THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1986 - 91

HOUSE OF ASSEMBLY

C *Tuesday, May 22,1990.*

Pursuant to the adjournment, the House of Assembly met at 12.15 p.m. o'clock on Tuesday, May 22,1990.

PRESENT

His Honour L. A. WEEKES, J.P., G.C.M., (Speaker)
Rt. Hon. L. E. SANDIFORD, B.A., M.A.(Econ.), J.P., "^ (Prime Minister and Minister of Finance and Economic Affairs)
Hon. H. deB. FORDE, Q.C., M.A., LL.B.
Hon. B. M. TAITT, B.A.(Hons.), M.P.A., LL.B.(Hons.), (Minister of Health)
Hon. P. M. GREAVES, Q.C., B.A., (Deputy Prime Minister, Minister of International Transport, Telecommunications and Immigration and Leader of the House)
Dr. R. C. HAYNES, M.B., Ch.B., F.R.CP.(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, J.P., (Chairman of Committees)
Mr. E. BOURNE Dr. E. A. SIMMONS, M.D.
Mr. C. A. NEBLETT, B.A., (Parliamentary Secretary, Ministry of the Civil Service)
Mr. R. L. MORRIS, B.A., Cert. Ed.
Mr. P. J. M. MILLER

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

Prayers were led by Rev. Father Ivan Harewood.

Mr. SPEAKER: The House is in session.

MINUTES

Hon. P. M. GREAVES: Mr. Speaker, I move that the proceedings of this Honourable Chamber of the meeting that was held on May 2, 1990 be taken as read and confirmed.

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

* Mr. SPEAKER: If there are no corrections or observations, let those Minutes stand confirmed.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: I am to report that I am in receipt of the Audit and the Accounts of the Sugar Industry Research and Development Fund for the year ended December 31, 1989.

PAPERS

RL Hon. L. E. SANDIFORD: Mr. Speaker, Sir, I am commanded to lay:

The Representation of the People Registration of Electors Regulations, 1990.

I am also commanded to lay:

The General Elections Allocation of Broadcasting Time Regulations, 1990.

I am further commanded to lay, Sir:

The Representation of the People Expenses Regulations, 1990.

OBITUARY SPEECHES

Hon. P. M. GREAVES: Mr. Speaker, during the hurly burly of the politics of late April and early May, the late Fred Carlton Goddard passed quietly away and was laid to rest.

We remember him and sing the praises of a man who was not only a Member of this Chamber and of the Other Place as well... But not only was he the first holder of the official position of Leader of the Opposition, we remember him as a kindly man, fair in debate to the extent, Sir, that he was widely respected by all Members of the House with whom he served.

It was not my good fortune to serve with the late Fred Goddard. When I came to this House from the Other Place, he ncved to the Other Place. But we were both Members of the delegation to the Independence talks in London in 1966. The quiet, competent and unassuming way in which he made his contribution gave me a better understanding of why he was considered to be a man of competence and a gentleman.

It is ironic, Sir, that some months later he was to lose his seat in the House of Assembly which he held since 1948. He did not confine his service to politics and Parliament. He was a member of the St. Michael and Christ Church Vestries. It was that service that gave him a taste for politics at the higher level.

The words gentler and kinder have become celebrated words since the last United States Presidential elections. But in Fred Goddard, long before those elections, was the embodiment of a kinder and gentler soul.

He was the sixth of ten children of the late Joseph Nathaniel and Wilhemena Goddard. He was educated at the Combermere School and Harrison College where he made his mark in football and in cricket with some distinction. When he left school, Sir, he joined the Goddard business which was a very small business at that time. In 1938 he married Florence Jones of New York and they were the parents of four children.

