THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1986-91

HOUSE OF ASSEMBLY

Tuesday. July 11,1989

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock on Tuesday, July 11, 1989.

PRESENT

His Honour J. J. PAYNE, (Deputy Speaker)
Rt. Hon. L. E. SANDIFORD, B.A., M.A.,(Econ.), J.P., (Prime Minister and Minister of Finance and Economic Affairs)
Hon. B. M. TAITT, B.A. (Hons.), M.P.A., LL.B.(Hons.), (Minister of Health)
Hon. E. E. GREAVES, B.A., Ed.M., (Minister of Trade, Industry and Commerce)
Dr. R. C. HAYNES, M.B., Ch.B., F.R.C.P. (Edin.), (Leader of the Opposition)
Hon. Dr. D. G. BLACKMAN, B.A., M.A., (Minister of Transport and Works)
Hon. M. A. KING, Q.C., LL.B., (Attorney General, Minister of Legal Affairs and Minister of Foreign Affairs)
Hon. W. O. FRANKLIN, A.I.C., M.I.A.S.. J.P., (Minister of Agriculture, Food and Fisheries)
Hon. N. K. SIMMONS, (Minister of Employment, Labour Relations and Community Development)
Hon. H. A. BLACKMAN, B.Sc. (Econ.), (Minister of Housing and Lands)
Mr. D. A. C. SIMMONS, Q.C., LL.M.
Mr. O. S. ARTHUR, M.Sc. (Econ.)
Mrs. M. BARKER-WELCH, (Parliamentary Secretary, Ministry of Education and Culture)
Hon. C. V. WALKER, (Minister of Education and Culture)
Mr. L. L. BRATHWAITE, IP., (Chairman of Committees)
Mr. E. BOURNE
Dr. E. A. SIMMONS, M.D.
Hon. W. W. HALL, G.C.M., H.B.M. (Minister of Tourism and Sports)
Mr. C. A. NEBLETT, B.A., (Parliamentary Secretary, Prime Minister's Office)
Mr. C. LeR. TROTMAN, M.A.
Mr. R. L. MORRIS, B.A., Cert. Ed.
Mr. P. J. M. MILLER
Mr. R. P. BYER, LL.B.

Mr. D. J. H. THOMPSON, LL.B.

Prayers were led by Father Ivan Harewood. Mr.

DEPUTY SPEAKER: The House is in session.

MINUTES

Mr. DEPUTY SPEAKER: The Minutes of the meeting of Monday, June 26, 1989.

Hon. B. M. TAITT: Mr. Deputy Speaker, Sir, the Minutes of the proceedings of this Honourable House of June 26, 1989 have been circulated and may be taken as read as I am about to propose. There is one small error on page 2. The very last word on page 2 should have been "guests" rather than "guest". With that amendment, Sir, I beg to move that these Minutes be taken as read and confirmed.

Hon. M. A. KING: I second that, Sir.

The question that the Minutes as amended be taken as read and confirmed was put and resolved in the affirmative without division.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. DEPUTY SPEAKER: I am to announce that I am in receipt of Accounts and Statements for the months of March and April 1989 prepared by the Accountant Gen H.

PAPERS

Rt. Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I am commanded to lay the Convention between Barbados and Finland for the avoidance of Double Taxation with respect to Taxes on Income.

Hon. M. A. KING: Mr. Deputy Speaker, I am commanded to lay the Report of Commission of Inquiry into escapes from Glendairy Prison.

PRIVATE MEMBERS NOTICES

Mr. DEPUTY SPEAKER: The Member for Christ Church East.

Mr. E. BOURNE: Mr. Deputy Speaker, I beg to give notice of the following Resolution:

WHEREAS the agricultural sector of Barbados is faced with a deep financial and production crisis,

AND WHEREAS the livelihood of hundreds of persons has been seriously compromised by this crisis, and whereas the Minister of Agriculture, Food and Fisheries has failed to institute policies to prevent, alleviate, arrest or reverse the serious decline in agricultural output,

AND WHEREAS the incompetence of the Minister has placed the future of an entire sector of the economy of Barbados in jeopardy,

BE IT RESOLVED that this House has no confidence in the Minister of Agriculture, Food, and Fisheries.

Mr. Deputy Speaker, I beg to move that this Resolution do now pass.

Mr. DEPUTY SPEAKER: I take it that you are seeking to give notice of this Resolution. This is the first time that the Resolution is coming before the Chamber and really we would not be able to debate it on this occasion.

NOTICES OF QUESTIONS

Mr. DEPUTY SPEAKER: The Honourable Member for St. Thomas.

Mr. D. A. C. SIMMONS: Mr. Deputy Speaker, to ask the Attorney General and Minister of Legal Affairs:

1. Will the Minister please state:

   Whether Government has settled the litigation commenced by the previous Headmaster of the Lodge School, Mr. C. E. A. Smith, against the Attorney-General?

2. If the answer is in the affirmative, will the Minister please state:

   (a) full details of the settlement,

   (b) whether any sum agreed to be paid in settlement has been paid, and (c) the source of funds for settlement?

3. If settlement has not been reached, will the Minister, in view of his earlier intimation to this Honourable House on this matter, state any reasons for the delay in settlement?

12.25 p.m.

FIRST READINGS OF BILLS

Hon. B. M. TAITT: Mr. Deputy Speaker, I beg to move that a Bill to amend the Judges Remuneration and Pensions Act, Cap. 1 ISA be now read a first time.

Hon. M. A. KING: I beg to second that.

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

CONGRATULATORY AND/OR OBITUARY SPEECHES

Dr. R. C. HAYNES: Mr. Deputy Speaker, when Thomas Washington Miller passed to the Great Beyond, many thousands of us in this country, particularly the poor in the City of Bridgetown, had lost a true friend and someone whose entire life had been guided by the dictates of his conscience and by the dictates of true friendship. At no time in his life could anyone detect any evidence of motivation by expediency, for he was always loyal to the causes in which he believed.

Tommy, as he was affectionately known to all, was different from most practitioners of the art of politics in this country, either today or in the past. He had a deep and abiding commitment to the poor among us and he honoured this not only by words and by actions taken in his public life, but in the daily structure of his life.

As a businessman he tried at all times to involve as many of the poor in his activities, either by way of jobs or as suppliers. When they failed him he understood that it was not necessarily their fault, but because of their circumstances. He gave them the encouragement, and further he always gave them resources to try again. Indeed, he never gave up in his desire to ensure that his activities as a businessman benefited as many of the poor as possible.

Tommy entered public life in his twenties and served with the utmost distinction in the St. Michael Vestry. Here his talents flourished and he was always advocating

measures to relieve the poor and destitute, particularly in the City of Bridgetown. He was indeed a true friend of the poor. He could easily, because of position of birth and social associations, have chosen a different way of life, since that would be what would have informed most people of his time, but he was happiest when caring for, and indeed sharing with, the poor. What is most remarkable, he did this for his entire life without the slightest regard to his personal condition.

