in the Caribbean over the last 20 years and recognise that it is going to be very difficult to get an ultimate Caribbean Court of Appeal.

There are divided views in the territories of the English-speaking Caribbean on whether we should retain the Privy Council as the ultimate Court of Appeal. Dominica, for instance, feels strongly about this. Guyana feels equally strongly that we do not need it. There is a fear among some of the Caribbean citizens that if the ultimate decision on justice resides in the Caribbean, there is liable to be some tampering with justice. I do not subscribe to that fear, and I think that our experiences here in Barbados, and elsewhere, empirically show that there is no evidence for this. But yet it is a fear, and therefore one must realistically grapple with the fact that, in the immediate future, the chances of the English-speaking Caribbean countries settling on an ultimate Court of Appeal in a three tier system are not very great.

However, I do not believe that that should deter Barbados from making a decision about upgrading the numbers, increasing the numbers of the judiciary and freeing at least two justices for permanent Court of Appeal work. The work and case load of the courts bear out the necessity for some increase in the judiciary, and I think the judiciary is to be complimented on the efficient manner in which it has gone about doing its work.

Some years ago, I attended a conference in Jamaica with several of the Chief Justices of the area and some Attorneys General, and with the late Lord Diplock, who was then the senior judge in the Judicial Committee of the Privy Council, and a review of Commonwealth practice showed that Barbados, in particular in the Caribbean, was leading several Commonwealth countries in the speed at which cases were adjudicated and tried in our island. This was both on the civil and the criminal side. Admittedly, there are sometimes a few cases that drag on for long, for several reasons, and it is not always because either the judiciary or the lawyers, although lawyers like politicians belong to the limited professions that are always run down by other people — sometimes it is because of the litigants themselves or the nature of the problem — but I think our performance has been quite good.

We have been passing a lot of legislation in this Parliament, particularly over the last ten years of this Government's term in office, and a lot of it has added to the burden that comes on the judiciary — and I speak not only of the High Court judges, I speak as well of the magistracy — and it is necessary for us, therefore, to

review from time to time the structure of our courts to give them not only additional personnel at the para-legal and other levels — the honourable Member for St. Michael West (Mr. B. M. Taitt) called for a sort of higher than para-legal increase in talking about clerks for the judges to help them with research work — but also to review, in my view, the jurisdiction which we confer on them. The honourable Member for St. George South (Hon. L. R. Tull), for instance, spoke about increasing the jurisdiction of the Civil Magistrate as well as improving the physical plant.

I am going to really ask that we look again at whether we should not have our own separate Court of Appeal until such time as we can realistically share an Eastern Caribbean Court of Appeal. I believe that we should implement the Act of 1981. And I will make another plea: I believe that we should look very sensibly at some expansion of the magisterial bench, as well, and jurisdiction together. It is not simply that Barbadians are becoming more litigious, used in a pejorative sense. It is that Barbadians are becoming more conscious of their rights, whether they are exercising their rights against the state, or exercising their rights against one another. Therefore, legislators must plan well ahead for these eventualities and for coping with the ramifications of these obvious developments in our society.

1.25 p.m.

Mr. Chairman, people in the last resort believe that an independent judiciary is a very strong safeguard for freedom. I do not think that any of us, on either side of the political fence, would doubt that we have a very independent judiciary indeed, and I would say that neither political party, in my experience, has interfered with the judiciary. Once or twice you do hear from the Bar Association that a particular statement from a Prime Minister or from someone else is interference with the judiciary, and the fact that the Bar Association and other people make that statement is, in itself, a safeguard. But when one looks at it, I do not think you have ever found any politician who has gone to a magistrate, or to a judge, to ask him, or her, to decide a case in a particular manner. The bonds between the different estates are well respected in this country, and I join, indeed, with other honourable Members in saying, "Long may this be so!"

I would like to see the judiciary, in the future, recruiting, as well, from the practising Bar, and not only from a career structure. I believe, that the practising Bar has a lot to give and to add. I need only refer to the contribution which our late Governor-General, the late Sir Deighton Ward, added to the bench when he was appointed from the practising Bar.

One should have a structure, remuneration wise, which caters to this. Certainly when I was Attorney

General, Mr. Chairman, we were looking at the possibility of bringing the judges to the state where their pensions were probably 100% of their retirement salary, to ensure that when they retire, they would not do as one Trinidadian judge has recently done, come back to practice at the Bar before his own brother judges, with whom they might have sat in judgement. The precedent is there in New Zealand and elsewhere for us to follow. So we need constantly to keep these matters under review.

I would like to suggest to the Attorney General that the Government should use the completion of the Central Bank building as an opportunity to temporarily provide the courts with probably some relief. I wonder whether any consideration has been given to that. I do not think that it should become the permanent headquarters of any court. I believe an imposing structure for a court itself adds to the appreciation of the majesty of the law, and, therefore, the court should not have any secondary place in somebody else's building. The court building must be able to stand by itself, on its own feet, towering as one of the pillars of the various estates in this country and demanding respect in its own right for those people who work within its walls, so I am only saying that this should be a temporary way of implementing the Supreme Court Act.

I hope that the Government's finances would permit it, as part of major construction projects, to go on with the new Supreme Court. We have always been bedevilled by the fact that we cannot borrow money for building a Supreme Court Hall of Justice. When I say this people do not understand it, and on political platforms people tend to make a comparison as to why you can borrow to build a Central Bank building and you cannot build a Supreme Court building. Whereas you can borrow for the Central Bank building, because of the nature in which the Central Bank's finances are structured, it was not possible for us to get any friendly Government, far less an international institution, to lend for this purpose.

I personally spoke to leading Government Ministers in the United Kingdom and elsewhere trying to find finances for the building. I met with a blank wall, except for limited technical assistance. And I am sure that my successors in office must have had similar experiences. So we have to build it out of our own resources. Any area that we have surplus, we have to use those resources for it. People have to recognize this. But I trust, Mr. Chairman, that we would see a separate building, as majestic as any in the Caribbean, and no doubt built at a lesser cost, as Barbadians are so good at doing, not the cost at which I have seen other buildings gone up in some of the neighbouring countries.

I want, Mr. Chairman, to refer to the one matter on which you have allowed the latitude of other speakers

to expound, and that is on the question of drugs. I am not as naive to believe that drugs is not going to become a matter of partisan political interest. It has been made that. It is even dangerous for those of us who practice our profession as lawyers to represent people charged on drug charges in this country. The nasty, dirty, scurrilous remarks, circulated anonymously in this country, and coming from political hands, lead me to believe that people would stoop to anything to destroy people's characters. I am making no apologies for those words, because if you go into court, practising your profession honestly and representing someone charged with drugs, you are liable to find your political opponents anonymously circulating tracts to drag you down.

*(Aside: Mr. B. M. TAITT: Political friends, too).*

Hon. H. deB. FORDE: I do not care who they are.

Do not make any mistake about it. There is a basic dirtiness in some people's minds in this community that has to be cleared up, because the easiest thing to do, as the honourable Member for St. George South said, is to start a whisper scandal and rumourmongering about people in order to destroy them without either having the courage or the decency to get on a public platform, and do not run away from the laws of libel, but face them straight on. And, like the honourable Member for St. George South, I believe that the next election campaign will be characterised by similar dirty and derogatory remarks from the political platforms about people in public life.

And this has been doing a lot, Mr. Chairman, to make politicians less respected in this country. Politicians sometimes have themselves to blame if the electorate see them in less than the status in which they ought to be seen, because some of us destroy ourselves in the manner in which we liedly attack the characters of other people, or inspire anonymous people to do so. And that is not the only tact that the judiciary might have to look at. They started to superimpose pictures on pictures about people and got them around Barbados saying that they have got you in various guises and poses. That is one of the new techniques for the next political campaign when it starts.

I have been in public life since 1971, and I have come into public life, in which there have always been personal attacks in one form or another, so that is nothing new to me. But if politicians, if the two major political parties — because there are some other joke men around the place who get into politics and talk foolishness — believe that power is the only thing to aim at and that you get power regardless of how you destroy the people in public life, who have to share the burden of standing up for this country in the last resort, eventually

they will destroy themselves. I may not be around to see it.

1.35 p.m.

It is pointless our trying to win government or to win political power merely by feeding people with dirty attacks on the characters of innocent persons. I am not now speaking to the public, I am speaking to the political parties. Do not make any mistake about it. The people who circulate those unsigned documents, who have to carry them from door to door, the newspaper men, sellers, in whose hands they put them are not the people who have the guts to deal with them.

*Aside.*

Hon. H. deB. FORDE: Not them at all.

I want the police to know that when they get official complaints from people who are being defamed criminally they have to deal with the matter. They cannot shelve it forever.

Mr. CHAIRMAN: One minute more.

Hon. H. deB. FORDE: Yes, Sir, one minute more.

I want them to deal with the matter. I do not want them to shield people, no matter what political party they belong to. When they pull them in for questioning and they recognize that they are the people who are circulating the document, charge them until they can deal with those who are the people anonymously publishing the documents.

So do not make any mistake about it. The public will hear a lot of nasty dirt about drugs, the aim being to gain political power. We politicians do not serve ourselves, our parties and, ultimately, Barbados well if we do not recognize that on these issues, we should not hurl stones when we have no facts for doing it, that we should stick to proof and we should not become arrant liars, because in my experience on the issue of who are involved in drugs and politics, when they start calling names, most of the name callers are arrant liars, Mr. Chairman, and that is how I characterize them. In due course, I might have an opportunity still to retire from suing somebody, either on behalf of somebody else or on behalf of those of us whom they libel. We may get an opportunity to sue a few people and get some money from them, if not lose them away in jail for a long time to come.

Mr. CHAIRMAN: The question is.....The honourable Member for St. Michael North.

Mr. P. M. GREAVES: I rise to speak solely to the Resolution and I want to say that I regret very much that

the amount of money we are asked to pass here is not large enough to complete the work on the civil court, because, in my humble opinion, the work on the civil court is not complete.

Some years ago, about two or so years ago, there was a fire in what was then the Court Process Office. Now, Sir, to make room for the fifth judge, the court that was once the Civil Court is now being renovated to accommodate the fifth judge. So the Civil Court had to be moved elsewhere, and it was removed to the building that housed the Court Process Office. Some good work was done on that building. That building was restored in a creditable manner. The court is quite a good court, the new court that has been built. It is probably the best of the Magistrates' Courts, physically, that are operating in the Bridgetown area.

But what has happened is that in building that new court, a new desk has been provided for the magistrate, but the old, delapidated furniture has been removed from the old Civil Court and have been placed now in the new Civil Court, detracting considerably, Sir, from the looks and the comfort of that court. All the old, long benches used for the attorneys-at-law, and for persons using the court generally, have been removed — lock, stock and barrel. At least they could have taken a cue from what was done for Oistins and provide far better accommodation for the attorneys-at-law as well as the public at large.

The magistrate is also complaining about the heat in the building. It is not a properly ventilated building, and here again, Sir, it might have been better if the courtroom could have been air-conditioned. I understand that when that same building was used for the Marshal's Office, it was air-conditioned. But now that it has been renovated and made into a court, the air-condition has been removed and has not been replaced. So I would be happy if the Attorney-General, or whoever is responsible for Legal Affairs, or for the Judiciary, can look into these matters.

I agree with the honourable Member for Christ Church West (Hon. H. deB. Forde) that it is time that we do something about our Supreme Court. Some time ago, some lands were acquired for building the Supreme Court and some area was set aside for the construction of the Hall of Justice. I understand that a significant portion of that land was eventually reserved for the purpose for which it has been serving for many years, and that that part of it will not be available for the Hall of Justice, and what is left, which has now been turned into a car park is what will be used for a Hall of Justice. If that is what the honourable Member for Christ Church West referred to as a place which will be an adornment of justice in the West Indies, then, Sir, I fail to see how

that could be accomplished on the limited space now available for such a purpose.

I believe the Government should have acquired, when the lands were available, the property formerly owned by the Foundry. There is a long stretch of property, Home Centre and Central Foundry, stretching from Pinfold Street along White Park Road. I believe that that would have been an ample space for the provision of courts, not only for the Hall of Justice. It could serve as well the Registry — or the various registries not only the Registry — as well perhaps as the Magistrates Courts, and what is now used as the courts could be released for use by the police, or, possibly Sir, for the extension of the Public Library.

Maybe it is not too late for that. At the moment, some section of Home Centre is being leased and utilized for registry purposes. I believe that the Government should again look and see perhaps if they cannot acquire that property, or those properties, because I do not believe that the car park now on Coleridge Street is sufficient to provide the kind of courtrooms, Hall of Justice and so on, that I believe we require. As the honourable Member for St. George South has observed, the work of the courts has been increasing, and will continue to increase, and I think that we should really and truly look to the future, so that when we build a Hall of Justice, it will be sufficient for generations to come, and not just perhaps for 20, 25 or even 30 years.

Mr. CHAIRMAN: The honourable Attorney-General.

Hon. D. A. C. SIMMONS: Mr. ....Man you talked already.

Mr. CHAIRMAN: Is the Honourable Attorney-General winding up?

Hon. D. A. C. SIMMONS: Ready to wind up, Sir!

Mr. CHAIRMAN: Does any other honourable Member wish to make a contribution?

Mr. B. M. TAITT: I just wish to say a word before the honourable Member winds up. Sir, I do not intend to carry down the line certain positions.

*Aside.*

Mr. B. M. TAITT: I am not quoting them. We know the Rules. But, Sir, the gravamen of the point which we made in the presentation has been described as "lurid", among other words used, by the honourable Member for St. George South, it is difficult to understand that we are in the same Chamber.

1.45 p.m.

I wish to draw to his attention that when the remark was made about the cocaine factory, it was a result of that side insisting in the manner we do in debates in here, "Name names — if you are a man, name the name!" When a name was named, they then asked me to tell the Commissioner of Police.

I wish to say for the record that common informers get paid in the streets for carrying bits and pieces of information, and no one can believe the former Attorney General when he suggests that anybody who knows any information that is vouchsafed to them about drug trafficking should go and tell anybody in the terms he has suggested. The honourable Member cannot be serious. Is he suggesting that I will ake my life in my hands to go and tell him that I know he is pushing drugs, or that I would tell any particular officer in the force, or anybody else would tell any particular officer in the force, about a specific person that he knows about? One brings this information at this level of drug pushing, Sir. This forum here is where Members of the House are supposed to air their information. This is the highest level that I can bring information. Am I a common informer that I have to go around telling the Commissioner of Police that I know X, Y, or Z has drugs?

I go further. I am saying for the record that I indicated to the honourable Member then, and I am saying now, that the information which was in my possession was in the possession of the Commissioner of Police. I am saying it for the record. So if he said that he did not know about it, check and see if he did not say that I did not tell him about it.

*Asides*

Mr. B. M. TAITT: Oh, he did not say that it was in his possession? He said that I did not tell him.

*Asides*

Mr. B. M. TAITT: You hear the difference now, Sir? I did not tell him. Of course, I did not tell him. You did not tell him either, nor did the honourable Member.

The fact is that I once said in here that drugs were coming in here in glass windows, and they ridiculed me. The Commissioner of Police can tell you, if you can find the file, that that was a fact. In that same debate it was said in here, Sir, that there is no widespread belief that the drug related crimes were responsible for the escalation of crimes. That was said from the honourable Member who then sat at the highest point over on that side. That is why when I say the Attorney General is innocent, I mean it sincerely, because he is not aware of the kinds of debates we had when the honourable Member of Christ Church West Central (Mr. M. A. King) brought a

Resolution in here on crime. The record will show that almost every single one of the honourable Members on the front bench ridiculed us and said some very painful things to us. They accused us of all kinds of lies, but I was pleased to hear the present Prime Minister in his *sotto voce* remarks saying of this same incident that I had the right parish but the wrong place. I heard him say so. So I do not know why anybody would want to get up today and suggest that.....

*Asides*

Mr. B. M. TAITT: You see, the honourable Member is not of the same stripe. He understands these things. I am not getting involved in that anymore, Sir. I just do not like the idea of any suggestion that when I discuss drugs in here, I am discussing it for any Press. As a matter of fact, the Press does not publish what I say in here.

*Loud Asides.*

Mr. B. M. TAITT: Last week in this Honourable Chamber, Sir, I had some words to say about the honourable Member for Christ Church East, the Honourable Minister of Fisheries. The Caribbean Broadcasting Corporation managed to carry a whole story in which they said what the two persons before me said and the person after me, and somehow what I had to say must have been said in a different language. Couldn't get carried! I do not want to say anything for the Press in here. Except for VOB, you would never know that I speak in here. But I am not speaking for the Press. I am speaking for you, Sir, in your capacity as Chairman.

It is not fair, if anyone has to reply to a debate, to question the *bona fides* of anyone who brings information in here. I remember the late Prime Minister in a speech in this Chamber, before I was in this Chamber, saying that this Parliament is where parliamentarians are to bring their information. And he said that it does not even have to be full information — if Parliamentarians get an inkling about something in the society that needs to be examined, this is where they are to bring it. He said so. The gospel according to Tom!

Therefore, Sir, when I hear, as I have heard and as everybody in Barbados who is involved at certain levels have heard about certain .....

*Asides.*

Mr. B. M. TAITT: Has heard. Thank you. I will not deny the honourable Member that moment of glory, Sir. He has been waiting for seven years to do that, Sir.

*Asides.*

Mr. B. M. TAITT: No, no, I am the teacher. Remember they said that I am the one who does the teaching.

Very well, Sir, the point I am making is that everybody in Barbados has heard some of the rumours. One does not bring rumours in here. But one can talk about these matters seriously without being accused of .... what was the word "lurid." Mr. Chairman, alarmist? Mr. Chairman, Sir, I would rather be an alarmist and lurid in pursuit of truth than to stand or sit in here, Sir, than to stand — he wants me to speak until he comes back in here, Sir, and let the one child go into oblivion as a result of some cravacious, wicked drug pusher "cravacious" is a Barbadian word, Sir — who could have been saved had we spoken in this Chamber.

I just want to say one other thing while the Attorney General is getting ready to wind up. So far as the court is concerned, I hope that whereas there was some difficulty with the 1981 legislation that was passed in here, a difficulty which I do not wish to get into, I hope that efforts are being made to bring about a Caribbean Court of Appeal for the Caribbean countries. The question as to whether we are to rely on the Privy Council for final judgment is one which has been debated and is being debated, and I think that we are at the stage now where we can seriously conclude that the judgments delivered by the Privy Council are of no higher quality, and in some cases of lesser understanding, than many of the judgments that have been delivered by some of the more eminent jurists in the Caribbean. As a matter of fact, Sir, all of the landmark decisions relating to constitutional matters that have gone before the Privy Council in the last ten years have found their solution in one of the judgments of either the first court, the court of first instance, or one of the judges at the Court of Appeal, and the Privy Council has agreed with the judgment and, very often quote very liberally from the particular judgment. On some occasions, with the greatest respect, the Privy Council's decision has done no justice whatsoever to the scholarship which ought to go into the decision-making at that level.

So that I would not be accused of merely uttering words, I draw your attention, for example, to a particular judgment relating to the question of the death penalty. Sir, in the Stanley Abbott case, when the Privy Council pronounced on the matter, lawyers in the Caribbean and the judicial fraternity were led to believe that in certain given circumstances, the Privy Council would move in a particular way, to wit, that if delay in the hanging of an individual ran to a matter of years, that would be considered cruel and inhuman punishment. Yet in the case of *Riley v. AG of Jamaica*, when a period of four years had elapsed from the time of sentence to the time of implementation of the sentence, when a man, through no fault of his own, had to wait four years to find out

whether he would be hanged or not, the same Privy Council, and indeed the same Lord Justice, was able to deliver a judgment which took absolutely no notice of the fact that he had said a few years before that if a case should come before that court that showed years as a delay, it would be considered cruel and inhuman punishment.

1.55 p.m.

I am not saying that to demonstrate any particular knowledge, because it is fairly common knowledge to all who read these matters. I am saying it to make the point that it is doubtful whether a judge of the calibre of Mr. Justice Georges, or any of the other eminent judges in the Caribbean courts, would have made that fundamental error of failure to recognise his previous judgment in a matter that was directly and absolutely on the same point. That I say only to reinforce my view that, so long as the appointment process for a Caribbean Court of Appeal is steeped in the usual protective measure which we as a people can give, a Caribbean Court of Appeal would bring justice to the Caribbean in such a manner as to make the whole community feel able to respect it in the same way the Privy Council is now respected.

I hope that the Attorney General, in his capacity as the Chief Legal Adviser to the Government, and in his capacity as the spokesman for Barbados in these matters, is pursuing diligently the possibility of our having a final court in the Caribbean which may be called a Caribbean Court of Appeal.

Thank you very much, Mr. Chairman.