When the Goddard business bought over Johnson and Redman, Fred Goddard was sent there as a manager and he remained there for more than twenty years. He too will be well remembered as a person who pioneered the Barbados Flight Kitchen. I remember well at one time when he came to see me at my office at Government Headquarters, this would be about twenty or so years ago, he came at that time in connection with links he was then forging with Marriotts to join with him in the business of the Barbados Flight Kitchen which has now become a considerable business net only in Barbados but outside of Barbados as well,

Fred Goddard retired from the business in 1985. He had made his contribution to the Goddard Enterprise which, as I said earlier, started from very small and humble beginnings and now reached the stage of one of the giant conglomerates of business in Barbados - probably, Sir, in the Caribbean - because the name of the Goddard Enterprises is not confined only to Barbados; it is found in other parts of the Caribbean. In 1982, as a result of his enthusiasm for innovative technology he along with his brothers were responsible for what we now know, Sir, as - the Kensington Food Fair. The point I am making is that he was responsible for converting the business then into the supermarket business as we know it now and which was then very much part of the business world in the United States of America. In 1980, some five or so years before he retired from the business, he was honoured and was one of the first recipients of the Honour of the Companion of Honour which was essentially a Barbados Honour for h**- contribution to the national life in Barbados in the field of business as well as his contribution to politics.

Early this year in the courtyard of this Chamber he told me that he was the only survivor then of the children of the late Joseph N. Goddard. His passing therefore has severed that direct link between J. N. Goddard and the Goddard enterprise. It is not by a long way, Sir, the end of the Goddard's commerce, though perhaps it might be the end of the Goddards in politics.

So we say farewell, Sir, to one of the stalwarts of the pre-independence era, politician, businessman, athlete in his younger days, gentleman, pioneer and benefactor. May he rest in peace.

Mr. Speaker, Sir, I think it is fitting that we move a Resolution in the terms which I should now read:

> "WHEREAS the late Frederick Carlton Goddard, Companion of Honour of Barbados, Member of **s Honourable House from 1948 until 1966 for the thefp constituency of Christ Church passed away on the 23rd day of April, 1990
>
> AND WHEREAS the late Honourable Member rendered distinguished service to this country during many years of active and prominent public life £^-
>
> BE IT RESOLVED that this House extehuS to the widow and relatives and friends of the deceased,

our deepest sympathy and condolences on the occasion of his passing."

Dr. R. C. HAYNES: Mr. Speaker, I rise to associate myself and the National Democratic Party with the remarks made by the Honourable Leader of the House. 12.25p.m.

I rise to associate myself as a member of the National Democratic Party with these remarks for the Resolution which is now before us and to second it as well.

Mr. Speaker, from time to time as persons of the age of the late Fred Goddard who has passed away it is often said that it is the end of an era and indeed, Sir, in a strange kind of way in each individual case it does in fact mark the end of an era. First of all, they have lived for several years . and lived such active lives that that in itself is a major achievement. At the same time, Sir, they have made such a significant mark on the social, cultural, and economic life which is no mean achievement to have done so while enjoying success both at the business level and at the political level whilst retaining those qualities of humility. Indeed, it smacks of the very fundamental attributes of character with which many are not blessed.

It is important, Sir, to recognize that his achievement as a businessman was no mean one. It was not a situation where one started with vast capital available to one nor a situation where one was blessed with exposure of an institution of higher learning and would have acquired various skills in such an environment. It was a situation where an individual by his acumen, hard work, attention to detail, and a secure knowledge that unless one continues to make an effort to grow and expand, then in due course the business would dissolve.

Indeed, Sir, those were not the exact words which I heard but I recall first meeting him in 1963 in the presence of the late Captain Fergusson and Errol Walton Barrow with both of whom he enjoyed a significant friendship and particularly with the late Captain Fergusson. I remembered him talking about business and the need for continual investment, the need for savings and the need to try to instill in Barbadian businessmen that that is the only way to succeed. But more important than that, Sir, he appeared to be one of the first businessmen who understood two things: (1) the importance of introducing into one's business whatever constitutes the latest technology and (2) a recognition that the business can only progress if one continues to strive to upgrade the intellectual capacity and training of those people involved in business.