Another outstanding feature of Mr. Miller was that he always felt a deep sense of gratitude for the opportunities afforded him to serve the poor people of the country, and on many occasions he told me that he really saw no other good reason for involvement and participation in the political life of Barbados. He believed very strongly that gratitude was one of the highest virtues and nothing, absolutely nothing, ever upset him more than any manifestations of ingratitude.

He remained young in spirit to the very end and many of his friends in his later years were among the younger people in the area in which he lived. He remained constantly alert to the political, social and economic conditions of this country. Indeed, his home at Coilymore Rock was a place where all were welcomed, and I mean all, and truly welcomed, irrespective of their social conditions. He gave all that he could to the community surrounding him, always helping someone or seeking to help someone. That indeed was his daily life.

He served in this Honourable House with distinction and brought to it in those days an independent spirit which was not delimited by partisan considerations, and when he spoke it was always with authority, commitment and a true expression of what, he personally felt about matters before the House, and always intervened in debates which had a significant impact on the lives of the poor in the community.

Politics remained in his blood to the very end, and some of my most treasured moments relate to hearing him recall in a very personal way the political events of the 30's, 40's, 50's and indeed of the early 60's. He was able not only to speak to the events that would have been known in the Press and elsewhere, but he could describe in detail the characters, the places where meetings took place, what people ate at the particular meetings, what they drank, who bought what. He had a remarkable memory of the events of those years. Indeed, in a way, Sir, as has often been mentioned on the floor of this House, it is a pity that persons with that kind of encyclopaedic memory did not commit to paper the kind of detailed accounts that they could give of the events that took place in that critical period of our history.

Indeed, Sir, he had a very intimate knowledge of all those who were on the political scene in those days and helped to shape the direction in which Barbados has moved over the years. But he also had a very deep feeling for many persons who might not have held elective office, but would have played a major role in the political process, those who passed away unsung, but he was able to record in his memory the major characters who assisted and helped in that movement. 12.35 p.m.

This country, Sir, and particularly the poor among us, has lost a patriot and a friend.

On behalf of my colleagues and my family, I wish to take this opportunity to express my condolences to his many relatives and to his friends and I trust that we would be able to continue to have the same kind of depth of commitment to the poor which I feel was his major contribution to the public life of Barbados.

Hon. B. M. TAITT: Mr. Deputy Speaker, on June 13 it fell to me to stand and speak about the brother of Thomas Washington Miller and on that occasion I made reference to the association in the minds of people in Barbados of the Miller brothers that one hardly thought of Freddie without thinking of Tommy. Little did I or anyone know at that time that he would in death be almost as uncanny as he was in life in following not so much in the footsteps of, but at the side of his brother.

The stories in the history of the Millers which purveyed the environment of Black Rock are replete with escapades which had Freddie in the forefront and Tommy a half step behind. So in death, almost within a matter of days, Tommy followed Freddie and, indeed, it is interesting that up to the very end a query had to be raised about whether, in fact, Tommy should be allowed to go with Freddie. In the end, of course, he went as had been the case on the occasion as it was related when Freddie and the elder brothers were going off on a trip through the Caribbean in a questionably, perhaps, not sea-worthy vessel when Tommy had the injunction from his parents, as the story goes, that he could not go, so he stowed away. Similarly, as they came to be buried in the church yard a question arose but, in the end, Tommy was able to rest peacefully with his brother Freddie.

I think the Honourable Member who has led this tribute should have done so if for no other reason than that all that he has said was manifested in the late Tommy Miller's unabashed admiration for and adherence to that Honourable Member.

I had very little personal contact with Tommy but I remember well that one such episode occurred during the now historic time when that Honourable Member was making hir way towards this Chamber and Tommy was one of his most ardent supporters.

I remember well the quality of language Tommy used to describe the necessity for certain kinds of persons to participate in politics and I recalled words like onomatopoeia as Tommy waxed loquacious almost for an hour to no-one in particular except the Honourable Member and myself indicating how much he thought the Honourable Member was doing the right thing.

Tommy Miller's history in the City is well recorded in the minds of the people of the City. His relationship with the late Ernest Mottley is legendary.

The story is told and repeated how the one would speak vehemently about the other on a political platform only to come down from the platform meet the other one on his way up to respond and exchange more than pleasantries, indeed, exchange such foodstuff as may be available.

Tommy's capacity to discuss persons in colourful language when, in fact, he meant only friendship and warmth was often misunderstood by many people who did not and still do not understand the mores of city life.

There are many people who still have not yet grasped the rhythm of the language patterns of certain aspects of city life but, in fact, it is when people like Tommy Miller are at their most sincere that they speak in terms which are terms of endearment which are not always understood.

I recall again a situation where Tommy by virtue of his oratorical skills was able to prevent a certain kind of activity from taking place in one of the city streets where, again, the subject was politics.

I think it would be fair to say that if ever a man lived, breathed and functioned politics that Thomas Washington Miller would be such a man. I cannot attest, except from what I have heard, as to the specific contribution which he made to specific persons but it is true to say as this Resolution does say, that he made a substantial contribution to our society.

It is also true to say that when the history of politics in this country is written, firmly in the firmament of the city politics will be found the name of Thomas Washington Miller.

He carried the banner for the Democratic Labour Party and it is in that context that we are able to say as we do today that we regret his passing and that we can offer sympathy to the entire Miller family because of the apparent tragedy which they would have suffered with deaths following so soon one upon the other.

Suffice it to say, however, that apparent tragedy is merely apparent. In truth, when men and women have lived their course and when they have served themselves and their fellowmen and their God in the way they know how, their departure from this earth ought not to be mourned so much as cherished and praised for the life that they would have led. 12.45 p.m.

Freddie Miller and Tommy Miller lived lives for politics and we as politicians have a duty to say farewell to them in the manner which we do. It is in that- context, Mr. Deputy Speaker, that I am able and we are able on this side to associate ourselves with this Resolution.

Mr. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, I did not know Tommy Miller very well since 1986. I was able to speak to him on I think two occasions over in Coleridge Street and got the impression that he was a man of some compassion. The litigation from which he was then engaged had obviously rankled with him and he was ready to withdraw from the further expression of the hurtful things that had led to his being in court. It was tragic that after his contribution in respect of both Parties, the Democratic Labour Party and the Barbados Labour Party, such an event should have afflicted him in his declining years.

But he was a man of ready wit and humour. And insofar as he made a contribution from within the ranks of the Barbados Labour Party, on behalf of the Barbados Labour Party, I wish to tender condolences to his family.

Mr. P. J. M. MILLER: Mr. Deputy Speaker, in rising to express appreciation for the sentiments expressed by the three other Honourable Members, on behalf of the Miller family, I must say that like the Honourable Member for St. Michael West, I did not expect to have to come back here so soon to express my family's appreciation for the tributes being paid to any of us who would have passed away. And I certainly hope that this will stop for the time being.

Laughter.

Mr. P. J. M. MILLER: It seems like the politicians in the family are the ones that were earmarked. As far as I know, there are only about four of us left, so one would hope that that - while I am not questioning the Lord, I am hoping that we have a little pause in that regard.

Laughter.