Hon. D. A. C. SIMMONS: Mr. Chairman, I am indeed grateful to all honourable Members who have contributed to this debate, and I particularly welcome the assurance of the honourable Member who just spoke that, and I quote — “drugs cannot be something about which there can be any political divide.” I therefore look forward to his own party sharing as much as they can, without being classified as “common informers”, with the relevant authority any information which may assist in the eradication of the drug menace from Barbados.

I also want, for the sake of completeness, to interject that in addition to all that the honourable Member for St. George South (Hon. L. R. Tull) has said, and that I outlined, about the Government's initiatives, particularly within the last year, on the drugs problem, I wish to record that in October, I took the initiative, following a meeting with my colleagues in Antigua, to request the CARICOM Secretariat to convene a regional meeting of Attorneys-General, Commissioners of Police, Defence Force Chiefs, Chiefs of Immigration and Comptrollers of Customs so that we can have a wide ranging conference to try as far as possible to harmonise our respective

positions in regard to tackling the drug problem on a regional basis. In addition to that, I have invited CARICOM to convene the conference so that we could put up a joint plan to international agencies and organisations for financial assistance to cope with the problem of drugs in the region as a whole.

It has been announced that CARICOM has agreed to my request for a meeting. The tentative date is June this year, but perhaps — I believe realistically — it may come after the Commonwealth Law Ministers' meeting in Zimbabwe and the Commonwealth Law Conference in Jamaica. At the moment we are targeting for June, but I suspect that we may have to defer it for probably about two months. At any rate, we ought to have that meeting this year, Sir.

I wish to follow the theme set by the Honourable Minister responsible for Trade that years ago it was popular in Barbados to “do down” male persons who were seen to be making progress in the society by characterising them as homosexuals and alluding to their connections with the west coast. It was then called “the gold coast.” There is a word in the vernacular known to all of us, which I will not repeat in here, that has been levelled against many persons in this society, out of sheer mischief and malice, to associate them with unnatural sexual offences. Now it is probably going to be popular to call those who succeed junkies, or pushers, or whatever, and we have to be more responsible than to give currency to baseless rumour in this country.

I was particularly disappointed that a member of the Democratic Labour Party, at two of his meetings recently, made allegations couched in the language of fact about two young school girls being doped in the north of this island, and being on dope. I was so astounded when I saw the reports that I asked the Commissioner of Police for a thorough investigation. I received a reply on Friday, during the absence of the Commissioner in St. Croix, from Deputy Commissioner Boyce, setting out quite clearly that there is absolutely no — n.o — foundation of truth in any of the statements made by the same person in relation to the involvement of two young girl children with drugs. It is not only the police who are saying this — that is a result of an investigation of medical practitioners who were called to examine the two young girls involved. And it is wicked, nasty, malicious and scurrilous for anyone, for the sake of attracting votes, to seek to excite the public conscience by baseless rumour. But in a few months' time the public will be told more about these things.

*Certain remarks made at this stage by the Hon. D. A. C. SIMMONS were ordered by Mr. CHAIRMAN to be expunged from the record.*

Hon. D. A. C. SIMMONS: Sir, I understand the rule to say a person holding a public office. But if it is your ruling that I withdraw the name of the person, I do that, Sir, with the greatest pleasure, and substitute therefor, 'a medical practitioner in the country who is a supporter of the Democratic Labour Party and a candidate.'

2.05 p.m.

Sir, to deal with some of the matters raised by honourable Members, particularly in relation to the courts, it is the late Prime Minister who first mooted the idea of a Regional Court of Appeal, a policy that is consistent and in harmony with the established policies and perspectives of the Barbados Labour Party towards the concept of regionalism. Subsequent to his death, the present Prime Minister has also suggested that the time has come when we should seriously look at a Regional Court of Appeal. I have also adverted to the same matter.

I wish to assure honourable Members that the Government is sensitive to the concept of a Regional Court of Appeal, but I cannot, at this stage, give Members a time frame within which a Regional Court of Appeal could be established. Members will appreciate that such an adventure would require the closest possible co-operation, analysis and examination by the Governments of the region that are likely to participate; and so we would have to go through a number of consultative processes and meetings before we could firm-up our collective stance on this matter. But if it will assist Members, I wish to say that the Government has been sensitised to this matter and will pursue it with the utmost vigour, but subject to the responses of our brothers in the Caribbean.

In the meantime, I accept what the honourable Member for Christ Church West (Hon. H. deB. Forde) has said that pending the establishment of any Regional Court of Appeal, we should try to develop our own local Court of Appeal. I told him when we were discussing this matter before he spoke, that we are looking — purely looking, have not decided anything yet — at the possibility of renting space, for example, in the Central Bank building pending the establishment of our separate Supreme Court complex, and that leads me nicely to give Members of the House an update of the status of the Supreme Court complex.

Some years ago, when the old Water Works building, known as Codd's House, was still on the site in Coleridge Street, plans had actually been drawn by MTW for the siting of a new Supreme Court complex in that area, but leaving in Codd's House. The thinking at the time also contemplated, not only 6 or 7 court rooms, Supreme Court Registry, vault space and so on, but transfer of the AG's Chambers and the DPP's Chambers, and have them all in the central location at Coleridge Street.

The ball part figure that I believe that was talked about in relation to the construction of that originally conceived complex was in the vicinity of \$40 million. We have had to revise our thinking on the Supreme Court complex, but I can say that MTW has been commissioned to do a re-design, with the approval of the Planning and Priorities Committee. We are looking at something more in the vicinity of \$15 million to \$20 million. We are excluding from the accommodation the AG's Chambers and the DPP's and Parliamentary Counsel, all of them.

We are looking to construct, now that Codd's House has gone, on the site running from the junction of James Street back towards the monument, all that space that is there now, a court complex with enough courts for first instance and court of appeal and a Supreme Court Registry. Nothing more! That decision has been arrived at and been predicated upon the transfer of functions, which will take effect April 1, of the Land Titles Registry, which will be assigned to the Ministry of Housing and Lands, and the Registry of Corporate Affairs and Industrial Intellectual Property which will be transferred to the Ministry of Commerce, Industry and Consumer Affairs.

There will be three Registrars in effect from April 1, the Supreme Court Registrar, the Registrar of Land Titles, who would have to bring in the system of registration of Lands as we gradually abolish the present system of conveyancing, and there will be a Registrar of Corporate Affairs and Industrial and Intellectual Property. Separate accommodation will be provided for the Registrar of Lands and his department and for the Registrar of Corporate Affairs.

So that the honourable Member for St. Michael North (Mr. P. M. Greaves) can be assured that MTW has told us that they are satisfied that a re-design for a smaller complex, with lesser scheduled accommodation than was originally conceptualised, can fit quite easily with adequate parking on what is now the car park there at the junction of James and Coleridge Streets. I will be able to tell Members more about these matters at an appropriate time in March when the Estimates are debated.

2.15 p.m.

I am grateful to the honourable Member for St. Michael West for reiterating a point that I made in here between 1976 and 1981 that we need to provide judges with secretarial assistance. I have indicated to him that we are making a start in terms of the provision of necessary electronic equipment for each High Court, and we are examining the cost implications of providing secretarial assistance for judges. We are also looking at the cost implications and the total ramifications of having legally

trained prosecutors in the Magistrates Court. Legally trained prosecutors — I refer obviously to lawyers who would be interested in working in the area of prosecuting in the Magistrates Court and relieving the sergeants from the work of prosecuting cases.

There are a number of matters in the pipeline which I will give the House full details on when we come to Estimates.

*The question that Head 75 stand part was put and resolved in the affirmative without division.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, Mr. CHAIRMAN reported the passing of one money Resolution in Committee of Supply and Mr. SPEAKER resumed the Chair and reported accordingly.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, the Resolution was read a first time.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. D. A. C. SIMMONS, the Resolution was read a second time.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. L. R. TULL, the Resolution was agreed to.*

#### SUSPENSION OF SITTING

Hon. L. S. CRAIG: I beg to move, Sir, that this sitting be now suspended until 3.20 p.m. today for lunch.

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

*The question was put and resolved in the affirmative without division and Mr. SPEAKER suspended the sitting accordingly.*  
2.20 p.m.

#### ON RESUMPTION

Mr. SPEAKER: This sitting is resumed.

*On the motion of Hon. L. S. CRAIG, seconded by Hon. L. B. BRATHWAITE, Mr. SPEAKER left the Chair and the House went into Committee of Supply, Mr. J. G. ODLE in the Chair.*

#### COMMITTEE OF SUPPLY

Mr. CHAIRMAN: The House is in Committee of Supply.

#### SUPPLEMENTARY ESTIMATES 1985-86 No. 26

— \$298 728

#### HEAD 15 — CABINET OFFICE

Hon. H. B. St. JOHN (Christ Church East Central): I beg to move, Sir, that this stand part.

The Government of Barbados is determined that all allegations that have been made with respect to the possibility of elections being held in Barbados that are not free and fair will be completely and absolutely demolished by facts. We are the ones who have appointed an Electoral and Boundaries Commission. I think this is nearly 25 years that I have been around this game, and, Sir, when the testing time came at the Constitutional Conference for the entrenchment of a Boundaries Commission, it was the other side that vigorously opposed it. Not us! They also had the opportunity during all the years of their time to bring it into operation in the manner in which it was brought into operation. But we are past that now. We are all agreed, as I understand it, now that we have one in existence. I welcome the late converts.

This Boundaries Commission will have its own money. It will have its own legal adviser. Whatever it asks for that is reasonable, it will get, because if it does not do its work properly, I will be the first to put it in court. And you know, Sir, when it comes to elections and court, we have a good record. We have an excellent record; not only here, but in St. Vincent, in St. Lucia and all around. Election Law is an area that some of us have spent a considerable period of our time specializing in.

So that I think that it is nothing short of a grave libel on Barbados, and on the democratic loving people of Barbados, for anyone, including the Leader of the Opposition, including the honourable Member for St. Michael West (Mr. B. M. Taitt), even to suggest that this Government would participate in an exercise which would mean that any elections held in Barbados are not free and fair. And I heard it with my own two ears over the air waves not only of Barbados, but the whole Caribbean, and that is what is more hurtful. What is hurtful is that the Leader of the Opposition and others could make the suggestion that this Government, with its record, with the institutional and legal framework that we have set up, is a party to that. I do not believe anybody believes them.

This is a very serious thing. As I had to say in another place, it is a very serious thing when in a quest for power, anyone is prepared to drag down his own country. They must remember that all of the time that is spent, and energy and money, building up a country can be lost by an exercise of irresponsibility in a couple of minutes by others. That is a very serious thing.

The Democratic Labour Party has a nominee on the Boundaries Commission. I have not had a meeting with the Chairman of that Boundaries Commission without insisting that the nominee of the Democratic Labour Party is present, and that the Cabinet Secretary and the Chief Electoral Officer are also present. I will never have a meeting with them unless that is the position. I want everything that passes between us to be recorded. It must be recorded.

3.25 p.m.

I am glad that they have in their own legal advisor. I saw with my own two eyes the Chief Electoral Officer in a certain place advising himself on the law. When he was told that he was wrong, he insisted that he was advising himself on the law. Well, a little later we will have to vote. As a matter of fact, in this subhead the consequence of this we have to pay for now — \$97 000. I am very glad that in West Indian jurisprudence another thing has come into play, and that is any electoral officer or registering officer who refuses to register a person who is eligible can be sued and damages awarded against them. So there is no profit in any election official thinking that in the context of the Caribbean, the law is not, at least in Barbados, providing a remedy for people who want, if they so desire, to deprive a person of his constitutional right to vote.

I would say, Sir, that I only have one disappointment in this exercise when it comes to the \$97 000. I am disappointed in the fact that court costs are so high in Barbados. I am exceedingly disappointed in that fact. Court costs are ridiculously high in Barbados and this Government is determined that this situation will be remedied. As a result of the award of court costs in Barbados, democracy is being subverted, because the essential aspect of democracy is access to the courts, and if the courts are awarded costs of a magnitude that is so high as to act as a deterrent to access to the courts, then the Government has to step in, and that is what is happening. That is what is happening. It is happening in insurance and it is now happening in other things, and we have to put a stop to it.

The Government finds itself in a position where it has to pay the cost of \$48 000 for each team. That is the \$97 000. Forty-eight thousand dollars for each team. It is a fact. It is wrong. There is a lack of appreciation and understanding that, however fashionable a counsel or a lawyer is, that is the business of the client who hires them. I have no objections at all to any lawyer charging his own client any amount of money, but I object strenuously to a defendant having to pay unreasonable costs when the court awards cost against them. That is wrong. The impact of that in your society is the impact that you have like in the insurance market in Barbados, where the costs are so high that people are not getting insurance at all. Well, the Government is not going to

allow that to continue. We cannot allow that to continue. That is not what tax cost is. Tax cost is a reasonable remuneration for reimbursement. It is a very wrong thing. It is a very, very wrong thing, and the Government has strong evidence by virtue of the amounts awarded in cases in which the Government has been awarded. We have that evidence, and it appears to us to be grossly unreasonable. That is what we say, and I will say it.

So that, Sir, basically is the position with respect to the Electoral Office. The Chief Supervisor of elections cannot tell anybody that any member of this Government stopped him from registering anybody; cannot tell anybody that; cannot tell anybody that the Government has not provided the money for them to be able to carry out their jobs, and that is how it will be. We are not going to stand by and allow the good name of Barbados to be sullied by reckless and irresponsible politics. We took too much time in trying to build up the good name of Barbados. We are not going to allow it, and that is our position, Sir.

I beg to move that Head 15, stand part.

Hon. L. S. CRAIG: Sir, I rise to second the Resolution and reserve my right to speak.

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I think that we have to welcome the comment from the Prime Minister with regard to the provision of resources for the Electoral and Boundaries Commission. Having recently called for additional resources for that commission myself, I obviously will support this Resolution. But I go further, in the context of that call I made, and say that, out of an abundance of caution and to make doubly sure, I hope that it is only a matter of time before the Electoral and Boundaries Commission will fully and thoroughly review their requirements, their needs for the running of an election, for putting the machinery in ship-shape, so that no one in or outside of Barbados can question anything that is done, ....

*Asides.*

Mr. B. M. TAITT: Man, why you do not know your place? Why you do not know your place?

Mr. CHAIRMAN: Please, please.

Mr. B. M. TAITT: So that no one inside or outside of Barbados will question anything that is done in an election in this country.

Sir, it has been said that statements have been made bringing the fair name of Barbados into disrepute. I am going to make statements on the floor of this House,

which I am going to back up with facts, which any Member on that side, this side, or anywhere in Barbados can go and check. I am going to speak about the constituency of St. Michael West which I ran in and which I know about. A number of casual statements are made, and there are some people who believe that if they jump up and cast aspersions on the character of other people, those people are to run and hide and not say what they have to say.

In the last election in this country, there were 38 persons listed in the constituency of St. Michael West with addresses outside of the constituency of St. Michael West, for example, Appleby Gardens. That is the election that was held in 1981. The list can be found by anyone who gets a copy of the constituency register that was published on Monday, June 15. I am going to say it slowly because I do not want there to be any error. The list that was published on Monday, the 15th of June, had 38 persons with addresses outside of the constituency of St. Michael West.  
3.35 p.m.

There were 63 persons for whom letters sent by us over a period of time have consistently been returned by postmen. I said there were 63 persons who we cannot find, did not find in the constituency at that time, who voted in that election on June 18. These are names which we have next to them: "moved", "gone away". From all the reports, those persons actually voted on June 18. Their names can be made available to anyone who wishes to get them.

Twenty-three persons listed on our constituency rolls, whom we have verified to be out of Barbados, and who were out of Barbados on Election Day, voted on June 18, according to our records.

There were two persons with identical names, ID numbers and different faces who voted in the election on June 18. I am talking about St. Michael West, Sir, I am not talking about anybody else's constituency. The Returning Officer can confirm this, since it was reported by the Presiding Officers in polling districts for Polling Stations FC2 and FE1 respectively.

Sir, let me pause. When I have said that there were election frauds taking place on Election Day, there are persons who jumped to the conclusion that someone was accusing them of election fraud. We are saying that these are things that happened. And I am saying further that the Chief Electoral Officer himself has been known to say that persons who live outside of Barbados, who are not qualified to vote in Barbados have voted in Barbadian elections. I am going further and saying there were persons who reported to us having valid identity cards who did not appear on the list and who were unable to vote on June 18. According to the system we have in

this country, to be issued with an identification card is evidence that your name is on the roll, some place within the electoral list of Barbados.

And so, Sir, we ask the Electoral Officer to publish alphabetical listings for June 15 and May 27, and I invite the Government to go and get an alphabetical list of the June 15 roll and a second list for May 27 and let us compare to see who or what was left out. Let us get a list for May 27 and let us get one for June 15, 1981 and we will see who was left out; an alphabetical list of the entire country, the 164 000 voters, and we will see. That is one way in which we can be absolutely sure of what error was made resulting in a few dozen, as was said after the elections.

I am saying that there were over 1800 people in this country in 1981, who had valid ID cards whose names did not appear on the electoral roll. I am saying it without fear of contradiction. They had valid ID cards, they appeared on the May 27 list, and by June 18 they were not on the list.

Sir, I do not know who is responsible for it, but I resent anybody, when I get up and say that that is a fact, saying that we are bringing down the fair name of Barbados. You cannot bring down the fair name of Barbados if you say what is the truth. I speak for my constituency, the others can speak for theirs, but everybody knows that in the last election we had there was confusion.

*Aside.*

Mr. B. M. TAITT: There was no confusion in the ranks of the Barbados Labour Party, apparently, but there was confusion, and that does not need any Solomon. The empirical evidence is that there are people who did not get a chance to vote, who drove around to 5, 6, 7, 8 constituencies trying to find where to vote. Those errors must be corrected, and I am saying that one way in which they can be corrected is for the Chief Electoral Officer, or better still, the Electoral and Boundaries Commission, to have full and complete responsibility for compiling the list and for inputting the list into the computer. If, as I have suggested, they cannot get their own computer because it would be too expensive, then they must have complete control of the computer which is being used by them to compile the list for electoral purposes. There should be no other department in this country that has any responsibility whatsoever for the electoral list from which an election will be held.

It cannot be, Sir, that the list leaves the Electoral Office completed and by the time it is published 1800 people are off. If you spread 1800 people across the constituencies making up the 27, you will see that at least nine constituencies were determined by 200 votes or less,

so that 200 persons in a constituency who cannot vote may in fact determine an election in this country. If one looks at the configuration of the House, one can successfully argue that leaving off 1830 people or more can result in a different election result from that which could possibly have occurred if they had not been left off. Mr. Chairman, I will not be cowed into resiling from that position.

I go further. When this Parliament was about to deal with the 1981 election, a committee was set up, a Boundaries Committee, the report on which came to this Parliament in its Second Session 1976-81. That Report of the Select Committee on Boundaries and Designation of Constituencies forms part of the record of this Honourable House, and I have said in here before, and I say it again, you will recall, Mr. Chairman, that our position was that there was no need for 27 constituencies. You will recall that we indicated — and it can be found in the record where we indicated as members of that committee — that the census of 1980 had shown that instead of the population of Barbados being 260 000 as anybody could anticipate it would be, it was 238 000 people, and we are the only people in the world who show a smaller census .....

(*Aside:* Hon. B. A. MILLER: 247 000, Sir.).

Mr. B. M. TAITT: Two hundred and forty seven thousand, Sir, I am told. I have seen it as 238 000 but I will take the 247 000. Two hundred and forty seven thousand is less than the 250 000 which we have always said was the population of Barbados. The 1980 census showed a smaller population than the previous census. We are the only people in the world who increased the number of constituencies on the basis of a smaller census! We defied logic! And this report will show that the minority, a Mr. Greaves and myself, on that Committee, when we put forward our views on this matter, the response we got was a motion from the late Prime Minister that the seats be increased to 27. And that was the end of the matter.

Now we are seeing another phenomenon.

Hon. L. S. CRAIG: Sir, on a point of order. I rise to say that is not true, because I was a member of that committee and the Prime Minister himself did not move any motion. I was a member of the committee. I am waiting until he is finished to let him say what he said about the committee.

3.45 p.m.

(*Certain remarks made at this stage by Mr. B. M. TAITT were ordered by Mr. CHAIRMAN to be expunged from the record.*)

Mr. B. M. TAITT: I am saying, Sir that the honourable member has told this committee an untruth. I am saying that the report of the committee shows, and I am saying, that the honourable Member for St. Thomas, who was a member of that committee, the Prime Minister of Barbados of the day, moved a Resolution in that committee that the constituencies be 27. I am saying that he said that immediately after the minority had made their presentation on a consideration of the Chief Electoral Officer's Report and I am saying that there was no further consideration. The then Prime Minister at the end of the presentation said: "I move that there be 27 seats." Mr. Chairman, I am going to give you the record of the committee's report so that you can see that the honourable Member for St. James North is once more deliberately misleading this House.