Indeed, Sir, when one looks at the way the businesses with which he was associated have grown, I think that reflects the commitment of the most recent technology and the same time ensuring that as many of those possible entering the business have adequate training and wherever possible to be fully trained in business activity, accounting, and various other related skills.

I think this is a very important contribution which he has made over the years. I think it is also important for us to recognize that there are many people today who share with what we develop far beyond the boundaries of their immediate families with corporations becoming public entities and creating business opportunities for many Barbadians. 12.35 p.m.

He also combined this with an understanding that it was not only important to function in business in Barbados in terms of distribution and in terms of the local economy, but at some point in time that business activity, if it is to contribute maximally to Barbados would have to interface with the outside world in such a way as to generate some foreign currency for the country. Therefore, we find his organisations being involved in such areas as the flight kitchen activity and also in other companies outside Barbados where, of course, Barbadians would benefit from the earnings outside of this country.

I think it is fair to say that he was in a sense very much a pioneer not only of the requirements for a successful business today, namely the introduction of modern technology, the concept of constant reinvestment not only of time but of earnings and resources in the business, also in the area of improving the human resources available to the business, but indeed in recognising that one should always be looking for opportunities in business to expand beyond the borders of this small island.

Sir, it was not only in business that he made his major contribution. Certainly as I understand it, he served with distinction in Local Government, not only in respect of Christ Church, but also in respect of St. Michael. It is interesting to see that his career followed that of many politicians of that day, where they started off in Local Government and then later they were elected to the House of Assembly. Indeed, Sir, looking at his career it tends to reinforce my belief that Local Government still has an important role to play in the life of Barbados even of today.

As I stand here, Sir, it is also interesting to record, I am not sure whether the Honourable Leader had recorded the fact, that in fact he was the first Official Leader of the Opposition in this Parliament.

Now, as one moves around the parish of Christ Church, it is quite clear that there are many, many people of all walks of life who still retain a considerable amount of affection, particularly among the older people, and it would seem to me that he had a tremendous compassion for the social needs of the deprived in the community, that he also understood that there was some ultimate goal to the process of building financial empires, to the process of economic

development, and that goal must be to improve the social standards of the country as a whole. Therefore, one can see the linkage between his business activities and his involvement in politics and the affection which so many people in the parish of Christ Church, which he represented in this Parliament, still retain for him.

Indeed, Sir, he not only enjoyed that support among the people of Christ Church, but what is interesting to note is that he also had very close friendships with persons in all the political parties of Barbados of the day. I believe that one of his closest friends, as I said, certainly was the late Captain Fergusson who always enjoyed a tremendous friendship, and they were both mutually proud of their relationship although they belonged to different political parties at the time.

He was the Leader of the Progressive Conservative Party, successor to the Electors' Association, and later was associated with the Barbados National Party.

If I may sum up, Sir, I would say that he brought honour, dignity and integrity to the political life of this country, to the business life of this country and also he brought a compassionate approach to meeting the social needs of the total society. He built an empire from humble beginnings, but at the same time he has built for this country an appreciation that economic growth, whether at the corporate level, at the personal level or at any other level is worthwhile if only it can be translated into social improvements at the various levels, again whether it be at the personal level, at the corporate level, the community level or at the national level.

I believe that is the sort of lesson we can learn from his life and I would like certainly on behalf of myself, my family and the National Democratic Party to express our deepest condolences to all sorrowing relatives and friends.

Thank you very much, Mr. Speaker.

Hon. H. deB. FORDE: Mr. Speaker, Sir, I have' already publicly on behalf of the Barbados Labour Party and on behalf of my family and myself expressed in writing my condolence to the family of the late Fred Carlton Goddard on the passing of a great Barbadian. I have also publicly paid tribute to the many qualities which he possessed and which he lived out in his daily life in this country. I wish, therefore, to associate myself with the remarks made by both Honourable Members who have spoken and to concur in their assessment of the life of the late Fred Goddard. 12.45 p.m.