Mr. P. J. M. MILLER: As I said, Sir, on the 13th June, in paying tribute to my other late uncle Freddie, the family has always had, certainly for the last three or so generations, serious interest in the welfare of people and in particular poor people. And I believe this is what has driven a large number of us through the years into politics. Because if we look at politics in its truest sense, it has to do with people and it has to do with representation of these people. I believe that, like myself, Tommy took this to mean exactly what it said.

I always saw him as a person who viewed politics in a much different sense than most of us do today. He spent, certainly, I would say 99% of his life breathing, drinking, eating, living politics. You could hardly ever get Tommy involved or engaged in any other type of discussion other than political discussion, and he spent a lot of time dealing with it at I guess what one could call a parochial level, since I have never known him to be really involved in any international or probably national issues. He saw himself as being elected to represent the people of the City of Bridgetown and he set about to do just that.

Most of the Honourable Members in here who are old enough, yourself and I, Sir, excluded would probably recall that he entered the Vestry somewhere in his twenties and started from there to do the job of looking after the interest of the people of the City of Bridgetown.

As other Honourable Members have said and it has been attested to in political circles in Bridgetown, the late Ernest Deighton Mottley and Thomas Miller spent a lot of time as political foes, but as friends in terms of looking after the poor people of Bridgetown.

I remember a friend of both of those late great gentlemen saying to me once that in a campaign where Tommy Miller and Ernest Mottley were on other sides of the fence in terms of political Parties, Mottley's people were saying you should vote for Ernest Mottley, but remember that Tommy looks after poor people and give him a piece too. Those were in the days of double Member arrangement. That should say a lot for the man himself when his political "enemy" could have in his own campaign asked that you consider Tommy for the City Council at the time.

We all know too that somewhere around, I believe it was 1956, he entered this Chamber becoming a Member of the House of Assembly for the City of Bridgetown and continued to work on behalf of the people of Bridgetown. It is also known and it makes no sense trying to avoid it that Tommy Miller was a Member of three different political parties. He certainly was with the Barbados Labour Party, then joining the Democratic Labour Party and on passing he was a Member of the National Democratic Party. One, if one wants to treat it with any frivolity would want to think that that seems to be the type of personality that does not really understands where he belongs. But I want to make it quite clear that because Tommy understood that he belonged on the side of the people he felt that the Party that he belonged to would have to take second place. And he felt, and he said this to me, that if he had to disagree with any political Party in the interest of the people that he would leave that Party and join any other Party that he thought or he perceived to be working in the interest of the people.

I recall only too clearly, Sir, that he said to m'e last year at a very serious and troubling time in my life, in my short political life so far that I should not be too concerned with what I had done because as long as I was satisfied that I had done it in the interest of the people that I sought to represent and as long as I continue to do that that I would have no problem politically and that I should be able to rest easy in terms of what my job was.

So, Sir, with those few words I believe that we could sum up the life of Tommy Miller, the life not only his political life, because even in his business as the Honourable Leader of the Opposition said, even in business he would find tangible work for people not only from the City, people from all over, a large number of people from the Pine and those areas worked with him. And even too if one looked at it in pure business terms, he was always overstaffed. He could hardly ever say no to anyone who asked for a job. Fortunately he did not have any children so maybe he had a few extra dollars to spend so he could afford to be overstaffed. But I think that when one examines that and juxtaposes it with his attitude to politics, one could see that Tommy Miller has gone to the Great Beyond and can only be seen as a man of the people.

Thank you, Sir.

Mr. DEPUTY SPEAKER: Let me join Honourable Members in expressing condolences to the relatives of the late Mr. Miller. Like some Members I did not get the opportunity to know him very well even though I have heard quite a lot about him. I think that Honourable Members have already expressed themselves in glowing terms.

Nothing we say on this occasion will return him to his sorrowing relatives. But they may take great comfort in the fact that while he lived he enjoyed the love, respect and cherished adoration of many people. He has bequeathed to us many messages.

I should like on this occasion to join Honourable Members in expressing sympathy to his relatives and to direct that the sentiments expressed on this occasion be conveyed to his relatives. I should also like to invite Honourable Members present on this occasion, please join with me in standing as a mark of respect for one minute's silence in respect of his passing.

The House stood in silence for one minute.

Mr. DE >UTY SPEAKER: You may sit.

Dr. R. C. HAYNES: Mr. Deputy Speaker, I invite the House to support the following Resolution, in the following terms:

"WHEREAS Thomas Washington Miller Esq., former Member of this Honourable House for the Constituency of the City of Bridgetown from 1956 until 1961 has passed away;

AND WHEREAS in his period of service in this Honourable House and in several other areas of public life in this country he made a valuable contribution to our society;

BE IT RESOLVED THAT this Honourable House extend our deepest sympathy to his relatives and friends on his passing."

Mr. DEPUTY SPEAKER: I direct that this Resolution be conveyed to the relatives of the deceased.

ORAL REPLIES TO QUESTIONS

Hon. N. K. SIMMONS: Mr. Deputy Speaker, the Reply to Question No. 95 I believe is ready.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. B. M. TAITT: Mr. Deputy Speaker, Sir, I beg to move that the following Standing Orders be suspended, Standing Orders, 6,16,18,20,42 (5), 43 and 44.

Hon. M. A. KING: I beg to second that, Sir.

The question that the various Standing Orders mentioned by the Acting Honourable Leader of the House be suspended for the remainder of the day was put and was resolved in the affirmative without division.

Mr. DEPUTY SPEAKER: Order No. 1.

JUDGES REMUNERATION AND PENSIONS (AMENDMENT) (No.2) ACT, 1989

Order No. 1 was called - To move the Second Reading of a Bill to amend the Judges Remuneration and Pensions Act, Cap. 115A.

Hon. M. A. KING: Mr. Deputy Speaker, Section 17 of the Judges Remuneration and Pensions Act empowers the Governor-General to make Regulations, among other things, relating to the conditions of service of and the allowances payable to the holders of judicial offices.

It is proposed to revise the Entertainment Allowances and Transport Allowances payable to judges which are contained in the Regulations made under the Judges Remuneration and Pensions Act. It is proposed that these Allowances when revised be retroactive to the 1st April, 1988, retroactive in respect of the Transport Allowance and the Entertainment Allowance. The Act as it stands now, Mr. Deputy Speaker, does not permit the making of Regulations with retrospective effect.

So that the purpose of this Amendment, this very simple Amendment before this House, is to permit the Governor-General to make Regulations with retrospective effect where those Regulations are designed to confer a benefit or remove a disability attaching to the holder of a judicial office in relation to any aspect of his conditions of service or the Allowances payable to judicial officers.

So that the simple purpose of this Act then is to permit the Governor-General to make Regulations retrospectively for the purpose stated.

I beg to move, Mr. Deputy Speaker, that this Bill be now read a second time.

Hon. B. M. TAITT: I beg to second that, Sir, and reserve my right to speak.