Mr. Chairman I have all the records. I give you the assurance that before this item is finished, or subsequently, I will ask for a point of privilege, because I have told this Committee that I will produce the evidence, and I will produce it for the records of this House.

I am going on with my speech to say that at that time, the number on the roll was 164 000 plus, and we demonstrated that if you had divided 164 000 plus by 24, and if you had a plus or minus 10% on either side, the highest constituency number would be 7 500 and the lowest 5 600 approximately, which is about the size that it was agreed was an optimum size for a constituency in Barbados. And lo and behold now, Sir, now that there has been an enumeration in Barbados, we are discovering that some 34 000 persons have been removed, or were in range for removal from the roll.

Sir, 10 000 have been added, but I am saying that if 10 000 were added, it means that 24 000 were eligible to come off. And I am saying that the list that was published on January 31, 1986 does not take account of the people who are on the list who are dead. The list that was published on January 31, 1986 still contains all of those persons in Barbados who have been on the list and who are dead.

I can speak of my own knowledge of my constituency. The list published on January 31 had 47 persons who were dead. Since then five more have died, but I do not expect the Electoral Office to know about these five immediately. I have been told, on reliable information from the office, that the dead people will be taken off for the February 28 publication, which brings us to another point.

The record will show that when these matters were being discussed in this House, when the Government brought down Resolutions here to amend the electoral law to provide for the abolition of a monthly list, this side vehemently protested the removal of the provision of

a monthly list, and this side was once again ridiculed. Now, Sir, the Electoral and Boundaries Commission, bless it, has decided that it is going to publish a monthly list. I am calling upon the Government to bring an amendment down here to make that the law. We will promise not to debate it. If the Government feels that they wish to save face, they can do it without any debate.

*Asides.*

Mr. B. M. TAITT: We told you that if you did not have a monthly list that it would result in confusion, and on the basis of that, people in this community could rightly believe that the reason why you did not want a monthly list was one of malfeasance.

*Asides.*

Mr. B. M. TAITT: Well, I had to say that, because if I say the word, the Chairman is going to make me withdraw it.

People in this country could rightly believe that if you have only three days — Mr. Chairman, we told them then and we have to keep saying it — it is not logically sensible to say to a community that the final list for election would be published three days before the election. Mr. Chairman, if on the point when that list is published anybody discovers that he has been left off the list, or anybody discovers that he should have been included in the list, there is nothing that anybody can do. Three days is what the law is in Barbados now, a change which, I believe — some members over there do not even understand why that change was brought in — is a travesty of electoral matters. People of a community who are going to vote, even if they are voting for Dog Catcher, should have the opportunity to feel that all is well.

*Asides.*

Mr. B. M. TAITT: They will get it when the Government makes the amendments that are necessary to bring the law back into a position where everybody can feel comfortable with it. The concept that it was inconvenient, or that it cost too much money, to have a monthly list published on which sometimes there were no names, is a wrong concept. That is a price that can be paid for the democratic process. That is a price that can be paid for democracy. Therefore, in order for the Opposition to feel comfortable about these matters, in order for many people in Barbados to feel comfortable about these matters, they have to be made law.

As of now, this is happening as a matter of administrative decree by the Electoral and Boundaries Commission, so that the list that is going to be published in February is not an official list, according to the law. The list that is going to be published is a list that the Elec-

toral and Boundaries Commission has decided it is going to publish. I suppose it can be argued, in a very esoteric argument, that since the Boundaries Commission has been given responsibility for all electoral matters, the list is a valid and legal list. But the truth is that elections in this country are held under the relevant laws and, therefore, the law has to be amended so that it can become part of the electoral law.

3.55 p.m.

The honourable Member, the Prime Minister says that he is steeped in election law. I have recommended, and I am recommending now, that all of the law relating to elections should be consolidated into one instrument, so that there will not have to be any special knowledge one requires to find the law under which an election is carried on in Barbados.

We told them, Sir, that when they were doing the statistical exercise, they were going to start it out under the Statistics Act and then slide it over under the Elections Act, and they told us that that was not true. And you and I know, Sir, that the 1981 election was conducted on exactly those terms. We do not believe you when you say anything about elections any more, because when you have said it, we have had no reason to believe you. Your actions have demonstrated that you cannot be trusted in these matters.

Now take the honourable Member for St. James North getting up in here today and telling this House that the Prime Minister never moved any election. On page 100 of that report, Sir.....

Mr. CHAIRMAN: What is the honourable Member quoting from?

Mr. B. M. TAITT: "REPORT OF THE SELECT COMMITTEE ON BOUNDARIES AND DESIGNATION OF CONSTITUENCIES, HOUSE OF ASSEMBLY BARBADOS, PARLIAMENT OF BARBADOS 1976-81 Second Session." Page 100 — Mr. Chairman, I beg your indulgence while I read this slowly:

"Mr. Taitt said that the concept of retaining parish boundaries would justify retaining 2 constituencies in St. George (South: 5764 and North: 5856) with an electorate below the norm in each. For the record, Mr. Taitt reiterated, the need for field work in settling boundaries and voting districts cuts was no barrier in equity in something as vital and crucial as the voting rights of a population. Such field work could be done under the proposed permanent boundaries commission.

Mr. Taitt felt, in concluding his submission, that, if his proposals for retaining 24 constituencies required to be examined in more detail, his side

would go into whatever detail might be necessary and demonstrate their position.

In reply to Mr. Simmons, Mr. Taitt maintained his position that parish boundaries do not constitute a barrier to the movement of constituency boundaries. Mr. Taitt also recalled that, in his submission to the Committee at the first Meeting on Monday 1st September, 1980 to which Mr. Simmons had referred, he had suggested that parish boundaries should be retained wherever possible. Hence his concurrence in the division of the St. George constituencies which are smaller than the suggested minimum.

Rt. Hon. J. M. G. M. Adams moved that the number of constituencies be increased to 27."

On page 105, Sir.

"The question that the present 24 seats be retained without additions was put and was resolved in the negative:

*Ayes:* Messrs B. M. Taitt and E. E. Greaves: 2.

*Noes:* Rt. Hon. J. M. G. M. Adams, Hon. L. S. Craig and Mr. D. A. C. Simmons: 3.

The question that there be 27 constituencies was put and was resolved in the affirmative:

*Ayes:* Rt. Hon. J. M. G. M. Adams, Hon. L. S. Craig and Mr. D. A. C. Simmons: 3.

*Noes:* Messrs B. M. Taitt and E. E. Greaves: 2."

Do you think that from now on and forever you could ever get up in here and say anything and I would believe you? You got up in here and told the Chairman and this House.....

Mr. CHAIRMAN: Address the Chair.

Mr. B. M. TAITT: He got up in here and told the Chairman.....

Mr. CHAIRMAN: The honourable Member.

Mr. B. M. TAITT: The honourable Member for St. James North got up in here and told the Chairman and this Honourable Committee authoritatively, the Leader of the House, that I was telling an untruth. He said that I was lying.....

Mr. CHAIRMAN: Please, please.

Mr. B. M. TAITT: And then he told you, Sir, with authority that he was there and no such thing

happened. And here is the record, Sir. You stand condemned.

(*Aside:* Hon. DeL. O. BRADSHAW: Nasser is outside waiting for you.)

Mr. CHAIRMAN: Your time is up.

Mr. B. M. TAITT: Thank you, Sir.

Hon. L. S. CRAIG (St. James North): Sir, a few months ago, the Records of this Honourable Chamber were challenged by the Leader of the Opposition. I have the right now to challenge such a record. I take it, Sir, that if that is an accurate report, it would have a seconder. And according to ....

Mr. B. M. TAITT: On a point of order, Sir. It is an accurate report, Sir. It is signed by, W.C.B. Hinds, Chairman, G.E.T. Brancker, Deputy Clerk of Parliament. It is already a record of this House.

Mr. CHAIRMAN: No point of order.

Hon. L. S. CRAIG: The records of this Chamber would also reveal that the Leader of the Opposition, supported by the Member for St. Michael West, challenged the records of this Chamber on one occasion in here in relation to the Minutes, and held the Clerks at this table almost with a gun at their heads because they could not answer the Leader of the Opposition and the Member for St. Michael West.

Mr. B. M. TAITT: On a point of order, Sir, I challenge him to bring that record.

Hon. L. S. CRAIG: Now, Mr. Chairman, I have watched the political Sydney Poitier since 1976 and I have seen him again in 1986, bursting at the blood vessels, parading before a relatively small Gallery today, and yet attempting to convince us that they, on no occasion, ever tried to convey to this country, those in the Caribbean and beyond these shores, that this Government and this Party had set out in 1981 to rig the election, and that they are warning us on this occasion not to rig the election. I can only conclude, Mr. Chairman, that such statements going abroad would show, in the eyes of the public, the entire Caribbean and beyond these shores of the Caribbean, that there are malpractices within the ranks of the Government in relation to an election held in Barbados. The Leader of the Opposition himself only a few weeks ago made it abundantly clear that we should not intervene in areas of elections in other countries until we put ours in order. I think that that coming from the Leader of the Opposition is nothing else but dragging down your country in the eyes of the entire democratic world.

I was the victim in 1971, just within three weeks to an election, of the then Prime Minister of Barbados, the honourable Member for St. John, removing Orange Hill and part of Sion Hill from what is now called St. James North, and there was utter confusion as to where people should vote and where they should not vote. I do not believe that was the rigging of an election, because I do not know how to rig an election or how you set about to rig an election. What I do know is that he manoeuvred, by way of gerrymandering, the boundaries to put the majority of the votes of Orange Hill, which was then considered the stronghold of the Barbados Labour Party, into St. Andrew, with the hope of causing me to lose my seat in St. James and Mr. DaCosta Edwards to win his in the St. Andrew area, Sir. That is a fact of life.

Up to this very day I would never walk around this country, or any part of the world that I may travel, unless I say that elections in Barbados are honestly and fairly conducted, and any young man or woman who goes into a polling booth to cast their vote would accept this as a fact of life, that this is a secret ballot, and that no one can know who you voted for unless you tell them. Not a single person!  
4.05 p.m.

I believe, Mr. Chairman, that if you were to open the heart of the Member for St. Michael West, apart from blood running through it, in that heart it would say to you, 'I know that you do not believe yourself that there is ever any rigging in elections.' I do not believe that he himself believes what he is saying, and I do not believe that any single person in Barbados, not even foolish Hinds, accept the theory that there is rigging of any election in Barbados by any party, either their party, when they were in Government, or this party. I say that as a Barbadian for all Barbadians.

There have been discrepancies even to this very day. There are people on the list that I have seen for myself who are no longer here with us, Sir, who are deceased. To this very day, I have seen them on my list. There are people living in one constituency, living in the same house as husband and wife, and the wife is supposed to be voting in one box and the husband, Sir, in another box. I have seen this, Mr. Chairman, and I believe you have seen this, too. That is not the rigging of an election. That is a discrepancy which can happen, and there is nothing that we can do about that. We have done everything in our power in the past to make sure there is no confusion, and on this occasion, even on the television every single night, we bring out a programme showing you what to do, how it is done, and where you are to go. I believe this is the only country in the world that goes through this exercise, of which we all can be proud.

But what do you find, Sir? The Member for St. Michael West said that there were some 1800 persons that could not vote. I believe that had the Member for St. Michael South Central been in here, he would have said it was 18 000. We have been spared that today, but we hear 1800. If you take 1800 persons and divide them into 27 constituencies Sir, it is approximately an average of about 70 persons or thereabouts.

*Asides.*

Hon. L. S. CRAIG: How many?..... About 70 persons, Sir, per constituency on average, if you spread them across the country. Now could that be really something for a Government or an Opposition to be arguing about what would make the difference in an election? Would you consider that rigging an election, piling up the list? Is this not probably a simple error by way of what the computer puts out? I have heard about two persons with one identification card and about people voting twice. I do not believe that, and I have been in this for about 25 years. I do not believe that any one person in this country votes at one polling station twice. I do not believe that. And if that happens, then you are condemning the Presiding Officer — that is what you are doing — not the Government.

*Asides.*

Hon. L. S. CRAIG: I said in one box, in one polling station. That is nonsense! People walk around and say they voted twice to impress someone that they have done this and they have done that. I do not believe that.

The present situation, Mr. Chairman, is one in which the list has not been updated not since 1971, I think Sir. I am subject to correction. We have not had an updated list since 1966. You have thousands of people migrating and thousands of people coming into Barbados, Sir. There is a movement. People come in and people go out, people die, and, therefore, because the list was not put in order since 1966 — and you were in power from 1966–1976, those ten years you did not try to correct it — and we have set out now in 1986, as we did in 1981, to make sure that you can have the list in order.

It is not really fair to be in here debating the fair name of Barbados, a country which, I believe, can lead the entire Western world in honesty of purpose and in fairness in an election in any country. I feel proud as a Barbadian to say that. I could not go anywhere in the world and say that your side, when you were in office, has ever rigged an election, because I do not believe that. I have never seen any evidence of it, of padding a register for the sake of voting. I do not believe it. But here in 1986 you are catching at feathers on a sinking ship.

You are walking around shouting about rigging an election, crime, drugs. All of these things you preach to tarnish the fair name of this country.

In 1979, you took to the streets of this country accusing Chairman, Prime Minister, Attorney General, members of the Cabinet and the entire party of murdering a man..... You, all of you, each and everyone of you, the Leader of the Opposition right down — for the sake of catching at something for the purpose of winning an election. Now you come up with another one, that we are rigging the election. There is all the crime in the world since the Barbados Labour Party came into office. All the drugs in the world now come in. Nothing said about it in Barbados until now! The first time ever!

*Asides.*

Hon. L. S. CRAIG: To do what? To destroy the fair image of your country.

Sir, the \$298 000 which we have voted here, and which we seek to pass as a Resolution today, is basically to upgrade the Electoral and Boundaries Commission, to give them all that they ask for for the purpose of making the election as fool proof as possible, to make it as thorough as possible. And the Deputy Chairman of the Boundaries Commission, who is a devout, confirmed member of the Democratic Labour Party, is a Dr. Hunt. I call his name in his capacity as Deputy Chairman.

*Asides.*

Hon. L. S. CRAIG: You cannot challenge the man's integrity, because he is Head of the University of the West Indies, Cave Hill Campus. We accepted him. We did not challenge him. Yet, you can walk around here and try to convey to your brothers and sisters in the other islands that there is some rigging or tampering with the electoral process in Barbados. I only hope that when the Leader of the Opposition returns from the Philippines, he would give you an idea of what it is like in the Philippines. I do not know, I am only following the news. I hope he will give you an idea, and I hope that if he has an idea he would not put it into practice in Barbados.

*Asides.*

Hon. L. S. CRAIG: I brought back something for you, too. I brought something back for you, too, but I am not going to tell you on the floor of the House. I will tell you outside. I will tell you what I brought back and you will know what I am talking about. You will know very well what I am talking about.

Mr. Chairman, there is no doubt, Sir, in my mind that I stand by the fair name of this country. I cannot

sit around anywhere at all and accept the theory of the Opposition that they are the ones who called for an Electoral and Boundaries Commission. It was in our manifesto. We have never seen it in theirs, to the best of my knowledge. They argued against it to be entrenched in the Constitution, according to what the Prime Minister of Barbados, said at the constitutional talks. In all of these areas, Sir, when we argued for it, they objected to it, and now the only thing they can do is try to walk around and shout, is of the rigging of the election. Well, I will tell you this, you have an Electoral and Boundaries Commission, you have the Principal of the University of the West Indies, Cave Hill, a man of integrity and an educator, a registered, confirmed, certified member of your party. You cannot deny all of these things, so whenever there is any fraud now, he will have to be in it.  
4.15 p.m.

Mr. Chairman, \$298 000, I have no doubt is worthwhile spending it. I sincerely hope that I will not hear anything coming from any member of the Opposition again in relation to rigging of elections in this country, because there is nothing else we can do to make sure that the list is as clean as possible and the election is conducted at a standard of which we can be justly proud.

Hon. DeL. O. BRADSHAW (St. Michael South East): Mr. Chairman, as expected, this Resolution has provoked a sort of heated debate. First of all, we are drawing near to the date of a General Election and it is expected that the pulses of politicians, especially those in the fray, will be a little inflated. But I think that in all this we need to exercise common sense and our better judgement, because it is not only those who are involved in this exercise who stand to lose, but the electorate, the country, the credibility of Barbados stands to lose a lot. I will suggest that, in making contributions to this debate, honourable Members recognise that it is not a good thing for them to seek to destroy our electoral system to the point that other countries could point the finger at us and accuse us of having unfair or not free elections. It would be a very sad day if Barbados was to be regarded in the eyes of the world as a country in which unfair and not free elections were held.

We recognised as far back as in 1971 that there were certain problems with the electoral list. There were charges and counter charges — and, no doubt defences — as far as the system was concerned. But the point that was taken, and all have agreed, that the electoral list needed to be further scrutinised and a lot more could be done to reduce the number of errors on that master list. All political parties have expressed their concern, and it was agreed by both parties that something should be done by the Electoral Office in order to reduce the number of inaccuracies and errors that appeared on the electoral list.

In 1976 the elections were fought as in 1971, and after the elections charges were made. The list contained inaccuracies and the list was responsible for some members winning and some members losing. Do not care what you do, Mr. Chairman, after a General Election you will hear the charges. I want to make this abundantly clear. The charges are as old as the hills, and don't care what you do, don't care what this Government or any other Government does, the charges are going to continue. It is something you have to live with. Politicians sometimes run out of steam, run out of ideas, they run out of criticisms, and they embark on the one whipping horse, that is the electoral list and what is done to it. That is what they look at for excuses.

I have always said, and I maintain my position, that if you are a politician, and a good politician, you will make sure you do your homework. I do not care how many inaccuracies appear on my list – I am going to make sure that I do my homework to reduce them. That is my duty. In doing that exercise you will be able to detect any problems and, thank God, the law is so worded and framed that it allows any candidate sufficient time to make those amendments.

*Aside.*

Hon. DeL. O. BRADSHAW: Yes, there is time, and you know there is time. There are objections forms produced by the Electoral Office, Candidates, or any person for that matter, are entitled to object to someone living in a particular constituency, so long as they fill out the form and put it to the Chief Electoral Officer. There are also forms which deal with change of residence, change of address. The form is well known by honourable Members on that side as well as honourable Members on this side, and all of us have used them. So if you saw a name appearing on an electoral list and you feel justified that the name should not be on, you can report the matter to the Chief Electoral Officer. If the Chief Electoral Officer does not act in the manner as set out in the law, then you know that there is a recourse to the law courts. You know that, the law is quite clear. You cannot disenfranchise a man who has a legal right to be on the electoral list.

I have heard all kinds of wild allegations, but let me tell this Honourable House that we decided to set up the Electoral and Boundaries Commission. It is supposed to be an independent body. Members from the Opposition were asked to make a nomination or two and the Government made a nomination or two. We have an Electoral and Boundaries Commission. The aim is to have as fair an election, or the conduct of an election, as possible. You cannot want anything better than that. The Government did not set up a committee of all Government-appointed members, the Opposition has representation.

The enumeration was set up; there were people appointed to go from house to house within the constituencies to establish whether persons who appeared on the previous list of 1981 were, in fact, in the constituency, living in the constituency, or whether they were eligible by law to vote in such constituency. What has happened? Let me say that I hold no brief for anybody on this occasion or in this matter. There were some enumerators who did not do their job. It is true that in exercises like this people may sometimes allow their political persuasion to affect their job. It happens everywhere. There are some people who do not understand that when they have a specific duty to perform, they should conduct themselves in such a manner that should not cause the system to be brought into disrepute. But if one or two people, as in any other organisation, or in any other system, have done something that is wrong, or have omitted to give certain information, what are we worried about?

4.25 p.m.

What I am concerned about, and honourable Members on that side know this is, that it is because we on this side, as a Government, are not satisfied that everything has been done to ensure an accurate list, that we have agreed to come with this Resolution today. We have taken the points raised by honourable Members on that side. We, on this side, have had complaints. We have complained on this side that all was not well with the electoral list after the recent enumeration. We recognize that in some constituencies people have been omitted – erroneously, I would say – but we were able to do our homework and notify the Electoral Officer so that those persons can come back on the list, and they have come back on. And I will say this: although we have a list, we will still have to be guarded to make sure that persons who appear on the list and between now and election time have moved out or are resided in another constituency, are transferred off the list. So the exercise is going to be an on-going one; this is not going to be the final chapter.

I want to make this abundantly clear. Members on that side will be out there in the open air on nights telling people that we want to rig an election. Rig what? Somebody has to rig an election to beat you? The people are not with you. You want to win by default. That is what you want. You are waiting for an ace card to be drawn – who is coming over. That is what you are waiting on. You want a coup, that is what you want, and it is not going to happen. You have to wait a longer time.