There are perhaps only two other aspects of his life that I would wish to stress. The first was his courage. He came into public life at a time when to be a conservative was a dirty word, and indeed to be white was under assault The fact that he was able to bear both of these labels with equanimity and still shine forth speaks volumes for the man. If one examines his conservatism one would find that its property was the best of liberalism, and really that the label did not count for much.

The House has already heard of his humanitarian^, qualities. These were attested as well in the tribute paid ttr him by Father Hatch at the religious ceremony which took place at the Cathedral prior to his burial. I myself know of many cases within the parish of Christ Church and beyond in which he contributed without so much as wanting a public recognition of his humanitarian act. It is popular nowadays for politicians wherever they make a donation whether by way of a trophy or presentation when someone suffers some unfortunate act, to have this recorded either on the television screen or by way of photograph. The late Fred Goddard shunned a lot of that in the charitable work^ which he performed for his constituents, and for many other - Barbadians less fortunate than himself in a financial sense.

I said he had the courage as well not only to believe in the philosophy of conservatism and manifested it in a liberal fashion, but I think he had the courage where people of his hue were becoming a dwindling race to stand up and to fight as a Barbadian. He had come from very humble beginnings; he never allowed that in any way to undermine his self-confidence; he felt himself as good and certainly not worse than any other citizen of Barbados; it never allowed him to be brash in any way; he was in many respects the epitome of courtesy, and he manifested this to every man regardless of colour, class or creed.

I recall as a youngster going into the Goddard supermarket which was at the old Ice House, I think it was referred to where the Bank of Nova Scotia now stands, to shop, and being treated with every courtesy on his part as well as on the part of his other brothers, particularly the late Victor Goddard. '"'''

The second quality I would like to stress about him is that he was not only a Barbadian, he was a West Indian. His vision extended beyond these foreshores, and I think that vision manifested itself in the whole family in how they conceive of their roles as Barbadians within the context of the Caribbean. It is amazing that a small family firm which began from such small and humble beginnings could today be among the most far-sighted if not the most far-sighted of - Barbadian companies. The company now operates and has 'assets not only in Barbados and the English speaking Caribbean, but in Latin America, in Central America, in Guatemala and in El Salvador, and has been looking at prospects of operating as well within the European community. The arm of the business which made this forward thrust was the one for which the late Fred Goddard > had primary responsibility - the tourism and services arm" of that company. I think it is to his credit and to the cre^ of his brothers and of his sons and nephews and nieces,

some of whom also worked in the business, that they have been able to show that Barbadians have the ability to compete in the wider world on fair terms and to come out in an outstanding fashion. Certainly if there is one contribution that he has made that will last, it is the example which himself and his family have set in giving to Barbadian businessmen the confidence to compete on fair terms with other persons in the international sense and coming out on top in an excellent fashion. As I said, his courage therefore extended not only to the political but to the business sense as well. Perhaps, Sir, that courage showed up very strongly at the time of what has been characterised as the Independence debate. I was then still a stripling of a political animal, and I recall being one of a group called the Under Forties who believed passionately, as I still do believe passionately, that the future of the Caribbean Islands must be in closer unity including political unity. The politics of the 1960s was not the politics of a Sunday school, Mr. Speaker; it was a rough game in which if you dared not to toe the line and to differ, even from conviction, you were characterised as being counter-revolutionary, you were characterised in terms of being opposed to anything that was forward looking. In those days those of us who were federalists, and I remain at heart a federalist, saw ourselves as the late Fred Goddard would have seen himself then as represented as against the people's interest. All of the pejorative terms that come from the political heat would have flowed in those days. But he was a strong supporter of the federation, and he did not for one moment believe that in so supporting regionalism and political union at the federal level that he was contradicting the strength of Barbados to be independent of the colonial yoke. In nothing that he said or did in those days did I interpret his support for federation as any longing to hang on to a colonial past, but rather to see the Caribbean peoples move forward in unity together and to play their rightful part on the international stage.