Mr. D. A. C.'SIMMONS: Mr. Deputy Speaker, Sir, the Barbados Labour Party Opposition will be supporting the Bill because it is the view of this Party, Sir, that the conditions of service of the judges are constantly in need of examination and revision with a view to the provision of better facilities and conditions for them.

I want to start first, Sir, to examine the physical conditions under which the judges labour. There has been, throughout the years, in my view a misconception that law and order, better conditions for judges and the magistrates and so on, and police, is not an area which win votes. 1.05p.m.

Both parties that have held reins of Government have not paid enough attention to the enhancement of the facilities under which these people perform their functions. An attempt was made during the period of 1976 to 1986 under the Barbados Labour Party Government to tackle the problem of the upgrading of the physical facilities for members in that group and providing better conditions and financial conditions for Judges and to some extent Magistrates. What we need, Sir, is a long term comprehensive plan and a political will to attack the areas of judiciary, magistracy, police, and the disciplined forces in a systematic way to provide better conditions.

I know the Rt. Honourable Prime Minister I saw him a few months ago - went and had a first-hand sight of the conditions certainly around the Supreme Court. I know that

he would have been surprised, if not distressed, at what he saw. We all recognise years of neglect and years of misplaced priorities.

Even though I may concede to the proponents of the view that law and order matters are not vote catching, I think that looked at from another perspective they are important ultimately to the economic survival and social stability of Barbados. I believe, and I have said in this House before, that the day it is noised abroad in the International Press that Barbados is not a safe place to go to because there is a collapse in the discipline forces and that crime is at an unacceptably high level, or our judicial system is tainted - God forbid that should happen, if it did happen, it could have an adverse effect on our ability to maximize the benefits of our tourist product. I think that even as we witness in this country now a trend towards indiscipline and lawlessness which is creating instability, that that if not checked will inspire fear in the population. I am not only talking about the gangs that are out on weekends roaming and breaking up school fetes and so on.

Mr. DEPUTY SPEAKER: I take it that you are still on this Resolution though.

Mr. D. A. C. SIMMONS: Yes, the Judges have to try them and lock them up. I am on the Resolution, Sir. If we are not careful, there will be slippage of a kind that will damage the image of Barbados. We have to ensure that those including the Judges, Sir, and the Magistrates and the Police who have the responsibility to offer stability to this country are themselves properly provided for. No one is asking for any lavish provision of accommodation or conditions. We are asking that as a matter of urgency that Government addresses the needs of these groups. So as not to get too far, I am going to stay with the Judges and the Magistrates.

What I would like to hear from the Government is whether it has a planned programme over let us say a 7-year period or a 5-year period for refurbishment of the courts. All of the country's Magistrate Courts are in a state of disrepair and I said it at the beginning. I am not blaming this Government or even the last Government. I said it is a tradition, but somebody has got to tackle it. District D in St. Thomas could as well be condemned because it does not lend itself. District E in Speightstown is another one that could be condemned. They do not lend themselves for the proper administration of justice.

You are doing a case, Sir, as you know for your own practice, Your Honour.

Asides

Mr. D. A. C. SIMMONS: The Deputy Speaker has a good practice and he knows.

Asides

Mr. D. A. C. SIMMONS: Sir, you know that you can be cross-examining a witness and all of the other witnesses who are to come are outside hearing the answers, particularly with police witnesses. It is tainted because they add up and the ends of justice are often defeated. I say that as a matter of my own experience over 20 years.

The Bar tables at most of the country's courts are worm eaten. You cannot risk to put a piece of paper on the table and take notes of evidence. You may break the nib of your pen. It certainly will tear up the paper. It would not cost a lot to ensure that some of the basic facilities are upgraded now, Sir. If Government has a plan over a 5 or 7 year period for replacement of the existing plant, then I would counsel Government to spend frugally, but in a meaningful way some money during that period when the planning is going along with a view to doing a little bit more than cosmetic work but sufficient work on this court to alleviate the real problems that affect the profession on a day-to-day basis.

The Magistrates have conditions of service, Sir, that need looking at themselves. Their travelling allowance is $160 a month which I believe is less than anybody else in the whole of the Public Service. When clerks in the same system can draw $400 and $500 a month for travel, the Magistrate is fixed at $160.

Asides

Mr. D. A. C. SIMMONS: I am not getting into that. Anyhow, I will talk to you later about that. I think that kind of disparity needs to be looked at, Sir. Similarly, the Court of Appeal allowance is for the Judges. Do you know what a Judge gets as a Court of Appeal allowance sitting to hear a Court of Appeal case from 9:30 to let us say half past 1 - 4 hours? ....$12.00 a day. You ask people to have respect for them. They laugh at them in their face. 1.15p.m.

Is $3 an hour a good wage? It is like $3 an hour for a Court of Appeal Judge. I have to dramatise it, but it is a fact.

Aside

Mr. D. A. C. SIMMONS: How much I get? There is no way that I would be appearing in the Court of Appeal for $12 for four hours. The day of the old fowl cock lawyer is done, it has passed on with Dick Greenidge and them. Toppin.

Aside

Mr. D. A. C. SIMMONS: There was an old lawyer called Tc ppin.

Mr. DEPUTY SPEAKER: Even though I think what you are saying, and calling names, sounds very interesting, I would prefer .....

Mr. D. A. C. SIMMONS: They have all passed on, Sir, to the great Valhalla.

Mr. DEPUTY SPEAKER: I thought you were talking about current lawyers.

Mr. D. A. C. SIMMONS: I do not wish to articulate to any extent the kinds of feelings - because we are all human beings, Judges and Counsel - the thoughts that must from time to time go through the minds of those who have to make the decisions. They are seeing Counsel standing there and assuming they earn fees of a certain respectability. Counsel are earning respectable fees, and they are saying to themselves, or could easily say to themselves, "I wonder how much so-and-so is getting for this case![11] And they are only earning $12 a day. We have to do something about it. I do not think there will be any difficulty about that, Sir. That is, as I say, the Court of Appeal allowance. It has nothing to do with salary.

It is arguable that their salaries are perhaps also too low, given their responsibilities, and it is the Judges and the Courts that we have to look to, and the man in the street has to rely upon, to be the dispassionate arbiter of disputes between individuals and individuals, and the State and institutions and the individual, and we must be conscious at all times to provide the stability and the incentive to ensure that the Judiciary as an institution survives untarnished.

We have been lucky in Barbados that for the most part -1 do not say exclusively - we have had Judges of the highest quality, highest calibre, highest moral integrity and probity who could not be criticised or inveighed against as happens in other countries, some within the region, and we have to ensure that that tradition for integrity survives, and one of the ways of ensuring it is to provide proper salaries, proper conditions and so on.

I know it caused problems, particularly among Civil Servants, when the Barbados Labour Party administration offered MP cars to the Judges, but one has to be strong. That was a perk of office that I thought was an important concession from Government to the Judiciary. In Jamaica for years they had that - an Orderly coming in a State-provided car driving you about. We made that concession to the Judges to help them.

Senior Civil Servants were highly critical of that, and there is a certain jealousy that pervades the Public Service, at the highest echelons of the Public Service, that prevents them from being objective in relation to the provision of proper salaries and so on, and conditions, for certain professional persons. I know it, Sir. I have said it in here before.