Mr. Chairman, the Electoral and Boundaries Commission has recognized that there are some problems as far as interpreting certain aspects of the law, especially as it relates to the registering of some people, and they have been having opinions – as lawyers differ, like doctors, in opinion – and we felt that their proposal to

have their own legal adviser should be one which we could accede to. This Resolution seeks, among other things, to place at the disposal of the Electoral and Boundaries Commission a legal advisor who would then be able to advise that commission on certain aspects of the electoral law. These are the positive things about this Resolution.

We also recognize that there are some problems, and the problems are well known. We have talked about them: there are some omissions; some people have come on the list that should not be on; some people have not been put on at all, although they are eligible. In an effort to correct this, we have to come with this Resolution so that money can be made available to persons to go out now, even at this stage, and correct those particular problems. So what are we hearing?

I thought that Members on that side would have got up and said, 'This is what should have been done in the first place. We support it, and if there are any further suggestions, put them to this Chamber.' Make recommendations across the floor and then they can be looked at, because I always maintain, today the boot is on my foot and tomorrow it is on yours. That is how I always look at it.

I am sure you will not see a situation in this country where one political party remains in power for a lifetime. It does not happen, not in a democratic country. People get fed up with you. But what we must not seek to do is to put the good name of Barbados into disrepute. We must not do that. What am I hearing? Are we now going to be put on the same level as Guyana, that elections in Barbados are not conducted freely and fairly? Because one or two persons on the Opposition want to get power? Is it that they want to drag down a whole system?

They say that democracy has been threatened, an old chant that has been heard coming from the Opposition over time and time again. Let me say this to them. You have the right to go out there and to put your case, to try to point out to the people, or to convince them that this Government is a wicked Government. Let me say this to you: We have that right, too.

*Asides.*

Hon. DeL. O. BRADSHAW: I do not mind you. You cannot talk about integrity, because you know me and you today. You keep quiet. Do not get in this.

A list appeared on January 31. Let me say this about that list. The law stipulates that that list should be published every year, but the Government has already indicated, and the Boundaries Commission, that a list will come out each and every month thereafter, the end of

February, the end of March, the end of April, the end of May, the end of June. The exercise will continue, and all of us in here, potential politicians, have a right to look at the list, to go through the constituency. I can tell you how to do it — do house to house. Do your homework and get a list of the persons who are living in an area, and if you are able to take out a list of those persons living in an area, then you would be able to see and know who is on that should not be on, and who is off that should be on. It is not difficult. No electoral officer can do any homework for me. I am interested in the electoral list from one aspect, that all persons that are duly registered are on the electoral list.

I do not see why we have to make all of this fuss, we are ranting and raving, but about what? We should be complimenting the Government for coming here with such a Resolution in order to rectify some of the concerns that all of us have in here. You alone do not have concerns. We have concerns, too, and I am not going to argue on that.

Mr. CHAIRMAN: Time.

Hon. DeL. O. BRADSHAW: What I am saying is that I would like to hear the bell ring, and have you get up in here talking about a rig list, and then you would see exactly what will happen after elections.

Mr. M. A. KING (Christ Church West Central): Mr. Chairman, one thing that the honourable Member for St. Michael South East (Hon. DeL. O. Bradshaw) has said which has made some sense is that there have been a lot of irregularities in relation to the list. When you hear the comments of honourable members on the other side in relation to these matters, you will believe that there was no great amount of irregularities and that there had been nothing wrong. But the honourable Member for St. Michael South East recognizes, and I think all of us who participated in the last General Election, in our various constituencies would have recognized that there have been a lot of irregularities as a result of which a number of persons were disenfranchised, a number of persons were unable to find where they had to vote and that persons who lived in the same houses as others found they had to go in different locations, sometimes far apart. So that anybody who would be so bold as to say that there was not too much wrong with the whole structure of the last election would be either deliberately misrepresenting the facts or really not understanding what is happening at all.

When we say that there have been irregularities, and when irregularities become so great and so many that they tend to disenfranchise a large number of persons, then we say that such irregularities are tantamount to fraud, because when you find that large numbers of persons become disenfranchised — and the honourable

Member for St. James North (Hon. L. S. Craig) was talking about some 1 800 and saying, what difference can that make? — that can make a big lot of difference. As the honourable Member for St. Michael West (Mr. B. M. Taitt) made the point, when you have seats which are won by 200 votes and less than 200 votes, I think one can understand the difference that 1 800 votes, appropriately distributed over the country, can make. When you have an election which has been won by 19 votes, an election won by 9 votes, an election won by 53 votes, an election won by 80 votes; when you have elections won by that number of votes in a country of this size, you can understand that a considerable difference could be made in a result where you have problems in relation to no more than 1 800 votes.

4.35 p.m.

The honourable Member for St. James North seemed to have got into a speed wobble in this debate. It is not often that you see him run from a debate, and when you see him run from a fight, you know that he has really been wounded. When the honourable Member for St. Michael West made the point that the then Right Honourable Member for St. Thomas had moved the motion for 27 constituencies, the honourable Member for St. James North said that was nonsense, he was lying.

(*Aside:* Hon. D. A. C. SIMMONS: He said it was not seconded.)

Mr. M. A. KING: I am coming to that. The honourable Member for St. Michael West then read chapter and verse of what had taken place. The honourable Member for St. James North thought he was scoring a debating point when he said, "If that was a motion moved, then it must have been seconded." I refer to the report, Mr. Chairman, page 100 into 101:

"Rt. Hon. J. M. G. M. Adams moved that the number of constituencies be increased to 27."

Motion.

"Hon. L. S. Craig, in seconding that motion, said that Government proposed to resettle residents of Cat's Castle and Greenfields in the St. Cecilia development. The Church Village residents would be relocated at Atwell's Land in the Ivy, St. Michael."

So that if the honourable Member for St. James North wishes it chapter and verse, the then Right Honourable Member for St. Thomas moved the motion, which was seconded by the honourable Member for St. James North.

(*Aside:* Mr. B. M. TAITT: Shame, shame! He should be censured in this House.)

(*Aside:* Hon. DeL. O. BRADSHAW: He did not remember. Barrow makes those mistakes, too.)

*Laughter.*

Mr. M. A. KING: He did not remember!

*Asides.*

Mr. CHAIRMAN: Order, order, order, please.

Mr. M. A. KING: He then wanted to challenge the accuracy of the report. I do not suppose that he would pursue that.

But the honourable Member for St. James North went on to make some rather unusual statements. He said that the list was not updated since 1966. I did not quite understand that, because there was an enumeration in 1966. Certainly for the General Election which followed in 1971, the list was revised. Persons were added to the list in 1976. Persons were added to the list as we went along, and at that time I believe monthly updates were being published.

The honourable Member for St. Michael South East must be aware — I am sure he is aware because he always says he knows the law and he is presumed to know — well, I cannot say he is presumed to know — he pretends to know the law.

(*Aside:* Mr. P. M. GREAVES: He is a lawyer, man.)

Mr. M. A. KING: He is a lawyer.

*Laughter.*

Mr. M. A. KING: But when one aspires to the Throne, he is regarded as a pretender. So if in the context of the law, we call the honourable Member for St. Michael South East the pretender without being offensive, I am only saying "the pretender" in the context that you aspire to be fully knowledgeable in the law. The fact is that monthly lists, monthly updates, used to be published, and this had been provided for in the law. So that there was a change in the requirement for publication of the monthly updates, and that change was made as a result of a change in the legislation introduced by this present Government, of which the Member for St. Michael South East is a member. The present indication that monthly lists are now to be published are not a requirement of any law. The present law does not require that to be done.

(*Aside:* Hon. DeL. O. BRADSHAW: I did not say so. Nobody said so.)

Mr. M. A. KING: But if the commission does publish a monthly list, it is a recognition by the Electoral and Boundaries Commission that it is important for the proper regulation of the preparation and compilation of the list and of the final register. It is a recognition by the Electoral and Boundaries Commission that the publication of a monthly update is important, because by doing that, persons who have not been on the list, or who, for some reason, find that their names are not any longer on the list, have an opportunity in good time to take the necessary corrective action to ensure that their names are on the list.

So that when we find that in the course of Government the requirement for the publication of monthly lists has been removed, and that in that period of time between 1976 and now, there was only one list being published annually, on 31st January in every year.....

(*Aside: Mr. P. M. GREAVES: Between 1979 and now.*)

Mr. M. A. KING: Between 1979 – I stand corrected – and now, when we find that the list was being published once annually, on 31st January, that deprived persons, deprived everybody, of an opportunity, a genuine opportunity, to ensure that during the course of the year their names were on the register, bearing in mind that, during the course of the year, it was possible somehow or other for the names from one year to another year sometimes to cease to be on the register. So that when we find that names ceased to be on the register which has been published, sometimes for no good reason, when we find that there are other irregularities in the compilation and publication of the list, when we find that the monthly updates have been stopped, when we on this side then say that before we go out and criticize others about their electoral system, we should first ensure that our own house is in order, then for you to accuse us of disloyalty to our country and to our electoral system and to accuse us of tearing down our institutions when we say that we should first set our electoral house in order; when you accuse us of disloyalty in that regard, I say that you are the persons doing an injustice to yourselves, to your own country and to the whole electoral process, because you are thereby lending aid and comfort to the perpetuation of the irregularities.

(*Aside: Mr. B. M. TAITT: Hear, hear!*)

Mr. M. A. KING: This Resolution which is before us seeks the provision of money for the express purpose of making the electoral process good. We have the highest regard for the objectives of the Resolution.....

(*Aside: Mr. P. M. GREAVES: True.*)

Mr. M. A. KING: .....and we totally support any effort which is being made, and which will be made, in order to make the electoral process a good and efficient one and to provide for the freedom and fairness of elections throughout Barbados.

(*Aside: Mr. B. M. TAITT: Hear, hear!*)

Mr. M. A. KING: So, from that point of view, we have no difficulty whatsoever in supporting the grant of the funds which are now being sought for the electoral process.

Thank you, Mr. Chairman.

*Applause.*

4.45 p.m.

Hon. Dr. R. L. CHELTENHAM (Christ Church East): Mr. Chairman, there would have been no need for me to intervene in this debate if all the contributions that preceded my own were made with the moderation, and indeed the restraint of tone, which characterized the concluding portion of the speech made by the honourable Member who just sat down. But along the way, I think Members not only lost sight of the purpose of this Resolution, which seeks to place more resources at the disposal of the Boundaries and Electoral Commission and to ensure, generally, that the list on which the next election will be fought will be as pure as humanly possible, but they went beyond that, and we had a replay of the reasons why the Democratic Labour Party lost the last election. And I think they attempted, in part, to lay the foundation for explaining away the defeat which is impending in the next election.

We must not fool ourselves. There were a few irregularities, the result of human error – and to be found in any human system – in the last election. But they were not of such a scale and of such a nature in terms of volume as to constitute anything approaching fraud or approaching mass irregularity. The reason why the Democratic Labour Party lost the last election was a simple reason. The people of Barbados were not satisfied that they were ready for a return to holding the levers of power in this country. They were happy with the performance of the Barbados Labour Party. They were happy with the fact that its rhythm and momentum was intact, that it had a unified and dynamic leadership, and that its vision for Barbados was incomplete in terms of its delivery and realization. That is the reason, still, why the Barbados Labour Party will win the next election!

I want to make a very serious point, Mr. Chairman, that we have as large an interest in victory in the next election on this side of the House as in maintaining a model and well functioning democracy in this country.

That is the reason why, long before the forthcoming election, we set about preparing a new and fresh list on which the election will be fought. That was necessary for several reasons. We have 2000 deaths in Barbados when the year comes, and for some strange reason most of the dead people remain on the register from year to year.

*Aside.*

Hon. Dr. R. L. CHELTENHAM: I say "strange" because it seems to me that there is no reason why deaths, which have got to be recorded in the Registry, should not in turn be communicated to the Electoral and Boundaries Commission, so that from month to month, or from quarter to quarter, there can be the deletions on the list on the grounds of death. That is the reason why I say "strange" I heard a *sotto voce* remark to the effect that they are, but I can assure the honourable Member who is making those remarks that those deletions do not take place in my constituency and on my electoral list.

In the second place, Barbados is a country where, even though the population is, generally speaking, stable, there is a lot of movement. Hundreds of families go to the United States every year on a permanent basis, and, once they have been out of the jurisdiction for more than 5 years, their names ought to be deleted. Hundreds of people come to Barbados from year to year either on work permits — well, once they have been resident here for more than 3 years as Commonwealth citizens, they are entitled to vote — or as emigrants into Barbados. I believe that in the last 15 years or so you are talking in excess of 10 000 people who have been given residence or citizenship in this country, mostly from the neighbouring islands. That is not surprising, because there was a time not too long ago when we had to import labour into this country, particularly during the crop season, and it is a matter of fact that many of the islanders who came here — from St. Lucia, St. Vincent, and Dominica and elsewhere — became a permanent part of this population after a while. Many of them did not go back home. But in addition to that, there has been a certain shift in the residence of the population in Barbados. A lot of people have moved from the north of Barbados, for example, and the east to the south of the island, and, in some respects, to the west. So that, although people have remained stable in Barbados, it has been necessary to have them properly registered. Many of them have moved from St. Andrew, for example, a parish where the population is contracting, to Christ Church and other parts of the south and the south east corner of Barbados. In addition to that, a lot of people have got married and that has resulted in a change of name, and, in some cases, they are on the register both in their maiden name and in their married name. So that it was necessary to correct those errors and to make sure that the register is pure and in as perfect a state as we can possibly get it. They

are really the reasons that informed the decisions on the part of the Government to make sure, long in advance, that the electoral list is brought into a pure state.

In the course of the exercise, which was, looking back on it — and I think we all agree on that — far too brief an exercise, only about 8 weeks, certain mistakes have been made. Some of the registering officers could only get to a house once and if, perchance, you were not at home when they passed, the tendency has been to drop your name off the record. Some people have argued that they have two residences, and that has created a certain difficulty. People did not co-operate, too, in some few instances with the registering officers and so, for a series of reasons, we have had emerging from the exercise what is called a deletions list. People have found themselves, across the island in the thousands, on what is called a deletions list. A vigorous attempt is being made to ensure that all those who find themselves on the deletions list are contacted mostly by letter, by the Electoral and Boundaries Commission. We have been trying to get the services and the co-operation of the post office, postmen and women. We have invited the co-operation of the political parties and of all the candidates to ensure that every effort is made to purify the list and to make it as up to date as possible. In this exercise, additional public relations is necessary, and I am glad to see that the centres as they are opened in different districts across the island, that that is made known to the people of Barbados through the radio and through the television.

It is necessary, if the independence of the Electoral and Boundaries Commission is to be enhanced and if its work is to be speeded up that it should have its own independent legal advisor and that it should not, as an independent institution within the political system, be dependent on either the Attorney General or the Solicitor General's Office for legal advice. It is because of the financial requirements necessary from these initiatives that we are here before Parliament seeking a supplementary. It seems to me that it is difficult to quarrel for the purpose of this supplementary and it is difficult not to support the ends sought by this supplementary. 4.55 p.m.

What I think, however, needs to be said is that we must be careful. I know that we are speaking more to our supporters, in some cases, than we ought to be, and to that extent some of the speakers have lost their sense of reasonableness, moderation and restraint, but we must not allow speaking to the Gallery to cause us to ignore the fact that, in this very delicate and important exercise, three ends must always be borne in mind. One is that we should do nothing to disturb the faith of the people of Barbados in the integrity of our electoral system. Having participated in elections since 1971, I am satisfied that we have as good a system in Barbados as exists anywhere else. The second thing is that we should do nothing to

I am saying that the Prime Minister has a responsibility to the community to examine again the arguments being put forward on behalf of the consultants at that level. I do not wish to believe — if it were another person sitting in that chair, it would come easy for me to believe that there was some motivation other than the simple arguments back and forth — that there is any continuation of a policy of victimisation. I am saying that I do not believe there is such a policy, but I am saying that if you examine the number of people involved — they cannot be more than three; at the most four — there cannot be 15 people who are caught in the position which he described — you have to examine the matter in a lot more detail. You have to put it under a microscope and see precisely what are the implications of this policy that has been articulated by the Prime Minister. Only one, possibly two, probably four persons, are going to be caught in the particular trap that has been set, so it is a question of whether BAMP is going to stand by those people or whether BAMP is going to succumb. I have a suspicion, Sir, that, if history is any guide, we are going to have some very difficult times ahead between the doctors and the Government, because when the Minister on the one hand is giving the impression that the doctors and the Government have reached agreement, the Prime Minister on the other hand is laying down the gauntlet for BAMP and saying to them that if they are looking for a fight, he has all the weapons.

Mr. Deputy Speaker, it is a very subtle presentation which the honourable gentleman has made, and it will escape the mind that does not pay attention to the intricacies of the relationship between the university and the hospital. It will not escape those of us who feel that the university doctors have made a substantial contribution to the delivery of health in this community. When the clinics are closed on the basis of the policy articulated by the Prime Minister, it is the same people that the honourable Member for the City talked about in my constituency, and hers, who will suffer.  
7.05 p.m.

Mr. Deputy Speaker, a large proportion of the co-ordinated work which goes on at the hospital, which appears to be purely hospital work, is work that is co-ordinated between the university part of the hospital and the Government consultant part of the hospital. As I understand it, the way the system functions takes no account, whatever, of a daily basis, of any artificial or other distinction between the university doctors and the Government doctors. My understanding is that there is a co-ordinated delivery of health where all of the doctors concerned co-operate, and I am saying that any artificial distinction to be made between them will result in a diminution in the quality of health care that is produced in the Queen Elizabeth Hospital.

I am not competent to put the case in the way that the doctors could put the case, nor am I seeking to put forward the position of the doctors. What I have gleaned is based partly on my interest in what is going on and partly on my reading the position as put forward by BAMP from time to time in their publications. But I submit that the matters between the doctors and the Government are not as simple as the Prime Minister would have us to believe. I submit that the Establishments Division would wish to advise the Prime Minister that he should recognize that he is treading on very thin ice with regard to the quality of presentation.

Finally, Sir, I do not believe that any consultant working in the Queen Elizabeth Hospital system, whether it is in the old salary scale or the new salary scale, is going to work in an 8 to 4 job. The impression is going forth again that the doctors are going to be brought to heel, that they are going to have to clock in like everybody else and carry their full load like everybody else.

Mr. Deputy Speaker, anybody who knows how the doctors function know that that has nothing to do with it. They have a system which only doctors understand, and I am not even going to try to confuse you or this House by suggesting that I understand it. What I know is that it is not a simplistic idea that a doctor is going to come to work 8 to 4, so. And here the inter-relationship between the consultants at the Queen Elizabeth Hospital and those in the university system again comes to fore — they all play their role in the roster system which constitutes an hourly arrangement with the doctors in the hospital. And now that the other hospital is gone,.....

#### *Asides*

Mr. B. M. TAITT: .....it behoves all of us to pay even more attention to the quality of care that is delivered at the Queen Elizabeth Hospital. On another occasion I would wish to discuss that matter, because, let me say, the quality of care that is being delivered at the hospital is not always what the Minister and what the Government would wish us to believe. But that will be the occasion of another and a separate debate. I would not wish to contaminate what I am saying by bringing too many factors to bear this evening.

I want to say that the Prime Minister's presentation is a lot too subtle. It is much too subtle in the implications for this community, and I hope that he will give us a bit more detail, if nothing else, when he winds up. Let him give us the information of the actual number of posts, the actual number of positions in the hospital, in the university system, so that we can at least form a valid opinion on the matter. I think that that would go some

way towards assisting in understanding the true implication of what he is saying.

Thank you, Mr. Deputy Speaker.

Hon. H. B. St. JOHN: I am going to wind up shortly, because it is obvious that the honourable Member has been well briefed.

Of the 10 posts that are being created, three new bodies would be required. There are, at the present moment, seven people who work on what is called a sessional basis. These people are paid like casual labourers; not the amount of hours like the casual labourers, but they are paid like casual labourers. They are now being offered posts and there are two in medicine, one in surgery, one in paediatrics, one in obstetrics/gynaecology and one in anaesthesia. I understand that the new areas will be a radio-therapist, a neuro-surgeon and a paediatric or cardiothoracic surgeon.

I want to tell you this to show you how reasonable the Government is. The Government asked the hospital authorities how many new posts they needed to be able to provide the coverage they wanted. We asked them, and I have the written reply from the hospital authorities. It is not Bay Street picking these. It has nothing to do at all with Bay Street. All Bay Street said was that we wanted them to understand that we want the best; tell us how many you need and what specialties. They came back with this, so the Government cannot be blamed. If they had told us 12, we would have given them 12, because the taxpayers are paying for this, and this Parliament sanctioned the amendment to the law to allow the National Health Service money to be used to finance second opinion, because we all want the best, not second best. And it is an impossible situation to separate primary health care from secondary and tertiary care, because proper primary health care might involve a second opinion. That is all I say, and that is what we have done, so there cannot be any difficulty.