I wish to recall the strong moral support and political advice which he gave certainly to me at the time of the federal talks and the federal discussions and the views which he expressed. He was confident as I am in the conviction that Barbados had the ability to lead within the Caribbean and to lead the Caribbean within the wider international family. That is one of the legacies that he has left us, Sir.

I first got to know Mr. Goddard in the 1940s when I was a young boy adopted by Madam Ifill at the time. He was a frequent visitor to our home in Hastings; he became a member, as Honourable Members have said, of the Vestry both of Christ Church and of the Bridgetown City Council, and he came into contact with my adoptive parents at that level where my late adoptive father served as the Church Warden for the Christ Church Vestry and my late adoptive ~ mother served on various Committees in the Bridgetown ^*ily* Council. T2.55 p.m.

He was always willing to help her in her social welfare work for the underprivileged and the deprived children not only of Christ Church but of Barbados in particular, and whether it was by financial assistance, by his presence, by his assistance in any way he never at all resiled from that.

I noticed that he, like so many of the Barbadians then in public life, had an unwaveringly courteous approach to people, even to young people like myself and in that household at the time every Christmas, just prior to Christmas would come Mr. F. C. Goddard, Mr. Theodore Brancker, Mr. Wynter Crawford to recall only a few, people of different political persuasions and hue sometimes, Sir, but one never saw any venom in their relationship or any fear for social intercourse despite their political disagreement.

That is also a mark of his life that I will recall and try to live out in my own life because I think it is important. Even in those days he showed that it was possible to differ politically and yet be able to maintain some friendship between persons in public life.

I think that the legacy of these great men must be treasured and that those of us who now come after them will have to carry on in their shoes and carry on the torch for them.

I have the honour to have come into Parliament in 1971, some five years after he lost his seat in the House under the double member constituency system. I came in under the single member constituency system and, therefore, I represent part of the parish for which he once, together with Sir Edwy Thalma held responsibility for a long time and I can, therefore, testify to the many encomiums which his constituents still shower upon him.

He was always available to them. He responded to their various requests, followed up on their complaints and was in many respects a model representative of the people. And I am pleased, therefore, to be one of the four members for Christ Church and the senior of the four, Sir, who now carry the responsibility for looking after the constituents of the late Fred Goddard. I have no doubt that his passing is very strongly felt in all parts of Christ Church from Silver Sands to the Garrison and from the South Coast right inland as well.

Sir, I believe that although it is the passing of an era it is not the last one will see of the Goddard family in public life in this country. I rather expect that in due course, Sir, you will find them very strongly represented in the political life of this country as I believe that they do have within the Goddard family those who not only have the political ability to make a significant contribution in future to this country...

Aside.

Hon. H. deB. FORDE: I am sure, Sir, that they will make it on the right side but they will be in the political life and I join, therefore, with Members in expressing to his relatives and particularly his immediate family, his widow, his sons and his daughter my deepest condolence on his passing.

Hon. M. A. KING: Mr. Speaker, I join in the tributes to the late Fred Carlton Goddard. All persons who have spoken of the late Fred Goddard are agreed that he was a perfect gentleman, that he was a very friendly person, a good-natured person, a very affable person and always courteous.

In that regard, Mr. Speaker, he gives the lie, I suppose, to the Shakespearian statement that "the evil that men do lives after them and the good is often interred with their bones." For, certainly, in relation to the late Fred Carlton Goddard, since his passing we hear nothing but good spoken of him.

I was not privileged to be in this House of Assembly when the late Fred Goddard was a member of this House so that I cannot speak from first-hand knowledge of his contribution to debate, of the quality of his debate and so forth but I am told that in every sense of the word he was an extremely good parliamentarian. He was always, I am told, very courteous in debate even when he differed very violently from those who disagreed with him. He could be courteous and yet be pleasant in disagreement.

I am told he always looked for the middle ground in debate between opposing positions and always sought to effect compromise when there were sharp differences in debate.