Take a Statutory Board which wants to employ a Financial Controller. It finds a Barbadian well qualified overseas and wants to pay him $80 000 a year to come and run a Statutory Board, even like the Transport Board or whatever, which is managing millions of dollars and may need the best possible expertise, it writes a letter to the Ministry and requests that we employ a person at that salary, and see what the Permanent Secretary replies to you and says. "He is getting more than me. No way!" I have been through that at CBC and at National Housing Corporation, and it is an area that we have to address. In consultation with the Unions we are going to have to determine as politicians whether there should not be a category of professionals, a class of professionals -1 do not wish to sound elitist -

Mr. DEPUTY SPEAKER: Are you talking about Judges?

Mr. D. A. C. SIMMONS: They are professionals too, Sir.

Mr. DEPUTY SPEAKER: Yes, I know that.

Mr. D. A. C. SIMMONS: You cannot have a class of professionals for whom we negotiate conditions separate and distinct from others. You see, it will not really be a class - it may be a class but not an elitist group - because we have always allowed, for example, Architects at MTW * to do some private practice and so on, and I think it really needs some imagination and it needs some selling to the unions and to the senior members of the Public Service to get that through.

Sir, I have been concerned for a long time that we have tended to carry on even after Independence the colonial tradition that drew from the Public Service the persons who would ultimately become Judges. I cannot think offhand, apart from Mr. Justice Ward as he then was, of anyone who has come from the private Bar and brought the experience of practice on to the Bench. In the old colonial days it was axiomatic that you served in the Service and then you were made a Judge, you were recognised with a long service medal, and we have carried on that tradition since Independence.

It will be urged against me that one of the problems is that we do not pay attractive salaries to get people from the *** private Bar to sit on the Bench. That is part of the problem. 1.25p.m.

The other part of the problem has to do with the pensions. We are dealing with pensions in here, Sir.

As it is now, all private practitioners have to pay and contribute to the National Insurance Scheme and on retirement you get a National Insurance Pension, hopefully, but to invite a practitioner to give up his practice and go on **

the Bench and serve for another 8 years and then come off without a pension is asking a lot and I wish to suggest to Government that a formula should be considered.

I am throwing it out as an idea that if a person has, let us say for the sake of the argument, 20 years private practice and he comes on the Bench he would be credited with, say, 10 years, to go towards his pension so that you could find somebody who would have 10 years to offer on the Bench so he would be credited with 10 years in respect of his private practice and then he serves for 10 years on the. Bench and then he is entitled to a pension.

Now, I think a formula along those lines may prove attractive and be an incentive to persons at the private Bar wanting to make a higher contribution at the level of the judiciary. That is one thing. I know it has been a concern of members of the private Bar for a long time.

I am going to deal, Sir, with the question of the final Court of Appeal that was discussed at the Heads of Government Meeting in Grenada. As I understand it, from the Communique and outside of the Communique, Trinidad, Barbados and Jamaica were the 3 territories that are in favour of the establishment of a final Court of Appeal. Jamaica, however, has a reservation in so far as its Bar is not presently fully in support of the movement of the establishment of a Court of Appeal to replace the Privy Council.

The OECS countries recognised that they would have certain constitutional problems which may involve the holding of referenda and for the moment they think that those difficulties would not allow them to participate fully so, as I understand-it, the OECS countries are going to have an observer, as it were, working with the inter-governmental committee that involves Barbados, Trinidad and Jamaica but, for the time being, it does not have the support of the OECS countries.

In principle, I am in favour of such a court but there are a number of matters that have to be addressed and a number of hurdles that have to be cleared before I would lend my unequivocal sanction to the establishment of this court and, again, I come back to the problem of the catchment area for the judges.

I would not wish to see a final court made up of Caribbean judges all of whom were drawn from the judicial service of the various territories. I would want to see practitioners, people who had had outstanding experience and who would have had successful careers throughout the region. I would like to see that kind of person on the court.

The Honourable Minister of Health is begging for a pick. He says, "even academic". I am not going so far, Sir. He is an academic lawyer for whom I have a healthy respect particularly in the area of constitutional and administrative law. Let that go in the record.

Mr. DEPUTY SPEAKER: The Honourable Member has 4 minutes.

Mr. D. A. C. SIMMONS: I am speaking first for the Opposition, with respect, Sir. As I understand the rules, I have unlimited time.

In other words, Sir, I would wish to see some of the inbreeding that there is cut out in terms of the composition of the court.

It is incongruous that independent territories of the Caribbean should still be using the Privy Council as a final court - but let me say this too. Some of the attitudes in the Privy Council are sending messages to us to say, "look, these problems are very localized. You know better than we do. Deal with them yourselves" and we are reaching the stage where, in some types of cases, particularly the constitutional types, the Privy Council wants to put the ball back in the courts of the region.

Until we can get the type of court in the region to replace the Privy Council, I wonder if the Prime Minister and the Attorney General would canvass - it is an idea that I am throwing out - with the British authorities, perhaps, the establishment of a division of the Privy Council staffed by a majority of judges from the Caribbean but still retaining some of the English judges. I think it would effect savings and it would be a compromise situation for the time being while we develop towards ultimately having our own final court.

There was a time when, I think, in the early 1970's when Sir Hugh Wooding before he died used to represent the region on the Privy Council and Sir William Douglas before he retired as Chief Justice of Barbados sat on the Privy Council. He used to go up every year about March and sit with the judges.

Aside.

Mr. D. A. C. SIMMONS: Yes, the Chief Justice of Barbados. He did it, I would think, at least 6 years and they themselves, it seemed to me, were preparing the way and had no objection to Caribbean judges of eminence sitting with them. What I think we could usefully do is to expand the number of judges who sit and who would comprise, as it were, the Caribbean, for want of a better word, Division of the Privy Council. 1.35p.m.

I think it is a matter that should be canvassed, but I throw it out with the greatest diffidence.

Sir, coming back to the present situation in Barbados, I think the time has corne when we have got to look at a re-transfer of the jurisdiction which magistrates presently have in respect of certain matters, retransfer to the High Court. I think one of two things should happen in respect of wrongful dismissal cases. They should either go to the High Court or alternatively, we set up a separate court to deal with industrial matters. It will have cost implications. I understand that.

But the fact is that given the difficult economic times through which we have passed, particularly in the eighties, many persons have been dismissed wrongfully in the sense that they were given less than adequate notice, or there was no justifiable reason for their dismissal, or employers have acted in bad faith and used all kinds of stratagems and techniques to avoid having to pay the measure of damages that would be attracted to a finding for wrongful dismissal.

The Magistrates Courts are not really equipped to deal with the spate of wrongful dismissal and industrial cases that are coming before them. They have a backlog to hear. And I think it is true to say that there is also a trend towards appealing the cases alter they have been dealt with by the Magistrates, particularly where the employers have been held liable. They do not have the time because of the ongoing nature of their work and the variety of work that they have to deal with to even write up the decisions so you can get an appeal.