7.15 p.m.

There is no subtlety to what we have said. I say that I feel, and the Government feels, that the relationship between the university and the Government of Barbados in respect of the utilisation of the hospital facilities should be embodied in writing. I cannot find it. I asked for it. I know that when the CDB came here, you had a headquarters agreement. I know that when UNICEF came, they had an agreement. I know that when IADB came, they had an agreement. I tried to find this document and all they tell me is that there is a letter from the then Dean of the University in 1968 to the Minister of Health which went to Cabinet. I ask, what does it contain? And when I look at it I see a lot of matters which, in my opinion, should be put down in more precise language. I would like to see that.

(*Aside:* Mr. B. M. TAITT: You want a treaty.)

Hon. H. B. St. JOHN: That is all I wish — to know exactly how much time we can call on these people to give us and how much time they can call on our people to give them for the privilege of both having honorary — remember it is honorary — my understanding of honorary is not \$800 a month. When you are getting up in that area, you may be sessional but you are not honorary. So that is all we wish to do. The university doctors must not get away with the idea that the Government has anything against them. That is not true. The Government has nothing against them. So that they allow 35 Government salary and 10 university hospital consultants. It is true that the university hospital consultants allow themselves to be rostered. That is true, but that is what they get the \$800 for.

*Aside.*

Hon. H. B. St. JOHN: I do not wish any of it. I would like to add to it. I do not mind adding to it, once they add to the amount of time, so that when the Government specialists are not attending the Government patients, they are lecturing students. I agree they are making a contribution. But you cannot expect a man who has to give 10 hours a week in lecturing to walk side by side with a man who gives 10 hours a week to the public and one fellow get \$800 a month for his 10 hours and the other fellow get \$220. Not in Barbados! Jealously does not allow that here. Not here! Somewhere else, but not here. Not in Barbados you know human nature in Barbados. You know that there is nothing that eats out the heart of anybody in Barbados more than to know that you are doing the same job and one man is getting more money for the same job. You know that! So that is the position, Sir.

I am going to allow the honourable Members to go, Sir, but it seems that they need edifying. There is a little document that the honourable Member should read consistently. What we are giving the public now in respect of the National Health Service is what we promised the public in the 1981 Manifesto, page 22. Check it out for yourself and you would see.....

(*Aside:* Mr. B. M. TAITT: Read it for me. I know those old tricks.)

Hon. H. B. St. JOHN: If you read it you would see that it said this:

"The carefully phased implementation of the National Health Service is not a five"..

*Laughter.*

Hon. H. B. St. JOHN:

...“or ten year plan, but rather a plan for life designed to provide free and easy access to health care for all into the twenty-first century.”

I mean, this was written in 1981:

“The final implementation of the primary care service during the 81–86 term will be accomplished”.....

Note:

....“with the co-operation of the health professionals and the Barbadian public, when the time comes for each person to be registered with a primary medical care team.”

Stop! You listen! Listen:

“These teams will comprise a doctor, a clinical nurse, a community nurse and a records clerk/receptionist.”

Listen:

“Some of these teams will operate out of the polyclinics which the Government is providing and also out of the doctor’s private premises.”

Now if you want anything clearer and more distinct and more deferent as to the method of implementation of the things that we promised, it is set out there.

(Aside: Mr. B. M. TAITT: ’76?)

Hon. H. B. St. JOHN: No. This is ’81.

(Aside: Mr. B. M. TAITT: You have to read them together.)

Hon. H. B. St. JOHN:

“Secondary and Tertiary medical services.....”

Listen. We were prophets:

“(that is services involving hospital care) will be adjusted to accommodate cases arising from the upgraded primary care service.”

Sir, I do not have anything to be ashamed of at all. Absolutely nothing! Because what we are doing is, in answer to the question the honourable Member asked, we are delivering what we promised. All that has happened is that in the stages of delivery, we went to get the delivery from the doctors’ offices first. When we meet the stumbling blocks, we relied on the other road and we went on the other road that we talked about in the manifesto. That is why we have the polyclinics in operation now. That is why we have the adjustment to the secondary and tertiary stage by this Resolution. That is why we are going back after we have done this and deal with the same doctors again. We are going to say, “Now, look, you had the first bite and you did not want

to bite.” That is all that has happened. They had the first opportunity and they did not want to bite. They will get the second opportunity to bite, but they have to take what is left. That is the position.

The last thing I would say, Sir, is that it is wrong to say that the Government is not interested in the implementation of the National Health Service. When this is through, I am going to be very happy, because I know it is another step along the road in the manner in which we set it out. A little later I will say how we settled the matter of the pharmacists. But I do not see the honourable Member in here so we will have to reserve that until another day.

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

*Mr. DEPUTY SPEAKER left the Chair and Mr. SPEAKER resumed the Chair.*

#### SUSPENSION OF SITTING

Hon. L. S. CRAIG: Sir, I beg to move that this sitting be now suspended until 8.15 p.m. for dinner.

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

*The question that the sitting be suspended until 8.15 p.m. today was put and resolved in the affirmative without division, and Mr. SPEAKER suspended the sitting accordingly.*  
7.25 p.m.

#### ON RESUMPTION

Mr. SPEAKER: This sitting is resumed.

#### CIVIL ESTABLISHMENT (GENERAL) (AMENDMENT) ORDER, 1986

*Order No. 6 was called – To move the passing of a Resolution to approve the Civil Establishment (General) (Amendment) Order, 1986.*

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, Sir, this Order provides for the regrading of a number of posts in the Service, and it relates to the Ministry of Legal Affairs, Ministry of Agriculture, Ministry of Transport and Works, Ministry of Education, and the Ministry of Labour. Basically, it deals with the post of Finance Officers and the whole gamut of legal posts.

I beg to move that this Resolution do now pass.

Hon. L. S. CRAIG: I second that, Sir.

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

**RESOLUTION TO GIVE EFFECT TO THE  
DECISION TO VARY THE CLASSIFICA-  
TION OF UNESTABLISHED STAFF  
AND CASUAL EMPLOYEES**

*Order No. 8 was called – To move the passing of a Resolution to give effect to the decision to vary the classification of Unestablished Staff and Casual Employees in order to provide for progression among the categories.*

Hon. H. B. St. JOHN (Christ Church East Central): This Order, Sir, is again another regrading exercise. It relates to the casual employees from Category 9 to Category 1. That is the whole gamut of labourers, mechanics, and all of that. What we have done is give them an additional scale so as to provide for promotion after a period of time as a particular.....

*Asides*

Hon. H. B. St. JOHN: Artisans.

Do you mean the Environmental Assistants?

I beg to move, Sir, that this Resolution do now pass.

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

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

**COMPULSORY ACQUISITION OF LAND AT  
FAIRFIELD, BLACK ROCK, ST. MICHAEL  
FOR HOUSING DEVELOPMENT**

*Order No. 3 was called – To move the passing of a Resolution to approve the compulsory acquisition of land at Fairfield, Black Rock, St. Michael for Housing Development.*

Hon. L. B. BRATHWAITE (St. Andrew): Mr. Speaker, this Resolution speaks for itself, and at this late hour I do not intend to go into the history of it unless information is required.

I beg to move that this Resolution do now pass.

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

Hon. V. L. JOHNSON (St. Michael West Central): Mr. Speaker, I propose to make a brief intervention in the

debate and thank the honourable Member for St. Andrew, the Minister responsible for Housing, for responding to an initiative which was taken several years ago. As a matter of fact, as far back as 1981 this matter came to my attention. It was observed that this estate was sitting in the middle of the St. Michael West Central constituency.

*Asides.*

Hon. V. L. JOHNSON: Estate house. It was part of the old Fairfield Factory. As a matter of fact, it was the house once described as the Fairfield Factory that used to be the only factory grinding sugar cane in the middle of Bridgetown, if you might describe Fairfield as Bridgetown, and it subsequently became one of the first aerated drinks factories, sweet drinks factories, in Barbados. But in recent times, since the land has been subdivided, only about a little over an acre, together with the old dwelling house and the old boiling house, remain in the middle of what is now a growing residential community, with some very impressive homes representing the upward mobility that is demonstrable in the central St. Michael area.

*Asides.*

Hon. V. L. JOHNSON: The honourable Member for St. Michael West (Mr. B. M. Taitt) wants me to say that he is from this area. Indeed, Sir, I lay some claim to being from the Fairfield area myself, because it was in 1948 that my father pulled up stakes from the country and moved to Fairfield and that became our home.

It was from my point of view important that this rather run-down premises be converted into something that would go to the benefit of the people from St. Michael West Central, and we approached the Minister responsible for Housing with a view to having the land acquired for the purpose of providing sites and services. We concede that it is a relatively small plot, but it would remove from the area what is now not a pleasant site, since, as I mentioned earlier, the factory building together with the dwelling house, even though they are still occupied, are in a fairly advanced state of disrepair. It does not do very much towards improving the area and, therefore, whatever the Minister of Housing chooses to do with it – he is threatening to bowl a ball – by way of housing will be a significant improvement on what is now existing and will go towards alleviating what is probably one of the most severe problems facing this Government, and that is to provide adequate housing accommodation for all those persons who are now seeking a place to live.

Sir, I would like to point out that, in terms of social problems, housing will continue to be a challenge to whichever Government is in power, because the normal community pattern in Barbados is shifting. The extended

inhibit the co-operation of the electorate with the Electoral and Boundaries Commission in its attempt to get a pure and up to date system. The third thing, Mr. Chairman, we must bear in mind is that nothing should be done in our enthusiasm and in our loss of restraint, in some instances, to pull down the name of Barbados, which name stands high in the world as maintaining in this country and practising a model and functioning democracy.

It is a matter of fact that the Rt. Honourable Member for St. John, who is unfortunately not in his seat as I speak, and indeed not in the House at all today — I believe he is out of the jurisdiction — has been quoted in the overseas Press on more than one occasion, and has been heard too in Barbados on more than one occasion, to say that electoral fraud is being practised. I can assure the Members on the other side, if indeed I need to give any such assurance, that we have, as I said earlier, as great an interest in victory in the next election as to ensure that the election is fought on a basis which is fair and free from fear. I think that the Rt. Honourable Member, who is unfortunately not in his place, does himself, and indeed the country, no credit, no justice either, when he repeatedly allows himself to be quoted saying that we are practising electoral fraud in this country.

For us to be in any way guilty of fraud would mean that we are deliberately and wilfully setting out to disenfranchise large numbers of the electorate in this country, and indeed all the facts are to the contrary. We have started the exercise early, we have invited the co-operation of each and every candidate and of both of the political parties in Barbados. I speak only of major political parties. We have used the media — the Press, the Print media and the electronic media — in attracting the support and co-operation of the population. We have made sure that each and every person whose name falls on the deletions list is contacted, and it is no secret that we are prepared, if necessary, to send back enumerators into the field to ensure that within the next few weeks, within the next two months for sure, the list is as pure and as up to date as we can possibly get it.

So that I can confidently reject any suggestion of an intention on the part of the Government to disenfranchise people. I can confidently reject any imputation of unfair play on the part of the Barbados Labour Party Administration. Above all, we on this side like the game and we know how to play it and how to play it fairly.

It is with those remarks, Mr. Chairman, that I am happy to lend my support to this Resolution.

Mr. H. A. BLACKMAN (St. Philip South): Mr. Chairman, in rising to speak on this Resolution, I have heard the honourable speaker who just sat down continu-

ally saying "we have done this and we have done the next." Since the Electoral and Boundaries Commission has been set up, I was of the opinion that the Electoral and Boundaries Commission is now in charge of the electoral system in Barbados. In fact, I got that impression today as well when the Honourable Prime Minister was speaking, so I am trying to understand how the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham) could continually say "we are doing this and we are doing that." I believe that he cannot be right in saying "we" when the Honourable Prime Minister is saying "they". I would like some clarification about whether the Government still believes that it can tell the people of Barbados, and tell persons in this Honourable House, that they are still controlling the electoral system, because we on this side believe that the electoral system should be in the hands of the Electoral and Boundaries Commission.

The honourable Member for Christ Church East, in speaking in this debate, Mr. Chairman, gave us the impression, and we over here got the impression, that he was speaking about what should happen in a good electoral system. He did not address himself to what is actually taking place in the electoral system in Barbados. We agree with the honourable Member for Christ Church East about what should happen. We are saying that those things that you spoke about are not happening in this country. You are talking about a Utopia and that does not exist in Barbados. We have serious flaws in the electoral system of this country, and the honourable Member for St. Michael South East is saying all of us as representatives have a chance to complain about persons who are on and persons who should not be there, and that sort of thing.

Those of us who had the opportunity to run in the last elections know that a list came out about 10 or 12 days before the last election, and according to that list we sent out our circulars. Then, another list came out three days before the election, causing all sorts of confusion in Barbados. We are speaking over here because we do not want to see that sort of confusion again, so do not say we can complain or request that a name comes off. That is true, but if it comes out three days before the election, who are you going to complain to within three days? I just want to make that point.

There is another point, Mr. Chairman, that is bothering me. I would like to know how the enumerators were selected, or who selected the enumerators for the last enumeration. That is what is bothering me, because suddenly I discovered that there were a group of persons registering people in St. Philip, I as the representative was never asked anything, no person that I knew was asked anything, and my information is that, in certain areas, the Returning Officer, who is the Registering Officer, picked all of them himself. This is the

impression I got in certain areas. I am not saying that that happened in my area.  
5.05 p.m.

I am not questioning the integrity of Returning Officers, but as human beings like you and me, all of us have our likes and dislikes, all of us support one party or the other party. But I would like to know who did the selecting, and if the selecting of enumerators was done on a non-partisan basis, or if the enumeration was done according to party affiliation, if those enumerators were picked according to which party they support. I am not saying that took place. I would like some elucidation on this point.

I would like to know this, Mr. Chairman. In my constituency, in one polling district, over 330 names came off. I had to put back on 210. I could understand, Mr. Chairman, that in certain polling districts you would probably get 100 here, 80 there, but when 330 come off, you know something is wrong. There is no way in any polling district that you can get off 330 polling people unless the polling district contains 2 000 or 3 000 persons. But this took place in St. Philip, and it was so obvious to me because in most of the other polling districts were around 100, 80, 60, that sort of figure. When you see 330, and as I told you something has to be wrong.

In all, in St. Philip I had to put back on over 500. I am saying there is something radically wrong, when an enumeration is done and the names of persons who died in 1983 are still on the list. This has happened in my constituency, and this is wrong, because I have been led to believe the enumeration only took into account those persons who are living in the houses. So how could some person that died in 1983 still be on my list? There are persons in other districts in my area whose names appear twice.

All of these things I have already documented to send to the Chief Electoral Officer. But because the time that was stipulated for us to send in any sort of discrepancies we saw was by January 15, I did not have the time to tell him all of these little subtle things I had seen on the list. So we are saying that, as far as the honourable Member for Christ Church East is concerned, he was speaking about what a good electoral system should be, and we wholeheartedly support you on what it should be, but not what it is.

I would like to know, as well, why did the Government resist the request for scrutineers, because we have heard a lot of talk in Barbados that scrutineers only create more confusion and that sort of thing. I have heard that. I have not yet seen how that should be so. I have heard that statement that they create confusion. In the same way that certain persons can walk around canvassing with 10, 12, and 14 persons with them, why cannot the enumerators go around with two other people

with them, one for one party and one for the other party? Why is that? Why can they not have scrutineers?

I turn to the publication of that monthly list. For about six years I have been speaking about the stoppage of that monthly list. I had the privilege to sit in here and hear the former Member for St. Thomas say that the publication of the monthly list was a waste of time and a waste of money. I have continually said in here, and outside, that that monthly list was a very important publication, because when that monthly list was no longer published, and the list only come out at the end of January, you could find yourself at the end of the following January with over 1 000 people in your constituency that you did not know were there, and I am ....

#### *Asides.*

Mr. H. A. BLACKMAN: In any constituency that is developing quickly, like in St. Philip then, where you have people moving into Ruby Park, Union Park, Mangrove and those areas, you could have between one year and the next 300, 400, 500 people coming in. So I am saying if the monthly list is not published, no matter how well you do your house to house, you are still going to miss a lot of people if you do not get that monthly list. With that monthly list, you could go and check and see how many people came on each month, and you could go to those people and make yourself known to them. So to say that the monthly list was a waste of time and a waste of money, I believe, was wrong. The Electoral and Boundaries Commission have now decided that the monthly list should be published again which means that they have seen the wisdom of publishing a monthly list.

I am saying, Mr. Chairman, that we, on this side, believe that the election should be fair, and I believe that in Barbados by and large, elections are fair. But there were too many discrepancies last election for us to sit down and allow the same thing to happen again. And when the honourable Member for St. James North said that 1 800 people are neither here nor there, he has to be joking, because with six of the candidates for the Barbados Labour Party in the 1981 General Elections, if you add up their majority in that election, the votes that they won by, they do not add up to 1 000 votes. Six of them — the Honourable Minister of Transport and Works — 42, the honourable Member for Christ Church East — 108, some people 7 and 10! If you add up the six of them, they do not come to 1 000, and he is saying that 1 800 votes is no big thing!

I believe, Mr. Chairman, that all of us in here would like to see what took place in 1981 never take place again. That is why we, in the Democratic Labour Party, believe that what you have come for today is a step in

the right direction. We will support anything that cleans up the list in Barbados so that we will have a fair and honest election, regardless of which party wins.

Thank you, Mr. Chairman.

Hon. D. A. C. SIMMONS (St. Thomas): Mr. Chairman, I just want to make a brief intervention in this debate in relation to specifics. I am not getting into all the paraphernalia that has been already gone through by those who have spoken before.

I am glad to hear the Opposition agreeing with the Honourable Minister of Agriculture, who explained the purport and intent of this Resolution, I think, very well, and I complimented him on his speech when he sat down. We are aiming for the utopia that the last honourable Member spoke of. We are trying to have an electoral list as free from deficiency, irregularity and defect as is humanly possible. But, at the same time, we recognize that there are problems and inaccuracies with the present list. Honourable Members who have spoken do not represent in their comments unique positions. Their experiences are the experiences of all of us on this side. The Honourable Minister of Labour in one polling district found 900 off; in one of mine, 300. These are problems that the Electoral and Boundaries Commission have recognized, that something is wrong going back to the enumeration itself, and that is why we are all asked to try and assist in the verification of the list.

Sir, where I take issue with many who have spoken is that I believe that since 1971, elections in Barbados have been conducted largely through manual efforts, and more and more with electronic assistance through the use of the computer, not exclusive to the Electoral Office, but shared, I believe, with the Data Processing Unit. Even now there are problems which are not shown up, which the computer itself cannot deal with at the moment because of the nature of the programming. But over time, one would expect that the system will be even more refined than it is at present, well knowing the human and the electronic problems that have appeared as part of the electoral experience between 1971 and 1985.

5.15 p.m.

Without any evidence of deliberate fraud, it did not behove the Leader of the Opposition to make the comments that he made around Christmas 1985. In relation to comparing elections in Guyana with elections in Barbados, he sought to suggest that we run a fraudulent system. He has not apologized for it. He has not alleged that he has been misquoted. I heard him myself one evening on CANA at 5.15 p.m. I believe that he either genuinely believes that, or, otherwise he is deliberately wicked and mischievous to put abroad information which can only destroy the image of Barbados, well knowing

that there is no case, not even in 1971, of mass fraud in the electoral process.

I want to go back to 1971, because that was the first election that I was conscious of an attempt to disenfranchise people. I do not know if it was deliberate or not. I am on record already in this House already on the same point, and I can speak eloquently of what happened in St. Philip North. You have the single member constituencies introduced for the first time, and the main road from Marley Vale, East Point right down was a boundary divided north and south. It was only in 1976, when I was able to capture some Dems as my canvassers, that I was alerted to what had been done in 1971.

*Certain remarks made at this stage by the honourable Member for St. Thomas were ordered by Mr. CHAIRMAN to be expunged from the record.*

Hon. D. A. C. SIMMONS: In 1976 Pabo and others gave me a list of.....

*(Aside: Mr. B. M. TAITT: You cannot call Pabo.)*

Hon. D. A. C. SIMMONS: He is an eminent Barbadian.

*Aside.*

Hon. D. A. C. SIMMONS: I had a list of at least 200 persons who lived on the south of St. Philip, but who were on the list for St. Philip North.