He had a knack, I am told, also, for articulating the concerns of the under-privileged even though his own immediate background did not always necessarily bring him in contact with the underprivileged persons.

Now, as an employer again, I speak not from any wealth of first-hand knowledge of him but his reputation is something which one can pay due regard to and he certainly had a reputation of being extremely kind and considerate in dealing with his employees always helpful to them and to those with whom he came in contact without necessarily shouting it from the roof tops.

The Honourable Member for Christ Church West made the point that when he did kindnesses to persons he did it without necessarily letting the world know that he was being a benefactor. Tnat is remarkable for a man of his quality.

In relation to people who worked for him I understand that he took the trouble to train them in the business and to ensure that they were equipped to deal with the work which they were charged to do and always tried to ensure that his employees were satisfied with their working conditions.

Others have spoken of the late Fred Goddard's wide experience in public affairs, as a Vestryman way back in 1946 for both St. Michael first and then Christ Church,~ afterwards, as a member of the House of Assembly from" 1948. He was, as the Honourable Member for Christ Church West said, a Conservative. I think he would have liked to regard himself as a Progressive Conservative.

Perhaps, towards the end of his political career it was not fashionable to be a conservative but, certainly, at the beginning of that career conservatism was not a bad word. The Conservatives held sway in the early part, I believe, of the late Fred Goddard's entry into politics and, perhaps, it was not a bad thing to be a conservative in those days. ^-.

He served in this House of Assembly for some 18 years as is well known and became the first official Leader of the Opposition and despite the fact that towards the end of his political career conservatism was no longer fashionable. He was a person, Mr. Speaker, who never changed political parties. He remained loyal to the party of which he was a member, first of all the Electors Association, then the Progressive Conservative Party, then ,^ the Barbados National Party even although at the time when he became Leader of the Opposition and was a member of the Barbados National Party it was not at that time fashionable to be a conservative. 1.05p.m.

But yet he remained faithful to the Party of which he was a member. I, Mr. Speaker, was privileged to meet the late Fred Goddard and to speak with him. I remember well when I first entered into elective politics in 1971 as a candidate for Christ Church West with the present Member^. for Christ Church West then being my political opponent, I think all sides, everybody in Christ Church recognized the tremendous influence which the late Fred Goddard had in Christ Church particularly in the Silver Sands area and the area of Christ Church West.

It was important for any fledgling entering into politics at that time to try to seek the support and assistance of the late Fred Goddard. Mr. Speaker, I did the right thing. I went to the late Fred Goddard and sought to win his-^ support for my campaign in Christ Church West in 1971. I believe the Honourable Member for Christ Church West would have done the same thing.

The late Fred Goddard, perfect gentleman as he always was said to me, you are both good candidates speaking of the Honourable Member for Christ Church^ West and myself; it is a pity that you are both running fgr the same constituency. I would really like to support yfcu both. He said that he could not and would not campaign for

me but he would give me the assurance that he would do nothing to interfere with my progress. Perhaps he gave the Honourable Member the same assurance. I do not know. He was a man of his word. Whatever position the late Fred Goddard took, I do not know.

But suffice it to say, Mr. Speaker, I believe that in the area of Christ Church West where the late Fred Goddard had tremendous sway, I think I did beat the Honourable Member for Christ Church West, the area where he held the majority of the sway.

So that, Mr. Speaker, the late Fred Goddard had a tremendous reputation in Christ Church; he had done yeoman service for the people of Christ Church at all levels and all people in Christ Church remember the late Fred Goddard with affection and with admiration.

I too, Mr. Speaker, would like on behalf of my family and myself and on behalf of the constituents of Christ Church whom I now have the honour to represent to join in tribute to the late Fred Goddard and to offer to his widow and to his children and the rest of the family our deepest condolences.

Mr. E. BOURNE: Mr. Speaker on behalf of my family, my Party, my constituents of Christ Church East and myself, I wish to associate my remarks with the Honourable Members who have spoken before me. 1.15p.m.