Added to that you have the problem as to whether the Magistrate's Court is a court of pleadings or not and even though there is provision made in the magistrate's court rules for the use of interlocutory procedures, Sir, which are familiar and regularly in use at the High Court level, the fact is that in the Magistrate's Court, many people do not resort to requests for particulars and interrogatories and all those things. So that very often the cases are done, cases which involve the award of substantial compensation, in a summary way where the parties do not have or do not resort, I had better say that, to all the techniques and the use of the rules that are available both in the High Court and in the Magistrate's Court.

I am not being critical of lawyers in any way. What I am saying is that insofar as there are courts of summary jurisdiction, the approach has tended to be less than incisive, penetrating and thorough as one would have in the High Court. And I think that in these cases, the parties ought to have the availability of the High Court procedure which would allow also, I think, for a better chance of settlement of cases.

I do not think people realize, Sir, that settlement is a healthy process, and it can contribute to effecting savings in cost. But it can only be done if the two sides are fully briefed, fully prepared and prepared to make full disclosure and show each other documents and so on. I do not think the Magistrate's Court procedure allows for that or the practice that has grown up.

So I should like to see a restoration to the High Court of the jurisdiction for dealing with wrongful dismissal matters.

Aside.

Mr. D. A. C. SIMMONS: Well, you say it has not been taken away. The fact is, as the Honourable Attorney-General would appreciate, it has not been taken away. True. But the practice has been, since there was the amendment to allow the Magistrate's Court to do wrongful dismissal cases, notwithstanding the monetary limit, that the courts are becoming bogged down and cluttered up with those cases.

Aside.

Mr. D. A. C. SIMMONS: Yes. All right. I am saying, Sir, that I agree with what the Attorney-General is saying that the plaintiffs elect to go. They elect to go because it is a speedier procedure clearly, and if you come as an employee plaintiff and lose you will not be rinsed out with cost because you pay $250 in cost.

Aside.

Mr. D. A. C. SIMMONS: Yes. But I am saying that very few go.

Aside.

Mr. D. A. C. SIMMONS: I do not want to bog down the debate, Sir, with technicalities. But I would be happy to discuss with the Attorney-General later on how it can be done, Sir.

Aside.

Mr. D. A. C. SIMMONS: I said alternatively, Sir, that if there is the feeling that insofar as the law provides that the plaintiff has an election as to which court he commences, then why can we not move to the establishment of an industrial court which will deal with these matters and will deal with other Severance Payments matters which are now occupying the attention of the tribunal and so on, Sir? I think these are matters that we must look at because the law is a dynamic phenomenon.

Aside.

Mr. D. A. C. SIMMONS: Pardon?

Aside.

Mr. D. A. C. SIMMONS: No, no. I said create a separate court.

A separate industrial court.

Aside.

Mr. D. A. C. SIMMONS: A new judge, an industrial judge.

Aside.

Mr. D. A. C. SIMMONS: That is what I am saying. I am putting up alternatives. Yes. That court will try the severance pay matters and the wrongful dismissal matters and so.

Aside.

Mr. DEPUTY SPEAKER: Please address the Chair.

Mr. D. A. C. SIMMONS: Sir,....

Laughter.

Mr. D. A. C. SIMMONS: ... the Honourable Minister of Trade....

Laughter.

Mr. D. A. C. SIMMONS: ... figures that he could trap me to go and say that I am calling for an industrial court. I have no objection.

Hon. E. E. GREAVES: On a point of order, Sir.

Mr. D. A. C. SIMMONS: I am going to write it in the record for you.

Hon. E. E. GREAVES: On a point of order, Sir. I am just trying to be clear because I should like to get into the debate.

But I should like to know what the Honourable Member is saying.

And I want him to tell me and tell this Honourable Chamber in very clear terms if he is calling for the establishment of an industrial court in Barbados?

Thank you.

Aside.

Mr. D. A. C. SIMMONS: He wants to use the phrase industrial court in a....

Mr. DEPUTY SPEAKER: I take it that you mean the Honourable Member.

Mr. D. A. C. SIMMONS: - the Honourable Minister - ... in a special way, Sir. I was not viewing it in a special way.

What I was saying is that you would have a court, if you cannot restore the jurisdiction to the High Court, you have a separate court which would deal exclusively with wrongful dismissal matters and....

Aside.

Mr. D. A. C. SIMMONS: Not strikes. You would have to do so much amendment of the legislation before you could reach there.

Do you mean like Trinidad? No. I am not thinking of anything like Trinidad's, what do they call it? Industrial Stabilization, the court which was set up under the Industrial Stabilization Act.

I am not thinking of that. And that is what the Honourable Minister of Trade wanted me to say. He is not going to get me to say that. I am just talking about a division.

Let me put it another way, Sir. Quite simply, we have a family section, a family division that does divorce matters and all the ancillary matters to divorce. All I am saying is that we should have - if he wants to call it industrial, let him so call it, if you want to go and tell the people out there and misrepresent me, I would know what to do with you.

Laughter.

Aside.

Mr. DEPUTY SPEAKER: I take it that you are still addressing the Chair. 1.45 p.m.

Mr. D. A. C. SIMMONS: We will have a court, Sir, which deals with employees rights and employers rights. Whatever they call it, Sir, is a matter for them.

Asides.

Mr. D. A. C. SIMMONS: They are appealing for light, Sir.

Mr. DEPUTY SPEAKER: I have given you full liberty to speak and you will realise .....

Hon. B. M. TAITT: On a point of order.

Mr. DEPUTY SPEAKER: I am still speaking.

Hon. B. M. TAITT: Sorry.

Laughter.

Mr. DEPUTY SPEAKER: Nobody can cut you short. I am in the Chair and you can feel free to speak. So nobody will prevent you from speaking. The Honourable Member, the Leader of the House, wants to say something.

Hon. B. M. TAITT: It is merely, Sir, that I saw him trying to get....

Asides.

Hon. B. M. TAITT: Man, you are not in the Chair. You did not listen. On a point of order, Sir. I found that he was having a little difficulty in getting the wheels down and I was just trying to assist him. The landing gear stopped and I was trying to assist. That is all, Sir.

Mr. DEPUTY SPEAKER: I know you are very well at assisting and I have no doubt that that was intended. The Honourable Member for St. Thomas may continue.

Mr. D, A. C. SIMMONS: Sir, I was just about to move in asking the Government about what is happening with this new Hall of Justice. I am going to a new phase of my speech, Sir, the Hall of Justice. When the Prime Minister had his last Press Conference, he indicated one of the projects that Government had under consideration for implementation in the short term was the establishment of the Judicial Centre. I think they call it the Judicial Centre. I am not sure where it is going to go somewhere out by White Park, Sir, or Country Road.