*(Aside: Mr. P. M. GREAVES: Still now.)*

Hon. D. A. C. SIMMONS: It was part of my homework to make sure that I canvassed each one of them and got them properly transferred and registered. The campaign manager of the Democratic Labour Party, the Member for St. Michael West, was not aware of what I was doing on the ground, just as he was not aware in St. Thomas in May last year. He said he did not understand what kind of campaign I was running. When they were keeping noise, I was on the ground doing my little thing.

*Aside.*

Hon. D. A. C. SIMMONS: I do not know if what we recognized in St. Philip was the pattern throughout the island, but I do know that, six weeks before the election in 1971, large chunks of persons were taken off from their legitimate constituencies and put elsewhere. The Honourable Prime Minister — if he does not want to talk about it, I will talk about it — got beaten by 80-odd votes. In the Pilgrim Road area in particular, there were vast irregular registrations of persons in the constituency. You have heard about the problems in Orange Hill. I know about the problems in the Prime Minister's consti-

tuency. I would not say that "Peanuts" won the election. The Prime Minister did not lose the election. The seat get thief! As simple as that!

(*Aside:* Mr. P. M. GREAVES: What about Tom?)

(*Aside:* Mr. B. M. TAITT: Tom was up there. Tom spent a lot of time up there.)

Hon. D. A. C. SIMMONS: There have been other problems. The honourable Member for St. Philip North (Mr. W. O. Franklin) ought to know that on General Election day 1976, at about 1.20 p.m. at Trinity School, — you were supposed to vote upstairs, up the steps — this is when the Democratic Labour Party was in power, when the Dems were in power — you were supposed to vote upstairs in the school, and the Registering Officer was in the yard.....

*Certain remarks made at this stage by the honourable Member for St. Thomas were ordered by Mr. CHAIRMAN to be expunged from the record.*

Hon. D. A. C. SIMMONS: ..... the people in St. Philip nearly killed him. In the yard at Trinity School, 1.20 p.m. in the presence of my agent — I cannot call his name either? A lawyer though; a very prominent director of many businesses in Barbados — we saw about five men around the Registering Officer, and he had ballot papers in his hand in the open air at the yard at Trinity School ..... marking!

(*Aside:* Mr. B. M. TAITT: Why did you not lock him up? You should have locked him up!)

Hon. D. A. C. SIMMONS: Because they begged me to ease him.

*Aside*

Hon. D. A. C. SIMMONS: The honourable Member and his brother were present. That, Sir, one may forgive as being an errant Registering Officer. I do not believe that that was representative of what happened on September 2, 1976, but that type of thing is a case of fraud. That is fraud! But unless it can be shown that those who have responsibility for the compilation of the list deliberately set out to disenfranchise persons, I do not believe that an allegation about fraud in elections in Barbados is made out, and I wish that the honourable Leader of the Opposition would be more statesmanlike in his public utterances.

(*Aside:* Mr. P. M. GREAVES: You are not consistent.)

Hon. D. A. C. SIMMONS: I gave evidence of one instance of fraud by a Registering Officer.

(*Aside:* Mr. P. M. GREAVES: You said the Prime Minister seat "get thief.")

Hon. D. A. C. SIMMONS: I gave evidence of one instance of fraud by a Registering Officer.  
5.25 p.m.

When the honourable Member for St. Michael North (Mr. P. M. Greaves) was Minister of Home Affairs ....

*Asides.*

Hon. D. A. C. SIMMONS: Why do you not keep out of the debate?

*Asides.*

Mr. B. M. TAITT: If the honourable Member will give way for a minute.

Mr. CHAIRMAN: On what does the honourable Member rise? An explanation?

Mr. B. M. TAITT: To assist the honourable Member in his speech. The honourable Member has given way.

The honourable Member has just given us what purports to be perfect evidence of deliberate fraud, where a Registering Officer is alleged to have taken ballots outside the polling station in the presence of the candidate. Therefore, he condoned it, because he said they begged him. Nor, Sir, if that is so then for someone to say that elections in Barbados have had fraud in them would have to be on.....

Mr. CHAIRMAN: Please hold discussions.

Hon. D. A. C. SIMMONS: Sir, with a potential of five votes, where somebody deliberately was attempting to beat the system over which he had total control, the Presiding Officer you cannot allege that the whole election in Barbados was fraudulent because he may have marked the papers for five people in the yard. That is the odd incident, just as no doubt, out of 164 voters you might come across one man in Barbados who might be clever enough to vote twice under a different name. Nobody is saying that that is large scale fraud. Those are isolated incidents. Those are incidents where I think the individual themselves, the human beings themselves, are perpetrating fraud. It is not fraud in the system that we are dealing with in the electoral list, the compilation of the list and the accuracy of the list. I think that we are alleging that in the system having to do with the electoral list — not we, but the Leader of the Opposition — there has been fraud in the system. I do not think that is fair. Everybody is trying to get the list as pure as possible by the end of April, let us say.

I think there is also one other matter that the public should know, probably two. The Honourable Minister of Agriculture mentioned the problem of dead people still being on the list. There seems to be no clear procedural basis for the supply of information about persons who died from the Registry or the police stations to the Electoral Department or Returning Officers in a timely fashion. I found, for example, that in the St. Thomas by-election, I had to spend Good Friday last year at District D Police Station going through the Registry of Death for four or

five years, trying to copy all the names of people and when they died, I sent in those names to the Chief Electoral Officer. He doubled-checked them and the people were gradually taken off the list.

But that only related to persons from St. Thomas who died in St. Thomas. You have another problem — a person from St. Thomas may die at the QEH. The hospital must send the record of that death to the Registration Department. The Police department in St. Thomas should also send to the Registration Department, and the Registration Department would then send a list to the Electoral Department. The records are there, but there have not been a regular supply of the information, let us say, on a monthly basis. So that from time to time, you find a gap between what the Electoral Department has and what the Registry has, I know that the Chief Electoral Officer is taking steps to deal with that.

There is another problem in change of residence. It is felt by some Returning Officers that the obligation should be on the individual voter when he moves from one area to another, but they do not do it. I will put it this way — the obligation is on the voter to notify the Returning Officer of change of address. Nobody does it. The Returning Officers do not follow it up. They wait until election time. When we start to do house to house and we come across them, send in the names and fill out the forms, at that stage then the Returning Officers get into action. We need to look at that mechanism to ensure that there is continuous monitoring of movement from one constituency to another and the consequential updating of the list as a result of those movements.

Finally, a number of letters have gone to persons from the Electoral Department to encourage people to come into the Electoral Department because their names appeared on the Deletions List. I have no real quarrel with the letter, except the last line. The very last line in that letter said that if you do not do it by the end of January, you cannot vote. That is foolishness. That is nonsense. If you are doing monthly lists, that is nonsense in that context. It may have been — I am only guessing — a decision to try and encourage people to come in early, but it could have been better expressed than it was, because I believe that a number of people genuinely panicked and are genuinely unaware of their true rights in this matter. I hope the Press will be able to impress upon people that they should move early to get themselves checked and see that they are on the list. If they did not do it by even last Friday, the 7th, it does not matter, unless the election is called in March. It must be got across to them that this is a continuous process, but the earlier you do it, the better for you in any event.

With those few remarks, Sir, I am obliged to you.

Mr. CHAIRMAN: The honourable Member for St. Philip North.

Mr. W. O. FRANKLIN: Mr. Chairman, Sir, there is a point I want to get to, but just before I get to that point, I think it is unfortunate that the sitting Member for St. Thomas, to use a gentleman, in an isolated case, which was of good intent, to demonstrate what he called fraud. For the information of this House, which may be passed on, on that occasion the gentleman was paralyzed from his waist down, and when he got to the bottom of the step, he sent his daughter and explained to the Returning Officer that he was paralyzed and he would have to be lifted up the step by three or four persons, and the Presiding Officer, with nothing else but good intent, came down to the paralyzed gentleman in the car. All the persons who were there, he sent away from the car, and he put his head inside of the car with the ballot. The man cast his ballot, the Presiding Officer took it back up, and that was the end of it. Now those are the facts.

Hon. D. A. C. SIMMONS: On a point of order, Sir: He was writing the ballot on the trunk of P586. That is a fact. Me and Mr. Gollop saw it, Sir.

Mr. W. O. FRANKLIN: Mr. Chairman, those are the facts.

What I want to get on to is more important. I think I am the one person in this present Parliament that has had to be involved in an exercise on any scale like this, a smaller scale, dealing with the computer and different departments. Since I had to introduce the computerization of the Valuation List, which only involved some 60 000 parcels of land, and we are dealing now with about 164 000 persons, I am very concerned, Mr. Chairman, about the checks and balances and the procedure adopted by the Chief Electoral Officer to make sure that the documentation that leaves his department, with his specific instructions, are carried out at the computer section. This is where I want to have the benefit of information from the Members of this House. What are the checks and balances?  
5.35 p.m.

It is not an easy exercise. The logistics of one department collecting the data and transferring the data by whatever means to a second Department for punching and verification, and then going back to the same department for checking of 164 000 pieces of information is an elaborate job. I am convinced in my mind that the problem with the electoral lists is the lack of strict control between the data submission from the Electoral Office and the input in computerisation at the computer section. Until we have a system in which the Chief Electoral Officer, or more particularly the Boundaries Commission, would be directly in control of the computer section during the period that they are working for the Chief Electoral Officer, with authority to issue instructions to staff, we will have problems. The alternative to this is if the Chief Electoral Officer has his own computer, in-house, where he can completely supervise

and vouch for the security of information, and vouch for the fact that instructions he issued are carried out.

Until I am satisfied in my mind that the logistics are well within the control of the Chief Electoral Officer, I am saying that there will always be problems – and maybe some very serious problems – for which the Chief Electoral Officer and the Boundaries Commission would have to be responsible, when they could very well be innocent persons. This is an area in which I invite the Administration to find out what are the checks and balances, and what is the programming for the relationship between the two departments.

Mr. P. M. GREAVES (St. Michael North): Mr. Chairman, the main confusion with the electoral list that we have today stems from the 1978 amendment to the Representation of the People Act. That is, pure and simple, the case as we have it today. That Act provided for the abolition of the monthly registers. People call them monthly lists, this, that and the other. They were supplementary registers, Mr. Chairman, and there were registers that were consolidated at election time, with the base register published in January to form the register, what is now called the Register for Elections. So from the time that those monthly, those supplementary registers, were abolished by law, we had the confusion that we have today.

It is true, Sir, that in 1971 lots of persons found themselves voting in constituencies where they were not living. That is still the case today. I am sure that the register of every single person in here will contain names of persons who are not living, who are not resident, in that constituency. That is the case.

In 1971 the register was compiled off the 1966 register, which provided for double member constituencies. We had the whole of St. Michael, except the City, which returned two candidates together. In other words, every elector had two votes. But when St. Michael was subdivided into eight constituencies, how did you, first of all, define the boundaries and then apportion electors in those boundaries? That was the problem.

To give an example, Sir, in my constituency, Green Hill was, and still is, the line of demarcation between the two different constituencies. Grazettes Main Road was a line of demarcation between two constituencies. Persons living on the east of that road, Grazettes Main Road, have recorded in the register Grazettes Main Road as their address. Persons living on the west of that main road, have recorded that they are living in Grazettes Main Road. How do you know for sure in which one to place the other?

The job was done, Sir, and the job was done to the best of the ability of the Registering Officer at that time, but errors were made and that is why the Member for St. Thomas, who was at one time the Member for St. Philip North, could find persons living in Marley Vale on one side, but one and not the other. It happens

up to this day, because St. Philip was one constituency. So as soon as you divide along the Marley Vale Road, you are bound to find this problem. It is as simple as that. That was not a question of fraud, it was a question of trying to work out the best system you could within a given situation.

There were lots of questions asked in 1971. There was a time when the time for publication of the register came and the computer in Barbados was broken down. I heard the honourable Member for Christ Church East Central, the Honourable Prime Minister, say that I was responsible for taking people off by computer from the register. He said that not more than four or five weeks ago. The computerisation of the list in 1971 was done in Trinidad, and it was taken there by the Chief Electoral Officer. I did not go to Trinidad. The Chief Electoral Officer took those lists to Trinidad, not me. Are you afraid to accuse the Chief Electoral Officer then of fraud? If you want to accuse him of fraud, let the Prime Minister accuse the Chief Electoral Officer of fraud, because it was he who took it. It had to be taken, because we had to have a list, and that was the problem.

I heard the honourable Member for St. Thomas say that chunks were taken off the Prime Minister's constituency in 1971. There was a redefining of the boundaries of what is now Christ Church East Central in 1971, and there was a good and valid reason for it. Not only was there a good and valid reason for it, but this Government, the Prime Minister's Government, has retained those boundaries to this day. If there was not a good and valid reason for it, he would not have retained those boundaries.

It is good and easy to come in here and froth at the mouth and make all kinds of accusations. On the one hand, you are accusing the Honourable Leader of the Opposition of making a statement saying that there is fraud in the Barbados elections, and you are saying that that is not so, and that the Leader of the Opposition should make apologies for making such a statement. But, on the other hand, you are yourselves supplying what you call "incidents of fraud", which are not fraud at all, but you are supplying them just the same and calling them fraud. To say that the Prime Minister's seat get "thief", what is that saying, Sir? Is that not accusing the then Government of conducting fraudulent elections? But everyone who is unbiased must know that that is not the case.

I want to say here, now, Sir, that as part of the problems we have, as I stated just now, the main problem was the 1978 amendment to the Representation of the People Act and the subsequent amendments, and that was done after the St. Michael South Central by-election was called. After the resignation of the then member for St. Michael South Central, then we had the amendment to the Representation of the People Act. And one of the main problems is that the Act has not been followed. If

the Act had been followed as it was drafted, we would not be here today discussing these problems.  
5.45 p.m.

Another problem is that the Registering Officers, and I want to say this here and now, are not doing their duties in the way in which they should be doing them. If they were doing those duties in the way they should be doing them, we would not be having these problems. I do not care, Sir, whether it is a B or a D who is the Registering Officer in my area. To me, Sir, that is immaterial. All I am asking is that the Registering Officer do a fair and honest job. I do not want anymore than that. He can support any party that he feels like, as long as he feels like. To me, that is immaterial.

In 1980, the electoral register of 1981 was compiled off the census of 1980. That was done in the Electoral Office by an amendment to the Statistical Act. That Act recorded everybody it found in every household. So that in my opinion, and I repeat it again, that 1981 electoral register is a padded register. To this day it contains names of persons who should not be on the list, and the recent enumeration that was gone through has not done enough to correct it. As a matter of fact, in some respects it has aggravated the problem and made it worse.

Take my area of St. Michael North as an example. There was a list published in June, which showed that there were well over 7 000 persons in St. Michael North, but at the end of the enumeration exercise, they could only find 4 400 persons. I say here now, not one enumerator went to the Clermont area, not one went to Clerepark. Several houses in Lodge Hill were omitted from the list. Several blocks in housing areas never saw an enumerator. At the end of the exercise I did my own enumeration, and I submitted to the Electoral Officer 17 foolscap, typewritten pages of names of persons who had not been enumerated.

Those persons who look at the list and say that the list is imperfect are correct. It is an imperfect list. There are dead persons on the list. There is a dead person on the list whom I know was dead since 1978. He went through the last election as a dead person on the list. To this day, the list published in January 1981 contains the name of that person whom I knew. I knew him well — he was a chairman of my branch — and his name is still on the list today. There are duplications on the list that the computer has not been able to pick up. The problem is that not enough time was given to enumerators to carry out a proper and thorough job. It was not possible to have the job done in six weeks, and even then to extend that by a month, especially — and someone queried the basis for the appointment of certain enumerators — my understanding is that, in a single case, the literacy of one enumerator was even in question.

Sir, these are some of the problems that we have to deal with here, and it should not be the responsibility of

the candidates to have to clean up the list. That should not be my responsibility or the responsibility of honourable Members on the other side. That is the responsibility of the Electoral Office and do not tell me that you now have a job to do in cleaning it up. I have a job to do, yes, and I do it for my own purpose, but my job is not to clean up that list. That job, in the first place, is the job of the Electoral Office.

Having said this, I want to join other Members on this side and say that I welcome any attempt whatsoever, coming from any quarter, to get the kind of list of which I think we in Barbados can be proud. It is not that we in Barbados have a system as good as anybody else. Perhaps, we have, but we in Barbados can have a system better than anybody else, and the main aim of the 1971 register was to make sure that we had people continually registered.

Let me give you an example of one of the problems in the 1980 amendments saying how persons should be taken off the list. Clearly if one is dead, death is a good and sufficient reason for someone to be removed from the list. Absence from Barbados by persons for five years, if they are Barbadian citizens, that is one other ground for taking a person off the register. But the law also goes on to say that if one is not a Barbadian citizen — not a permanent resident, not a citizen of Barbados — then if that person leaves Barbados in the year preceding the publication of the register and by December 31, is not resident in Barbados, then that person's name should be taken off. That is not done at all. As a matter of fact, I do not agree with it either, because a person may have gone abroad on holiday and by December 31 has not returned, and, therefore, that person's name should not have been removed from the register.

But a Barbadian citizen who has left the country for more than five years, his name is still here. A Commonwealth citizen who is not a citizen of Barbados, who has left Barbados for more than five years, even though at the next publication this name should be taken off, his name is still there. I want to submit that that provision relating to the Commonwealth citizen should be amended and the person should have been absent for at least one year, and not just two months. I think absent for one year is probably sufficient ground for construing that that person has intention of leaving Barbados. These are some of the problems that one meets when one deals with these matters.

On the question of removal of persons for the reason of death, I think it would be a very simple thing for all those persons, or organizations, or authorities that report to the Registrar to do so in duplicate so that a duplicate can be sent to the Chief Electoral Office. I consider that as very simple. Otherwise the Chief

Electoral Officer can appoint an officer within his own department to liaise with the Registry to find out the names of persons who are dead.

But there is another problem, and the problem relates to the question of names. A person whose name is recorded in the Registry as dead, may not carry that same name as recorded in the Electoral Office. So, maybe, there might be some good reason for an amendment to the form on which the death of a person is reported, and perhaps, the National Registration number of the dead person might also be reported so that it would leave no doubt whatsoever in the mind of the Chief Electoral Officer as to the person whose name has been reported to him as dead and should be removed from the register.  
5.55 p.m.

Mr. Chairman, I believe that it is in the interest of every one of us on this side and on the other side that we should have a register as clear as possible. I would like to say to the Government, 'I do not mind their being in power holding up to the rest of the world a register and saying this is a register that we can live by, even though it is compiled when we are in Opposition.' This is what I would love, Sir. For this reason, I will join the honourable Members in supporting this Resolution that is before the House.

Hon. A. TRUSS (St. Michael Central): Mr. Chairman, Sir, it seems to me that every time there is a debate on the Electoral Office there is a hue and cry from the other side in relation to electoral fraud from Members of this side. This is nothing new, Mr. Chairman. The history of this is quite clear. But one thing that was proven back in the old days of Sir Grantley was that money alone could not win a seat, or could not buy elections in Barbados. And once the people of Barbados themselves had been given the right to have that franchise, they were always able to exercise that franchise with the greatest consideration, taking into account at all times the different parties or individuals that they had to vote for from time to time.

In 1961 there was a big problem at the time — I remember well — about the electoral register. The Right Honourable Member for St. John promised that elections would be in three years. He found it convenient at the end of three years to say that he was not ready, and he would go the full five year term.

(*Aside:* Hon. H. B. St. JOHN: He would not know about that.)

Hon. A. TRUSS: In 1966, you saw what happened then, and in 1971 there was gerrymandering, as far as we interpreted from this side, where, three weeks before the election, boundaries were changed and confusion was created and so on and so forth.

I remember in 1976 the by-elections, particularly of St. Philip North and the City of Bridgetown. I remember only too well, and the representative for the City reminded me this morning, that on the actual day of election, the Chief Electoral Officer turned up with over 136 names — last minute names — to be added in to the electoral list. And they were accepted by the Democratic Labour Party.

The real point is though, Sir, that, in spite of that, we still won the by-election, and in spite of the forces that worked against us in St. Philip we still won that by-election as well. And subsequent to those two by-elections, in spite of all the resources which the Democratic Labour Party used against us, in spite of all the gerrymandering, we still were able to win the 1976 election. I think that we should learn something from that. We cannot keep hitting the system all the time. As the honourable Member for Christ Church East said, you cannot blame the system if the political party itself can be held up to blame for not impressing upon the electorate that it has the better programme.

We saw recently in the newspaper over the Christmas period that the people of Barbados were told that, "You blew it in 1976, you blew it in 1981, do not blow it again." In other words, whenever the people of Barbados vote for the Barbados Labour Party, they blow the election, but whenever they find it convenient to vote for the Democratic Labour Party, then democracy must prevail, and has prevailed.