When we talk of integrity, we talk of the late Fred Carlton Goddard. He was a man not only fair in debate, but he was fair in every respect. I got to know Mr. Fred at the tender age of twelve when I was introduced to him by my father and from that day onward we became good friends. He always had very good words of kindness for everyone ^ and was always ready to advise. I remember going to him in 1957 when I wanted to form the Sherwood Cricket Club to ask his help in obtaining the playing field at Upper Bournes Land and he assured me that he would do everything in his power to make it possible for us to play on that ground. But funny enough after all of those years the ground is almost in the same condition as it was in then.

I started my political life with Mr. Fred in 1961. I remember during the Federation debate, when every leader in the Caribbean was quarrelling and castigating Barbados , about the Federal Capital, I asked him one day, "Mr. Fred, why would not you and the business people pay to get the capital for Barbados?" He looked at me with a smile and he said, "You are too young to understand. Capitals you cannot buy and in any case we do not need it that badly."

In 1961, he asked me if I would do some work for him and I readily accepted. I remembered at his opening peeling in Silver Sands when he came up to me and said, 'Tou are a Silver Sands man. You have some ability and I intend to let the people of Below Rock hear you tonight I will only be putting you up for ten minutes. This is the time that you will make your mark. I did, Mr. Speaker, make my mark. After my success in 1986, he congratulated me saying, "You have done very well for yourself and it is no surprise to me."

Mr. Fred was the type of representative who would go out of his way to look after his constituents and I would hope very much if I had some of those qualities. I try hard. But when you consider that his constituency at that time stretched from the Garrison to Woodbourne, that was a giant job. At one time I asked him what did he thought about door to door campaigning and he said, "Well, door to door campaigning is very, very good. It is the best system but it would call for about six men at the age of twenty."

Mr. Fred was a shrewd businessman and he was always ready to give anyone advice about business. He even lectured me on his beginning in business with his father and that in order to succeed in business you have to be constantly upgrading the business and you have to be constantly in tune with modern day practices. It is no wonder that the Goddard Enterprises have succeeded in this country.

I remember in 1966 his last campaign and he told me that it was time the country changed the double member system to the single member system and that this would be his last. Well, funny enough it was his last. It was the election where he lost to the former Prime Minister Harold Bernard St. John.

In summation, I will say that Mr. Fred was a man who all aspiring politicians and good citizens should try to emulate. His character was impeccable and I think this is necessary for all citizens of any country. So to his sorrowing widow, children, and relatives, I express my deepest condolence and may he rest in peace.

Mr. SPEAKER: I should like to associate myself with the tributes paid this morning to the late Fred Goddard, former member of this Assembly. I should like on behalf of my own family and myself to extend sincere condolences to all his family. As a means of passing this Resolution, I shall ask Honourable Members to stand for one minute in silence and that the contents thereof be passed on to his family.

All Honourable Members stood in silence for one minute as a means of passing this Resolution.

ORDERS OF THE DAY
SUSPENSION OF STANDING ORDERS

Hon. P. M. GREAVES: Mr. Speaker, I beg to move the suspension of Standing Orders 6, 16, 18, 20, 42(5), 43 and 44 for the remainder of the day's sitting.

Hon. B. M. TAITT: I beg to second that.

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

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

RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION BY THE CROWN OF LAND AT TWEEDSIDE ROAD, ST. MICHAEL

Order .No. 2 - To move the passing of a Resolution to approve the compulsory acquisition by the Crown of land at Tweedside Road, St. Michael for the construction of the new Carrington's Primary School.

Hon. H. A. BLACKMAN: Mr. Speaker, this Resolution seeks the approval of Parliament for the acquisition of a parcel of land at Tweedside Road, St. Michael for the construction of the new Carrington Village Primary School. In order to obtain the land quickly and to prevent having to wait until we make sure that titles and so forth are in order, we have already posted the Section 3 notice with respect to this land.