I would wish to find out from the Attorney General what sort of figures would the Government be looking at for the construction costs and the equipping of this centre. It is important, Sir, because in 1985 I met, when I was then Minister of Legal Affairs with 2 firms, one of whom was Higgs and Hill and the other whose name I forget now, who made proposals for the construction of a new Court Complex on the site which is now the car park opposite the Central Police Station. There had been plans drawn some years before by the MTW architects which called for transfer of the Attorney General's offices, the DPP's offices and all of them in this new Judicial Centre. It would have been financially unviable for the Government at that time to have attempted that. We had a meeting with the then Chief Justice Douglas and with the architects of MTW and we decided upon a scaled down version of the original plan. The scaled down version just required the construction of the Courts and the Registry. The Attorney General remained elsewhere but certainly did not come down with the DPP and so on.

The cost that we were then looking at for that type of building was $22 million. Since it was being helped, as it were, by these English construction firms, they were hopeful that we would have got ECGD money to assist in the construction of the project. The problem then was that the ECGD money was only 5 year money and we were then looking for at least 15 year money. Even though we had-it in mind, Sir, I do not think that we could have gone with it on that scale. That is why I am asking the Attorney-General to let us know what kind of construction is being planned or envisaged and how much is it likely to cost I wish to warn that the Government must ensure that its planning for the Judicial Centre is of a superior quality to its planning for the Sherbourne Centre above Ilaro Court.

Mr. DEPUTY SPEAKER: If I may just interject for a moment, just let me say this. There is a special procedure for asking questions. In any event, we are dealing with a Bill to amend the Judges Remuneration and Pensions Act. Probably, if you can come a little closer to the bone, it will help us a lot

Mr. D. A. C. SIMMONS: Sir, I accept your restriction of my speech within certain parameters. I accept because it does not appear to Your Honour that it is relevant to discuss in the context of the provision of better facilities for the judiciary, not only including remuneration and pensions but physical facilities, that one could discuss the future development of a facility which the Prime Minister has announced to the Nation four or five weeks ago, Sir, in that most disastrous programme.

Mr. DEPUTY SPEAKER: We are dealing with a specific Bill today. I do not want to appear to be cutting you short, but you must recognise that there are certain constraints.

Mr. D. A. C. SIMMONS: All right, Sir, I accept your ruling. Surely Sir, it must be relevant if Government is going to build a new Judicial Centre.....

Mr. DEPUTY SPEAKER: There is another Member on a point of order.

Rt. Hon. L. E. SANDIFORD: I wish to make it quite clear that I did not announce anything to the Nation in any disastrous programme. The Honourable Member knows that and that is why he smiled when he said it. I would be glad if he would, as usual, withdraw the remarks.

Mr. D. A. C. SIMMONS: I think that I will withdraw the word "disastrous". I will withdraw the word "disastrous". It was less than impressive - the Press Conference. The Prime Minister did announce, Sir, to the nation....

Asides.

Mr. DEPUTY SPEAKER: The Honourable Member has been going very well so far.

Mr. D. A. C. SIMMONS: Sir, the Prime Minister did tell us and I have notes of what he said, Sir, that Government is building a new Judicial Centre. That will be one of the capital projects in the next couple of years. I submit, Sir, that it is quite proper and within the perimeters of the Standing Orders for me to ask Government at this stage to let us know some of the details without having....

Asides.

Mr. D. A. C. SIMMONS: I know, but the Deputy told me....

Asides.

Mr. D. A. C. SIMMONS: I think, Sir, it is relevant to know to what extent the Judges have to sit in this new building. I have to pay them. I have to remunerate them properly, Sir, and give them pension.

Mr. DEPUTY SPEAKER: Yes, of course, but the building will also accommodate lawyers and other persons. So you cannot use the building as the basis for bringing it into the debate. I do not want to short circuit you, as I said, but perhaps you can come closer to the Bill under discussion.

Mr. D. A. C. SIMMONS: I am staying close, Sir. I am asking what is this new structure for the Judges and the administration of justice going to cost. Has Government got even a preliminary cost, Sir? How long is it going to take to construct? When will it start? All of these are matters, Sir, which, I think if Government was in a position weeks ago through the Leader of the Government to announce that it intends .to construct this building, certainly Government should be in possession of that basic information. I am not asking for detailed plans. 1.55p.m.

What I am warning Government against, if we are going to build a new facility for the Judges, and hopefully remunerate them better and give them better pensions within the terms of this Bill, is making the same mistake that we have made with the Sherbourne complex.

Hon. E. E. GREAVES: Mr. Deputy Speaker, on a point of order. Am I correct in understanding the Honourable Member to say....

Aside.

Hon. E. E. GREAVES: I want to be clear what the Honourable Member is saying. Is he saying that the payment of full salary, without taxation, to a Judge when he retires is not a proper pension?

Mr. D. A. C. SIMMONS: I never said that.

Hon. E. E. GREAVES: But he is asking the Government to pay the Judges proper pensions. I want to know, in my humble submission, if a Judge who gets his full salary without taxation as a pension is not receiving a good pension.

Mr. D. A. C. SIMMONS: Sir, I leave the facetious intervention, because he knows that I was trying to explain to Your Honour the parameters of the debate, that since we are dealing with Judges, their pension and remuneration, they have to function out of a building.

Mr. DEPUTY SPEAKER: You are trying to explain to me the parameters of the debate?

Mr. D. A. C. SIMMONS: Yes, Sir.

Mr. DEPUTY SPEAKER: I fully understand the parameters. I am trying to guide you.

Mr. D. A. C. SIMMONS: You see, since you tried to guide me, and my interpretation of your guidance was that I was going off the rails, or that you did not understand where I was coming from, then with respect I thought it appropriate to let you know, Sir, the parameters within which I was debating. So you can keep guiding me, Sir.

Mr. DEPUTY SPEAKER: Yes, but we both seem not to be succeeding in our efforts.

Mr. D. A. C. SIMMONS: Sir, if you would have a little tolerance and allow a little....

Rt. Hon. L. E. S ANDIFORD: On a point of order. I know, Mr. Deputy Speaker, you have been trying to keep this debate within the framework of the particular matter that we are debating and the Standing Orders, but as the longest serving member in this House let me say that in discussing any matter relating to Judges I do not see how we can import the kind of frivolities that the Member for St. Thomas is trying to import into the debate, and he knows better than that. It is a very serious subject we are discussing.

He started out quite well, and then in spite of your direction he has been going all over the place and I would certainly admonish him, through you, to stick to the seriousness.

Aside.

Rt. Hon. L. E. SANDIFORD: It is not for you. You lost your opportunity in the Chair. You are not in any Chair now. I wish to say that I hope that this debate will come back to the high seriousness. It is dealing with a most important matter and we should not be treating these matters in any frivolous manner. That is my own advice to this Chamber.

Mr. DEPUTY SPEAKER: Before the Honourable Member for St. Thomas continues, I should just like to say that I have allowed a lot of liberty in the debate. You have had an opportunity to deal with the Magistrates, the Magistrates' Courts, wrongful dismissal, you have had an opportunity to deal with a number of issues. I think we have gone very well so far and perhaps it may be a good thing if you can continue in the high standard which we always expect and receive from you in these debates.

The member may now continue.

Mr. D. A. C. SIMMONS: Sir, I am grateful for the flattering words. It does not make any difference to me, because I have to say that if I am dealing with a matter relating to the administration of justice....