I, too, Mr. Chairman, must say that there are several things that have surrounded three elections which I have been involved in, and several by-elections, that I have not always agreed with, taking into consideration the time when both the Democratic Labour Party and the Barbados Labour Party was in power. I do believe that one can say, in all honesty, that several of these things can be described as errors in judgement and so on, human error. I will give you an example. On the new list, and I can speak for St. Michael Central, which has been circulated for St. Michael Central, we have been able to find less than 3% fault. We will make our adjustments accordingly. But in any sort of situations where you have 2%, 3% or 4% as an error.....

(*Aside:* Mr. P. M. GREAVES: Your opponent might find 10%.)

Hon. A. TRUSS: Pardon me.

(*Aside:* Mr. P. M. GREAVES: Your opponent might find 10%.)

Hon. A. TRUSS: I do not think my opponent can find 10%. It would just prove to me that he is not very efficient. I do not think he has found any per cent, because he has not been doing his homework. But that is beside the point. If, in all consciousness, I have looked at the list before, the one that was issued on January 31, 1985, as against the list that was issued January 31, 1986 — and in between them the preliminary list — and I can say from my own list I can only find 3%, and I am speaking for my colleagues on this side, many of them are below 5%, one can only assume that the lists are relatively accurate. There are exceptions to every general rule of course.

In hindsight, I have always advocated from the Other Place that in 1978, when we had the amendments to the Representation of the People Act, I did not particularly support those amendments on the basis that the mistakes that we could have picked up on a monthly list, in terms of the additions and the deletions, were not so easy to pick up at the end of the year. I grant that. I personally think that the re-introduction that the Prime Minister has talked about, of a monthly list, would be of great benefit to those politicians, those of us who are concerned with our constituents and who, on a month to month basis, like yourself, Mr. Chairman, check the people that move in and check the people that move out.

There was a time in 1976, I well recall, that I was able to get the additions of the people that came into the constituency which I ran for, and I was able to write them a letter welcoming them into the constituency, identifying myself as the representative for the Barbados Labour Party, and telling them where my office was, where they could reach me and so on and so forth. By the same token when I received a list of the deleted names, I was able to get my people to double check and make sure that these people had, in truth and in fact, left the place which it was stated that they had left. So if you want to run a more efficient and tidy organization around any election, I think it would be important for us to have a monthly list of additions and deletions.

I believe, Sir, that constant monitoring is necessary in the Electoral Office, and we must have a situation where the Chief Electoral Officer, not only before an election but during the five year period, has a system of constantly monitoring the electors. Perhaps what the Minister responsible may consider is making sure that the employers take down the identification card numbers, the date it was issued and their address when they are applying for a job, and leave that to the employers to report and to co-ordinate with the Electoral Office. This way, as people move from one job to the next, as a pre-requisite to getting the job, like in most other countries — in the United States, there is a green card — you will have to produce your ID card. Now once you use your ID card more and more, it would be diffi-

cult to move from Christ Church to St. Michael if you are working at a place where you have to produce the card, and the onus would be on you to report that you have moved from one point to another to your employer, who, in turn, should report to the Electoral Office. That, over and above anything else, in my view, can solve a lot of problems because the people would have to show an ID card. Not only would you be able to eliminate a lot of the people who are here illegally and working without permission from the Government, but you would be able to deal also with those people who have incorrect ID cards saying that they live in one part of the island when, in truth and in fact, they live some place else.

It is difficult, Mr. Chairman — I think we all have to be realistic — that in trying to monitor 160 000, 170 000 Barbadians that may be of age to vote at any one point in time, it is extremely difficult to keep this constantly monitored in a proper fashion so that we can reduce the error to 1% or less. I think that to keep track of people who are out of Barbados for longer than five years is indeed a very difficult problem. People leave Barbados sometimes for a year not really knowing for how long, and end up staying for longer than five years. Or perhaps they come back in for three weeks and leave again, and when they come back in, it means that they are basically entitled to another five years when they leave thereafter. So it becomes very, very difficult.

The whole question of births and deaths in terms of the national registration number is a lot easier to deal with. We can deal with that by saying the burial institutions have to, on a weekly, or fortnightly, or monthly basis, submit to the Chief Electoral Office the amount of people who they have had to bury. This can be checked. The same thing can be done with births. As children are baptized or born at the hospital, they can be registered with a National Registration number.  
6.05 p.m.

So let us not fool ourselves, Mr. Chairman. It is indeed a difficult task to try to ensure that for the democracy which we claim works so well in Barbados, the machinery is there and keeps working. I do not think that it is fair for the Opposition to constantly make charges on the Government, because, first of all, a lot of people if not all of the people — certainly the man who is in charge, the Chief Electoral Officer, was Chief Electoral Officer during the period the Democratic Labour Party was in power and during the period that the honourable Member for St. Michael North had the Ministry under his portfolio. He is indeed the same person that is the Chief Electoral Officer today. We have not changed the individuals. We have not politicized the Chief Electoral Office or the Officer. We are using basically the same people we found when we came into power in 1976. I do not think that we do ourselves any credit — the Members on this side, or the Government

of Barbados and the Opposition, or indeed the people of Barbados — when we constantly cry that there is no free and fair election in Barbados.

I believe, Sir, that when the Right Honourable Member for St. John returns to Barbados, he will be in a position to tell us what elections are like in other parts of the world. I think, Sir, that our system, although it may not be the best in terms of as far as efficiency of the system is concerned, it is certainly one of the best in the world in any democracy. Soon we will be celebrating 350 years of parliamentary democracy, Sir, and I think that that stands in good stead for all Barbadians.

Mr. R. E. BRATHWAITE (St. Lucy): Mr. Chairman, I would like to commend the Democratic Labour Party for choosing the Electoral Officer that we have in this island. I think he is a man of class, and I think he will do his best that we will have free and fair elections.

I believe, Mr. Chairman, that the writing is on the wall in the minds of the Democratic Labour Party. I believe they know and can feel that this will be the biggest political disgrace that we would have had in this island, the biggest defeat that the Democratic Labour Party will face, and they are trying to cry foul and to give the people the impression that it was not a fair election. I will appeal to them not to spoil the good name of this country because, as you know, you hear quite a lot of people talking about Guyana, about how everything went bad in the ballot box and things like that. I cannot understand that the same people who work in the Electoral Office now were working there before 1976, and they were good people and everybody was honest, but as soon as the Barbados Labour Party came into power, you hear all sorts of things.

Mr. Chairman, I believe that the Customs Department and the Registry should be kind of amalgamated with the Electoral Office. The honourable Member for St. James North talked about 1800 people off of the list and the amount of people who moved from his constituency altogether. We know the job of an officer inside each constituency is not a very well paid job and I do not see it possible that a man who works — because no man can accept that job as his only job, he has to work some place else — would know who leaves this island from his constituency. He does not have the time to find out that. So I believe that with co-operation between the Customs Department the Registry, the Electoral Office and the Immigration Department, we would be better able to know who leaves and all that, because as you know, we are coming into the computer age.

I would say that in 1981, I had a young lady who never supported me. Before the young lady turned to me, her name was on the electoral list in St. Joseph. She lives in St. Lucy but her name is on the electoral list in St.

Joseph. I would not blame the Electoral Officer for that, nor any of his staff. Computerisation is a new exercise in the island of Barbados, and I believe that we should try to be as lenient as possible. Everybody is subject to a mistake, but I do not think that there is anyone who went out of his way definitely to try to cause fraud or to do anything wrong as far as that is concerned.

Mr. Chairman, I do not believe in any way that a person could cheat in a ballot box as far as ballots are concerned. I do not accept that at all, because when one becomes a political candidate, the Government has three officers in each polling station, and each candidate has one person to check the amount of votes cast. If you have somebody there, the most simple person, he will be checking all the time and will say there should be 150 cast. So if you find out that that particular box has 160, you will want to know how the other ten got in there. So I do not agree with the idea that you can have extra ballots. I do not agree with that at all, Mr. Chairman.

Mr. Chairman, I hope the Government will make it abundantly clear, make the law clear that someone who lives in the parish of St. Michael should not be able to register in St. George. That is unfair. We have quite a few people who live in the parishes of St. James and St. Michael who are insisting that they are going to vote in the parish of St. Lucy. They say that they have a right, if they have two homes, to choose the area in which they will vote. But I believe the Electoral Officer should check with the work place of those individuals and ask the bosses where these people live, because they will have the addresses of these people. Whether they live in St. Lucy or St. James.

But I am sure that until we get down to the stage where everybody will take serious care, we will have quite a lot of problems. I am sure that in the last election I had about ten of my relatives who used to live in St. Lucy; now, they are living in Wanstead Heights. Not one of those people tried to put their names back on the St. Lucy register. They are very, very honest and satisfied. I cannot say that for the other side. We have a lot of supporters from the other side who, although they live in Wanstead Heights, are insisting that they are not going into the Electoral Office, that they cannot tell them where to go, and they are insisting that they must vote in the parish of St. Lucy.

But I am quite sure that as far as electioneering and campaigning are concerned, if we do our homework we have nothing to fear. And, not to boast this afternoon, I do not care what the Electoral Office does as far as St. Lucy is concerned. I intend to beat my opponent from morn until night.

I thank you, Mr. Chairman.

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

#### HEAD 19 – MINISTRY OF FINANCE AND PLANNING

Hon. H. B. St. JOHN: I beg to move that Head 19 stand part.

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

*The question that Head 19 stand part was put and resolved in the affirmative without division.*

#### HEAD 35 – MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Hon. H. B. St. JOHN: I beg to move, Sir, that this Head 35 stand part, Sir.

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

Mr. CHAIRMAN: What is the position with the time for this Resolution? Have we run short?

We only have four minutes.

*Asides.*

Mr. CHAIRMAN: You can speak for about two minutes.

Mr. M. A. KING: I cannot finish in two minutes.

Mr. CHAIRMAN: The question is.....

Mr. M. A. KING: Mr. Chairman,.....

Mr. CHAIRMAN: You said that you cannot speak for two minutes. The honourable Member, I told him, had just about two minutes. Make up your mind.

*The question that Head 35 stand part was put and resolved in the affirmative without division.*

*On the motion of Hon. L. S. CRAIG, seconded by Hon. H. B. St. JOHN, Mr. CHAIRMAN reported the passing of one Money Resolution in Committee of Supply, and Mr. SPEAKER resumed the Chair and reported accordingly.*  
6.15 p.m.

*On the motion of Hon. L. S. CRAIG, seconded by Hon. H. B. St. JOHN, the Resolution was read a first time.*

*On the separate motions of Hon. L. S. CRAIG, seconded by Mr. R. E. BRATHWAITE, the Resolution was read a second time and agreed to.*

#### CIVIL ESTABLISHMENTS (GENERAL) (AMENDMENT) (No. 2) ORDER, 1986

*Order No. 7 was called – To move the passing of a Resolution to approve the Civil Establishments (General) (Amendment) (No. 2) Order, 1986.*

Hon. H. B. St. JOHN (Christ Church East Central): Mr. Speaker, this Resolution makes provision for regraded terms and conditions of service for doctors who provide House Officer, Senior House Officer, Registrar and Consultant services at the several hospitals and health institutions in Barbados under a contract of service with the Crown.

Mr. SPEAKER: Just a minute.

*Mr. SPEAKER left the Chair and the Chair was taken by Mr. DEPUTY SPEAKER.*

Hon. H. B. St. JOHN: As part of the regrading exercise of all public servants in Barbados, the medical profession, like the legal profession, professional agriculturalists, and other public workers, submitted proposals to the Ministry of Finance for the regrading of doctors. During the course of the examination of the regrading of doctors and other professionals, opportunity was taken by the Government to look at the professional medical services in relation to the avowed commitment of Government to the implementation of a national health service in Barbados providing primary health care and secondary and tertiary services by way of referral.

A number of meetings were held with representatives of the doctors, consultants, of the hospital and others. They made their representations and the Government stated its position and views, and they were twofold: firstly, that the Government was prepared to pay the doctors in accordance with the same scales that other professionals, with equal qualifications and in equal demand in Barbados, were paid; secondly, that we recognised that the doctors had pre-existing contractual arrangements and terms and conditions of service which had to be changed if they were to provide additional time to perform work which would be required to be performed on the implementation of the National Health Service. The Government was prepared to finance this additional sum of money for this additional work arising from the implementation of the National Health Service out of the Health Levy Fund, in accordance with the amendments which this Legislature approved when permitting the Health Levy funds to be used for secondary opinions and for diagnostic and other aids which were necessary for the delivery of primary health care.

What we have arrived at, as presented here, is a position where there has been a substantial regrading of Consultants in Barbados and a less substantial regrading

of Senior Registrar down. A Senior Consultant will now move from an S.5 grade, which is \$44 100 a year, to an S.5-S.2 grade, which will go to \$59 220. A Senior Registrar will move from S.6 to S.6-5. Their services and grades are similar to what has been done for the lawyers, engineers and all of them, and they will be coming in a subsequent Order.

In order to ensure that referrals under the National Health Service receive the best opinions, we are paying this extra money for extra time by the doctors. Hitherto they claimed that their contract required them to work in the hospital only for 21 hours a week. These terms and conditions, this improvement, will make them obligated to give the Government the normal Civil Service working week.

We are also giving them an option similar to what the Chief Medical Officer and the Medical Officer of Health get, that is, if they do not wish to have private practice outside the hospital or anywhere, they can get a 30% addition to this salary. There are some specialties that do not make in private practice the equivalent of 30%, so we are saying to you, just as the Chief Medical Officer of Health gets his salary plus 40% in lieu of private practice, and the other officers get 30%, we will offer the specialists 30% if they do not have private practice.

After a long and hard series of negotiations, we have also agreed to give them 10% of their salary for being on call; not the Registrar, Senior Registrar and those, because they have a different arrangement - they are paid so much per session. All consultants, for being on call, will be paid 10% of their salary. So that they would get this money, plus 30%, if they want, plus 10% in any event. In addition to that, those of them who wish a contract will get the normal 20% gratuity, like any other officer who wants a contract, half of which is taxable, and it is paid annually.  
6.25 p.m.

We also agreed that there would be an increase in the volume of work and we have agreed to 10 more consultants. The hospital authorities are to pick the specialties in which they need these consultants. Five of these people, I am told, would not be new people, because they are people who are doing a thing called an associate consultant on a sessional consultant basis already. But we want them full time, because we want the best for the National Health Service.

In order to satisfy the constitutional demands of Barbados, we have been advised that the Government must give the existing consultants the option of continuing on the existing salary, or coming under the new salaries. That we will do for those consultants who are now appointed. They can continue to work for \$44 100,

21 hours, or they can work in the new salary scales and give us the extra time. But with respect of people who are not full time consultants now, there would be no option. Those jobs will be advertised, and you will know that if you want to become a consultant in the future, you would have to take these terms and conditions, or leave very well alone and continue doing what you are doing now. We do not have any constitutional inhibitions in the implementation of this.

I think it would be appropriate for me to say a few words about an institution known as BAMP. The negotiations and the representations that were made by that organisation in respect of the doctors at the hospital were totally outside of the pay scales which any other professional group of similar skills in the community was paid by the Government. So that when we came to the negotiations, all of these factors were put to this institution.

#### *Asides.*

Hon. H. B. St. JOHN: I am not calling any of the names of the negotiating team. It would be invidious of me to do that. What I can say is that after the negotiations and the Government's final position was put, I personally received the President and the General Secretary of BAMP at a meeting to hear their final representations. I explained, very carefully, that doctors cannot be paid any special remuneration beyond scales that other professionals get, except in the very, very rare cases where the demand is there and the supply is very limited. I do not think that any of the consultants that we have, with the possible exception of one or two areas of specialties, such situations existing in Barbados. I also explained that it was not possible for the Government to depart from its commitment to the reorganisation and regrading of Civil Service salaries by waiting on the implementation of the National Health Service General Practitioner Scheme.

We received a letter from BAMP subsequent to our final proposals, not subsequent to that meeting, which was the subject matter of the discussions between the President, the Secretary and myself and the Chief Establishment Officer. That letter never said that they rejected Government's proposals, a very significant thing. They said they were unhappy about three aspects of Government proposals. I think it is very clear that we have to put these across.

Firstly, they said that the question of the associate consultants had not been settled and they thought that that had been settled. We were able to assure them that that has been settled. Ten more doctors!

Secondly, they raised a question about the university consultants at the hospital. Now I want to say that

the Government recognizes the work that university-paid staff contribute to the delivery of health care at the hospital. They are paid by the Government of Barbados and other Governments in the Caribbean in accordance with pay scales which have been negotiated by various campus trade unions throughout the campus territories. They are paid in the special scales of Professor, Senior Lecturers, Lecturers, Assistant Lecturers, Medical. There is a special scale for them. They have their terms and conditions of service with housing allowances, child allowances, book allowances, leave allowances, and with a number of hours per week stipulated and agreed. They get that pay.

My understanding of the situation is, that in addition to that pay, as honorary consultants to the Barbados Government medical services, they draw an additional amount of money for giving the Government some time. That amount is \$800 a month I am told.

I explained very carefully that negotiations were going along between the Government and the university in another forum with respect to university scales, and that, in the opinion of the Government, the question of the university salaries and the time of university lecturers should not be dealt with in this forum, because not only were negotiations going along, but also the Barbados Government employees, namely the hospital consultants, who were honorary lecturers at the university, were only being paid \$220 a month. It was conceded that at this campus in Barbados very little distinction in time could be made between what the University lecturers did for the public of Barbados and what our people did on teaching the students. So I said, well we have an anomaly. You are getting \$800, these guys are getting \$220. I said, well let us isolate this extra period of time for extra work, and that the proper forum to deal with that would be a tripartite negotiation between the Government of Barbados, the doctors and the university.

6.35 p.m.

BAMP disagrees with that. If they disagree with that, they can settle it in the normal method, when a trade union disagrees with an employer and how they settle the matters.

(*Aside: With a strike?*)

Hon. H. B. St. JOHN: The Government is not going to agree to a change in the terms and conditions of the university consultants in relation to the time that they spend with the Government Service, without, at the same time, the Government doctors being dealt with by the university for the amount of time that they spend teaching university students — all part of one story.

So that I must say that there is a disagreement between BAMP and the Government with respect to

remuneration for the University personnel. But as I told the President and the Secretary, we have already raised this with the Head of the Cave Hill Campus, we have raised it at the university, and the Government stands ready to enter into negotiations with the University at any time, at any place within the Caribbean that the University wishes to meet, to discuss that matter. Until that is settled in that forum, they have a choice. They are not obliged to do any more for the Government of Barbados than they do now. It is purely within their discretion.

I am now told, Sir, and it is a matter of regret for me, that there is a new area, which was not raised with us at all, and it has to do with some question of the District Medical Officers. I am not going to deal with that because it is in no letter to me. In respect of these negotiations, this is nothing to do with the District Medical Officers. This is nothing to do with anything else but the hospital consultants.

This additional cost of \$592 000, plus \$258 300 for the ten additional posts, will be financed out of the Health Levy for the additional amount of consultations that they will have to do. You can look at it another way. When people go to the polyclinics and they are referred to the hospital, they will get the best, and this service will pay for it. That, Sir, is the position with the consultants at the hospital. I think we are treating them fairly and we have given them the option — if you do not like to come into the new scheme and give us extra work and get extra pay, stay where you are drawing the existing pay.

This is to come into force from September 1. There is no magic in September 1. That is the day we open the polyclinics. So you will have extra work, you will do it.

There was one point that the doctors raised with me, and that was the time for paying the on calls. Originally, we had said the 1st September but they did say they were doing on call.....

(*Aside: Mr. B. M. TAITT: Which year?*)

Hon. H. B. St. JOHN: Last year, in 1985.

They said they were doing on call before that, and we compromised. I think the date for the on call is April 1, 1985. So they will get the 10%.

I repeat, Sir — and it is very important that we repeat these matters — I repeat, Sir, the question of the University of the West Indies hospital consultants to be on call and our honorary lecturers, as they are called, have not been finalised. I repeat that. I repeat also that there will be a choice given to the doctors, those who are in there already with posts, either contractual or on pension. If they do not wish these, they are not obliged

to draw it. In respect to those who are in there as associates, not full time, the jobs would be advertised if they do not want them, but the first option would be given to those associate consultants.

That, Sir, is the proposal that we have before the House, and I beg to move, Sir, that this Resolution do now pass.

Hon. Dr. R.L. CHELTENHAM: I beg to second that, Sir.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, I regret that the Prime Minister did not give us a little more detail of the actual posts, because the Order as it is framed, and the presentation which he made, could lead one to mislead oneself in terms of what the position will be from September 1. He speaks of associate consultants, and he says that the jobs will be advertised. As I understand him, and it is my understanding of the situation, there are only five net jobs that will be created. No more than five. I think that the newspapers had tended to give the impression that there is going to be a large increase in the consultant staff at the Queen Elizabeth Hospital. My understanding is that there will be a net increase of five additional posts, which will include areas of specialty which the hospital has never had; for example; neuro-surgery and similar areas of specialty.

(*Aside:* Mr. P. M. GREAVES: The vascular area.)

Mr. P. M. GREAVES: In the vascular area; that is, for the uninitiated, those areas relating to movement of the heart as it affects the flow of blood or thereabouts.

(*Aside:* Hon. H. B. St. JOHN: Thank you! Thank you!)

Mr. B. M. TAITT: My understanding is, therefore, if I am correct in these matters, that it would seem then that there will not be a great deal of flexibility in the arena of new posts.

Secondly, my understanding is that the associate consultants have been functioning and are, in fact, consultants for all practical purposes, except that for establishment purposes, there were no posts for them and therefore they were slotted into a position called Associate Consultant. It seems to me that at the hospital today the difference between associate consultant and consultant is a question of time. The consultant would have filled the post that was available and additional specialties were given this new term Associate Consultant. So that when the Prime Minister says that the posts will be advertised and these persons will be given the option to fill those posts first, there seems to be a logical inconsistency and/or an anomaly which would be created

if, for example, all of the associate consultants said that they wished to remain where they are, unless he is going to abolish the posts of associate consultant, which he did not say. If he is going to abolish these posts and pay the necessary amounts to those persons who hold them and then fill those slots with the newly created posts of Consultant, that would seem to be logical. But it seems to me that the dermatologist or the anaesthetist, or whatever consultant he is, is going to continue working in the position from the office which he holds at the Queen Elizabeth Hospital, no matter what he is called, unless there is some severing of the relationship between the two. I wish that this matter would have been explained in some more detail so that we would be in a position to form a real valid opinion on the negotiations as outlined by the Prime Minister in rather reasoned tones, even if ominous overtones.

I think that the delivery of health care in Barbados requires that there be an atmosphere in the hospital which has a decided absence of acrimony. I fear that the tones which I heard this evening, although delivered in a measured way, suggest that the next few weeks may not be devoid of acrimony. If this is so, neither the Government nor the consultants will be the losers. Those for whom the health care delivery is designed will be the ones who will suffer. I will come back to that, Mr. Deputy Speaker.  
6.45 p.m.

The Prime Minister continues to talk about delivery of health care under the National Health Scheme. I am sure that other honourable Members will at least be as confused as the public on this question of the National Health Scheme. The Minister of Health, that distinguished gentleman, has said that the National Health Scheme is dead. The doctors have said that the National Health Scheme is dead. The only people who continue to say that there is a National Health Scheme are the Members of the front bench from time to time.

*Aside*

Mr. B. M. TAITT: Health Service. Scheme, service, I apologise — Health Service.

I think that the Prime Minister owes it to the population to explain what precisely we have at this stage. Is it Scheme A? Is it from the island that the consultants for the service went to ..... the Isle of Man it was? Is it the Isle of Man? Jersey? Is it the Jersey Scheme? Is this the one I am told that large sums of money were expended in a study, the result of which was a junking, or a dropping, or throwing out of the previous scheme which had formed the basis of a substantial amount of study and money?

(*Aside:* Hon. B. A. MILLER: It is the one that your constituents are enjoying.)

Mr. B. M. TAITT: Well, the former Minister of Health has attempted to assist me by pointing out that the run-in scheme at Black Rock, where you do not have enough time for a proper examination is the one he is talking about. The doctors who work in the system — not me, I do not know enough about it — say that what is happening at the polyclinics is an entirely different thing from what the Government either envisaged or said it envisaged, in terms of the numbers being seen, the way they are being organized and the pressures that are being brought to bear on the polyclinics system.

*Aside.*

Mr. B. M. TAITT: I do not know if they draw big salaries, Mr. Deputy Speaker. I am sure the honourable Member, who draws a very small salary, will be able to tell us about the big salaries which the doctors draw. I am not really able to dispute that or even debate it. I am dealing with my attempt to grapple, along with a large number of people in Barbados, with what is actually happening.

Now, Sir, is the National Health Service of the polyclinics the same National Health Service which the Minister now says is dead, or is this a new National Health Service, which is really the system designed by the Democratic Labour Party, which is now being applied?

*Aside,*

Mr. B. M. TAITT: I am already on record, and I am sure the honourable Member does not wish me to read that record again, about the scheme that was outlined in the manifesto of the Democratic Labour Party in the 1976 General Election in which we outlined the scheme how it should be.

What I would like the Prime Minister to tell me is which scheme is in operation, and how much money we have expended in examination of the various schemes including the Jersey version.

*Aside.*

Mr. B. M. TAITT: Mr. Deputy Speaker, if I may digress a little bit on the same matter, one of the most remarkable things I have ever come across in the history of political development and the political process is a phenomenon that has been grown up by the Barbados Labour Party front bench, in which they will tell you in the middle of a debate, on a substantive matter, that if you want the answer to a question, you have to bring in a Parliamentary Question. The first person who did

that did it in jest. But the others, as the Barbados Labour Party has successfully done in a number of other areas have now institutionalized that and made it one of the tenets of governmental practice, that in Parliament, if you are discussing a Money Resolution in which a Minister comes and ask you to agree to \$598 000, they tell you if you want an answer to that question bring in a Parliamentary Question. I really think that it does the honourable Member for Christ Church East (Hon. Dr. R. L. Cheltenham), who is an acknowledged expert in Government.....

*Asides.*

Mr. B. M. TAITT: I really think that it does not look good for him to follow others in that defamation of the parliamentary system. And so I will take what he said not quite seriously, Mr. Chairman. I know he is playing for a little time to see if the Prime Minister can get the answer to the questions I am asking.

Sir, I really would like, and I think a lot of people in Barbados, some clarification on where the Government is now on this whole question of the National Health Service. We are discussing this matter in the context of the arrangements that are being made under the reclassification scheme for the entire service, and so it is not perhaps the best place for a full scale debate of the National Health Service.

We know that the Minister responsible for Health does not understand the portfolio. That is clear from the utterances he makes. It is clear from the comments of the professionals. It is clear from the comments of some members of the Barbados Labour Party. It is clear to anybody that the Minister does not fully comprehend the magnitude of the task which he has in his portfolio as Minister responsible for Health. I think it would be unfair, perhaps, to criticize him at the same level as I would criticize, say the Honourable Prime Minister or the Attorney General, or even the Minister of Agriculture, as I did last week, because then that would be ascribing onto that Minister a level of performance and understanding with which he has never been familiar and, therefore, it would be unfair. And so.....

*Asides*

Mr. B. M. TAITT: You think that was not right? Okay. But I am only going on the basis of empirical evidence. I do not know anything about the honourable gentleman and, therefore, cannot speak about him in any great detail. But the utterances which he makes, the manner in which he makes them, and, generally speaking, following, for example, the attitude of the honourable Member for the City.....

Now when the Member for the City was the Minister responsible for Health, one could criticize her. One could deal with her because she understood what she was doing. She was just doing it badly. When she said that we would have a free health service and then she came and gave us a service for which we are all paying, one understood that sort of behaviour, and, therefore, one could criticize it. One could criticize that, Mr. Deputy Speaker. The former Attorney General, when he was the Minister of Education and he talked about CARIFESTA, and one recognized that he was deliberately carrying one up the garden path on CARIFESTA, one could understand that. But the present Minister of Health has said about seven different things about the Ministry of Health since he took it over. The present Minister of Health has given us seven different policies. And today, in this Honourable Chamber, even as the Prime Minister discusses the establishment for the hospital, we get an entirely different position from that put by the Minister of Health.

6.55 p.m.

Mr. Deputy Speaker, only recently, when the Minister of Health went to turn the sod for the expansion of the hospital, the Minister of Health made a statement on the National Health Service, as I understood it, and at that time what he had to say was in complete contradiction from what the Prime Minister has said today. The impression has been put across that there are large numbers of staff added to the hospital as a result of the turning of the sod, that the negotiations had been complete. When you heard the Prime Minister in here saying that he wants to repeat slowly, that he wants to say that the matters between the university staff and the consultants, honorary lecturers and the Government are not complete, he is cleaning up the work of his Minister. Mr. Deputy Speaker, you picture this. Do you realise that if the Prime Minister had to participate in every discussion, with every department, with all the professionals, in the way he has had to come to the rescue of the Minister of Health, he would do nothing else on a daily basis but go around from Ministry to Ministry talking to the professionals?

The fact is that the Prime Minister has come here today and is saying to us, 'we wish you to be patient in understanding that what is going on in the Ministry of Health is a matter that we have to put up with for the time being.' All right, Sir, we are going to put up with it for the time being. We are going to agree to this Resolution for the five additional consultants — and that is how it has to be framed, there are five additional consultants — but we do not understand why the Prime Minister is going to pick a row with the university people at this stage. There must be some reason why the Prime Minister is looking to pick a row with the university people.

*Aside.*

Mr. B. M. TAITT: The university medical people. I have no interest in that, that is the medical faculty.

Each time a Prime Minister has to have discussions about the hospital, somehow the medical faculty comes at the wrong end of the Prime Minister's wrath. Now this Prime Minister was not wrathful, he did not say anything except, very simply, if the boys who are working as hospital consultants while holding substantive positions as university people are getting \$800 a month, according to his logic, and the ones who are holding substantive hospital positions and honorary university positions are getting \$200 a month, there should be some parity. That is my understanding of his argument. There should be some relationship. And he then says that the only way there would be a proper negotiation is to have — hear this — a tripartite negotiation between BAMP, the university and the Government.

Now, Sir, that is unfair pool, that is dirty pool. I mean that in its cleanest sense, Sir. The Government is a party to the negotiation. The Government is also, through this Parliament, the dispenser of the funds. Here comes the Government first saying that the negotiations are still going on, after making a final statement, a statement that can be interpreted as a final statement, that they either have to take it or leave it, or have a tripartite discussion. But he, Sir, representing the Government, is one of the parties in the dispute. He knows that he is one of the parties in the dispute, and he knows that, if for no other reason than the equity of the situation, it is wrong for a party to the dispute, who holds the power which he in his other capacity holds, to make the kind of committed statement which he makes in his capacity as Minister responsible for Establishments, Minister of Finance and Prime Minister of the Government. Those are provocative words. They were not said in a provocative manner, and to someone who is not listening very carefully they might not even seem provocative. But what he is saying to BAMP is, it is a very simple matter — if you are looking for a fight, I have all the ammunition.

He is unfairing BAMP, but that is not a problem for him or a problem for BAMP, it is a problem for you and me, Sir. It is a problem because BAMP represents not only the doctors in the university system, they represent the doctors in the hospital system, so BAMP will say, "well, we are not taking this position and we are going to down tools." Now they do not down tools like a carpenter, because if they down tools like a carpenter everybody will cry shame of the doctors, but you and I know that if a professional decides to down tools, it is a more effective cessation of work than if a carpenter decides he is not planing any boards today.

family, as we used to know it many years ago, is not nearly as extended as it once was, because persons at a relatively early age are opting to go on their own. It reflects the growing affluence and the general improvement in the economic and social development of our island when so many of our young people do not any longer feel any obligation to stay at home with their parents, but rather opt to go and start a life of their own. It is a sign of social maturing, and I believe, Sir, that we will have, as a matter of policy, to think seriously and critically down the road of means through which we can continue to meet the challenge, and that is to provide adequate housing accommodations for the hundreds of young people who each year are coming on the housing market.

Our urban landscape, in my view, will have to go through an increasing transformation because land space is extremely limited. If you look around the St. Michael area, it is virtually impossible to find suitable places for the construction of homes in the traditional Barbadian sense. So it will be necessary for us to increasingly look at terrace housing as opposed to the individual house, or we will have to look at row houses because it will require less space. And judging from the increasing urbanization of St. Michael, it will not be long before these two forms of architecture will predominate the St. Michael area.

Sir, I am grateful to the Minister of Housing for his initiative in providing for the people of St. Michael West Central yet another facility which can go towards increasing the housing stock in Barbados.  
8.25 p.m.

Mr. B. M. TAITT (St. Michael West): Mr. Speaker, I am not going to oppose the acquisition of this land although I regret very much that it is going to be used for sites and services. I agree with what the honourable Member for St. Michael West Central has said about the dilapidated state of the buildings on this piece of land and what remains of it. But the main part of this plantation, which is the area that is being acquired, and the immediately surrounding area, has been allowed to develop in a rather spasmodic and unacceptable way. I think that many of the houses which were sold by the plantation right in the back of the plantation are on plots that were put together in a haphazard manner in the usual way that tenancies grew up. In fact, the whole area was a tenantry for some considerable time, and while it is true that on the main parts of Fairfield the houses are traditional houses and are reflective of an upward mobility, as the honourable Member said, the area in the back of the dilapidated houses is very crowded and in many ways undesirable in the way in which the spread occurred. Even the roadways leading to some of these houses, in fact, emanated from what is a natural drainage.

There is a natural drainage that runs immediately to the east of this property and within the property there

is a natural drainage that leads to the outlet through to Bridge Gap. In that whole drainage area coming from Grazettes, the water used to come flowing right through what is now Parkinson Road through, to the bridges. The bridges were built to accommodate the flow of water which used to come tumbling down through there and it used to go through what is a natural outlet. That outlet has been clogged for some considerable time with bush and vermin and that sort of thing.

Hon. V. L. JOHNSON: On a point of elucidation, Sir. The honourable Member is partly right. There is a drain to the east of the Gilkes' property, but I do not suppose he has had a chance to get down in there recently. We have constructed a new outfall drain from Seclusion right on to Black Rock main road and a Y junction that would tie up Parkinson Road just north of his father's house, Mr. Dear's house, so that what was a clogged drain becomes a natural concrete outfall.

Mr. B. M. TAITT: Apart from the fact that the honourable Member has elucidated something which he did not raise before, I will not deal with the issue. I think Sir, that while he gets his opportunity to say that, he also identifies a problem which we have and which the Minister responsible for the Environment and the Minister responsible for Housing will have to collaborate on. It is the whole question of drainage in these areas. I am very serious about this. If the Minister could examine this in the light of what I am saying, I would have preferred, in the context of things that the honourable Member for St. James North has spoken about from time to time, to see this area, what is left of it, become a pocket park for the people in this very densely populated area — that is St. Michael West Central around the Fairfield area, — and I will invite the Minister, even though the Objects and Reasons say that we are acquiring this land for sites and services, to pay a site visit to the area and he will see that what in essence we have is a number of houses surrounding the plot that is there now as if it were an island and these houses that surround were the water.

The fact is that what we are now acquiring here constitutes the only open area in that whole Fairfield enclave, and if more houses are put on this area, the ratio, it seems to me, is going to be so high that it will defeat the very purpose for which the sites and services programme has been designed. In other words, yes, some houses can fit on the piece of land, but I think that you may do the other inhabitants and ourselves a service if in fact we could clear the trench, because it is a natural water course as opposed to a canal, and if we could make the area a pocket park. If the honourable Member for St. Michael West Central reflects, he will agree that that said very area is the area which he and all of the youngsters in that area used to play what little cricket they played, and football and other games. I do not wish to reflect on the honourable member's capability in this

field and so I will not reveal any facts in that regard here, but the point I am making is that a large number of persons who have come from that area can recall going to what was called Gilkes' pasture to play. That was one of the advantages which we who were growing up had which those who now live in the area do not have.

I agree that we should acquire this, because it has become an eyesore, and once agreement can be reached on the price and all that, I am inviting the Minister without prejudice to re-examine the use to which it is intended to put this relatively small piece of land and to see if an adjustment of the existing house spots and the house arrangements would not be more compatible with the vision which all of us have for the type of neighbourhoods we want to see in Barbados.

So I am saying, yes, I agree with this. I have no quarrel with it. But I am inviting the Minister to examine the use to which he wishes to put this land in the interest of the total development of that particular area of St. Michael West Central.

Thank you, Mr. Speaker.

Hon. L. B. BRATHWAITE: Mr. Speaker, I think the speech made by the last honourable Member was the best speech he has made so far for the day. I somewhat compliment him for a very enlightened speech, and I want to tell him that I will weigh carefully all the points he has put forward. But even if you try to regulate the present arrangement there in terms of housing and you have some form of a park area, this would not really affect the Resolution as such, because within a housing development you can have a park or anything like that. The Minister of Housing and Lands can designate any area now for development, and therefore if the surrounding area is not conducive to proper living conditions, he might be able to so designate the area and to utilise the land which is being purchased now in order to lessen the density of the present conditions which exist. So while we are purchasing the land for sites and services, it does not exclude the people who are living in cramped conditions from enjoying the facilities which we are going to upgrade.

I want to assure the honourable Member for St. Michael West that the people who are around there will not be excluded. We will have to look at them as well, because it is the policy of this Government to clean up wherever possible the bad living conditions, so that will not be excluded.

With respect to the Minister of Transport and Works, I want to thank him for complimenting me in putting forward these project proposals. I wish to tell him that I would hope on some occasion I will be able to compliment him as well for something that he might have done in my constituency.

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

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

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

8.35 p.m.

#### INTERPRETATION (AMENDMENT) ACT, 1986

*Order No. 4 was called – To move the Second Reading of a Bill to amend the Interpretation Act, Cap. 1.*

Hon. D. A. C. SIMMONS (St. Thomas): Mr. Speaker, Sir, this looks like a more complicated definition than what appears in the Interpretation Act at present, but we have tried several ways to try to meet the mischief that the aims are rectifying, and this is the best that the draftsmen have been able to come up with.

The problem quite simply is this that some enactments contained references to specific Ministers by the title of the portfolio held by the particular Minister at the time that the enactment was passed. Those references become irrelevant when the titles of a portfolio are changed from time to time, like subsequent assignments of responsibility under Section 72 of the Constitution.

We have had a number of examples. I can point to one or two to highlight the problem to members in a stark way. For example, in the Miscellaneous Controls Act, Cap. 329, prior to its being amended in July 1985, Price Control Regulations were made by the Minister responsible for Trade, who was the Minister responsible for the particular subject when the Act was originally passed in 1970, but who was subsequently no longer responsible for it. In the National Conservation Commission Act of 1982, for example, we had a similar problem. The Minister deemed to be responsible for the operation of that Act is defined as the Minister responsible for Lands, but, of course, there is a separate Minister responsible for Tourism and the Environment who would have responsibility for the administration of the NCC Act.

So what the Interpretation Amendment Bill 1986 seeks to provide for, is that the definition of "Minister" is to be Minister who, for the time being, is assigned responsibility under Section 72 of the Constitution for the subject matter in the enactment in respect of which the term "Minister" is used, notwithstanding that some power, or duty, might have been conferred by another law, or by any person, or authority other than Minister. We have, therefore, decided to enact a separate amendment to the Interpretation Act at Section 46(a).

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

Mr. R. E. BRATHWAITE: I beg to second that.

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

*On motion of Hon. D. A. C. SIMMONS seconded by Mr. R. E. BRATHWAITE, Mr. SPEAKER left the Chair and the House went into a Committee on the Bill, Mr. ODLE in the Chair.*

#### COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

*Clauses 1 and 2 were called and passed.*

Hon. D. A. C. SIMMONS: I beg to move that Clause 3 stand part.

Mr. R. E. BRATHWAITE: I beg to second that.

Mr. B. M. TAITT (St. Michael West): Mr. Chairman, I just draw to the Attorney General's Chambers that we are, in fact, passing some retroactive legislation here, which means that we are validating all Acts that have been performed in the past, and I have a natural aversion to that. I would have liked very much if he could have indicated to us whether there was any enactment, or any order, that was signed, or any problem which could arise from this.

We are saying that the Interpretation Act is to be interpreted now as always having had this effect, and I know that during our time, we made sure, we went

through some processes to ensure — in fact that is why we now see instead of “the Minister of”, it is” “Minister responsible for,” and so it captured the problem.

I just wish, for the record, to say that passing this clause does not, in any way, suggest that we are in favour of the principle of retroactive legislation. I think I have to say that, having fought against it in the past.

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

*On motion of Hon. D. A. C. SIMMONS, seconded by Mr. R. E. BRATHWAITE, Mr. CHAIRMAN reported to His Honour the Speaker the passing of one Bill in Committee without amendment, and Mr. SPEAKER resumed the Chair and reported accordingly.*

*On separate motions of Hon. D. A. C. SIMMONS, seconded by Mr. R. E. BRATHWAITE, the Bill was read a third time and passed.*

#### ADJOURNMENT

Hon. L. S. CRAIG: Mr. Speaker, this brings us to the end of Government Business for the evening.

I beg to move that this sitting be now adjourned until Tuesday, February 18, 1986, at 12 o'clock noon.

Mr. R. E. BRATHWAITE: I beg to second that.

*The question that the House stand adjourned until Tuesday, February 18, 1986 at 12 o'clock noon was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.*  
8.45 p.m.

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