Mr. DEPUTY SPEAKER: This is not a matter dealing with the administration of justice, we are dealing with pensions and remuneration for Judges, and we have to be clear and precise about what we are dealing with. If we are dealing with the administration of justice....

Dr. R. C. HAYNES: On a point of order.

Mr, DEPUTY SPEAKER: I am still speaking. We are not really dealing at this point with a full debate on the administration of justice, and perhaps if we can confine O'ir discussion to the Bill before the House we may get along smoothly and with some success.

I think the Honourable Leader of the Opposition would like to say something.

Dr. R. C. HAYNES: Mr. Deputy Speaker, on a point of order. This Bill clearly deals with the terms and conditions of Judges and any matter related to that is pertinent. I think that the Right Honourable Prime Minister was very much out of place in trying to restrict the range of discussion on this matter. I think it is quite wrong. If the Government is not competent to respond, that is their problem, but I think I have a duty on this side, as Leader of the Opposition, to make sure that the principle that applies to the Second Reading of Bills is adhered to. The Honourable Member for St. Thomas is well within his rights and privilege in this House to speak on any matter without the Prime Minister's intervention.

Mr. DEPUTY SPEAKER: Just one moment. Is the Honourable Leader of the Opposition trying to suggest that I arn not upholding the rules of this Chamber?

Dr. R. C. HAYNES: I did not say so, Mr, Deputy Speaker. I have heard the Right Honourable Prime Minister get up and start using terms about admonishing another Member on this side, through you. I am speaking to him, through you, and reminding him of the correct parameters for any Second Reading speech.

Mr. DEPUTY SPEAKER: Thank you very much.

Dr. R. C. HAYNES: What they are trying to do is to import the principles of a Third Reading into a Second Reading, and the Honourable Member for St. Thomas is well within his bounds to continue in that vein.

Mr. DEPUTY SPEAKER: We understand. You may take your seat

Asides

Hon. B. M. TAITT: Mr. Deputy Speaker, I am endeavouring to speak to you, but the Leader of the Opposition and some others are carrying on in such a fashion that I cannot hear myself.

Asides

Mr. DEPUTY SPEAKER: Order, please! Order!
2.05 p.m.

SUSPENSION OF SITTING

Hon. B. M. TAITT: Mr. Deputy Speaker, clearly it is time for lunch. I wish to move that this House be now suspended.

In view of the fact that the facilities are not yet able to accommodate the Honourable Members for luncheon in the fashion to which most of them have become accustomed, we will have to take some extra time and I beg to move that this House be now suspended until 3:30 in the afternoon.

May I say, Sir, that I give the other side the assurance that the motion moved today will be debated as soon as possible if they wish tomorrow, but if they prefer, we will do it on Tuesday. I just wish in case they are not coming back to be aware that we will seek to have the motion done at 10:00 o'clock on Tuesday morning because we have to make sure that we give them enough time.

We do not know how long the first Member will speak. The others have 30 minutes each. We want to make sure that on Tuesday there is enough time so we will be proposing to meet at 10:00 a.m. and if they wish to have it....

Aside.

Hon. B. M. TAITT: You are telling me what to say?

Sir, if they wish to have it dealt with in any other way they may consult with Your Honour but we will make sure that if the debate goes on through Tuesday we can come back Wednesday and, if necessary, the following day. I just

want to give the assurance to any Honourable Member who may not be coming back after lunch that Tuesday at 10:00 o'clock is when we propose to set time aside for the debate.

Aside.

Hon. B. M. TAITT: Well, it cannot be today at 10:00. You want to come tomorrow?

Aside.

Hon. B. M. TAITT: Well, Sir, if he wants to come tomorrow at 10:00 o'clock that is all right with us. We are ready.

Mr. DEPUTY SPEAKER: I would very much prefer if members would clear up this matter before...

Hon. B. M. TAITT: I am told now, Sir, that we cannot do it tomorrow. The Senate is meeting. The Cabinet meets on Thursday mornings. We can have it on Thursday afternoon or we can have it Friday morning, or Saturday morning, or Sunday morning, whatever they wish but we will set it for Tuesday.

Aside.

Hon. B. M. TAITT: You say it is being frivolous?

Aside.

Hon. B. M. TAITT: Oh, you have a row with somebody else? Not me!

Mr. Deputy Speaker, I beg to move then that we suspend until 3:30 p.m.

Hon. M. A. KING: I beg to second that.

The question that the House do suspend until 3:30 p.m. was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the House accordingly. 2.10p.m.

RESUMPTION OF SITTING Mr. DEPUTY

SPEAKER: This sitting is resumed.

Mr. D. A. C. SIMMONS: Mr. Deputy Speaker, is it the intention of the House to continue in this sweltering heat? I understand the airconditioning has broken down but I am prepared to carry on.

Aside.

Mr. DEPUTY SPEAKER: I am willing to entertain any applications.

Aside.

Mr. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, the Bill before the House is yet another in the long lists of amending Bills brought by a Government that has no agenda for fundamental legislative development.

The Laws for 1987 and 1988 are about a quarter of an inch thick.

Aside.

Mr. D. A. C. SIMMONS: I did not say it in this debate. I said it out on the public platform.

Mr. DEPUTY SPEAKER: Please pause for one moment, please.

Rt. Hon. L. E. SANDIFORD: Mr. Deputy Speaker, it is clear that the conditions in here are sweltering and they are certainly not conducive for work. Obviously, something is wrong with the airconditioning system.

It is my understanding that the technicians have been summoned in order to look at the system and check it, hopefully, to correct whatever the problem is and, in those circumstances, I wish to move that this sitting be suspended for half an hour for the system to be checked, that will be until 4:10 o'clock this afternoon.

Hon. E. E. GREAVES: I beg to second that.

The question that the sitting be suspended until 4:10 p.m. was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the House accordingly. 2.40 p.m.

ON RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is resumed.

Rt. Hon. L. E. SANDIFORD: Mr. Deputy Speaker, I have had a very quick look across this....

Aside.

Rt. Hon. L. E. SANDIFORD: - Not the divide - Honourable Chamber and there is agreement that we should postpone further consideration of this particular item and that we should adjourn the sitting until Tuesday next week. This is because the air-conditioning system is still not functioning and we do not have any indication as to the time it would take today for the matter to be rectified.

So in those circumstances, I would move, first of all that further consideration of this item be postponed.

Hon. E. E. GREAVES: I beg to second that, Sir.

The question that further consideration of this item be postponed was put and was resolved in the affirmative without division.

ADJOURNMENT

Rt. Hon. L. E. SANDIFORD: I now move, Mr. Deputy Speaker, that the sitting of this Honourable House of Assembly be adjourned until Tuesday the 18th of July at 10.00 a.m.

Hon. E. E. GREAVES: I beg to second that, Sir.

The question that this sitting be now adjourned until Tuesday the 18th of July at 10.00 a.m. was put and was resolved in the affirmative without division and Mr. DEPUTY SPEAKER adjourned the sitting accordingly at 4.17p.m.

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