The Carrington Village Primary School, Mr. Speaker, had a lot of difficulties. It is obvious that the present site of the school is too small for any expansion and the facilities at that school are a bit cramped and substandard as well for the staff and pupils to function adequately. Therefore, we had to look for a new location to build the new school.

The Physical Development Plan, Mr. Speaker, for the Greater Bridgetown area, has identified that school as one which should be relocated and the Chief Town Planner has agreed that the present site where we are going to construct this school is adequate and strategically located. For those of us who do not know exactly where this land is, it is the land where the late Dr. Stuart used to do his practice.

With those few remarks, Mr. Speaker, I beg to move that this Resolution to acquire this land, at Tweedside Road do now pass.

Hon. C. A. WALKER: Mr. Speaker, I rise to second the Resolution and I would like to make just a few brief comments. As the Minister in introducing the Resolution has stated, the condition of the Carrington School is not one of which we can be proud. Indeed, that along with several other schools are now and have been looked at and we realize that we have to do something about a few of those schools. This has nothing to do of course, Mr. Speaker, with the recent discussion of the movement of pupils from the country area into the St. Michael area. We know that there is much discussion about that. But it is just a fact that since it sits on the old train line there is literally no room around this school. People who are now in their nineties will tell you that it was a good school, but it was a good school for that time.

I would like to say that when we look at the quality of students coming from that school, although the conditions were not the best, the area and school are known for producing some very good students. While I. am on that' subject, I would like to state, Mr. Speaker... We know that that in itself is a matter of serious discussion. Only last Friday in Barbados over 4,000 children took what is commonly called a Common Entrance Examination. Now I would like to state here first and congratulate the Officers in the Ministry who have worked diligently over the last two days... Indeed, for the first time since we have had something called a Common Entrance Exam, I am proud to say that this morning the results of that examination were in the hands of the Head Teachers of each primary school. In complimenting the Ministry staff, I would like also to' mention that I would like to compliment a few of the Head Teachers in schools in the area in what we refer to as the country area. 1.25 p.m.

Of course we have Erdiston, but then right behind there we have the performance of pupils from All Saints' Boys', St. Peter's Girls', Sharon and in your own constituency very good results, St. Stephen's, schools that people have been commenting on recently as not being what they call elite. We now know that the children'have achieved high results. We have a young lady with 98 out of a possible 100 and then we have a youngster from All Saints' Boys' with a result of 96.5 and another girl from St. Peter's Girls', again all in the country.

Mr. Speaker, I just wanted to raise those few points to show that what we are doing here today is a continuation of the whole concept of upgrading the schools in order tqu provide that type of education. Again, before I close *T* would like to congratulate the teachers and the Ministry staff for achieving the wish of the children who asked me yesterday at Pelican Village, "Why do we have to wait three weeks before we know the results of our exams?" I feel proud today that they now have them in their hands.

I thank you, Sir.

Dr. R. C. HAYNES: Mr. Speaker, the Honourable Member has inquired what were my views of the 11+ ana education and so on and I will invite him to come to 6th Avenue, Belleville on Wednesday night and participate in a discussion led by an Honourable Member from the Other Place, on a matter of education, at 7.30. That is tomorrow night.

Sir, I am very pleased that this Resolution is now before the House. This is one of the projects identi^d during the 1981-86 period for implementation, namely to

either rebuild the school at the present site or to find an alternative location for the school. There is no question that there is an urgent need for new accommodation for the primary school at Carrington's Village.

Either late 1986 or early 1987 I invited the Minister of Education to come with me in my constituency and have a look at the conditions of the school. He accepted my invitation and he came, and then as Minister of Finance of course I made the resources available to him to make some immediate improvements to the school. There was some improvement, because in point of fact, Sir, the school started to become a bit dangerous. I think that the floors started to rock a bit when you walked, particularly in the main Hall, and there was some extension of the school at that time. Some additional accommodation, two classrooms I think, was provided and some strengthening of the existing structure was done.

The question arose as to whether or not it would be possible by some architectural feat to build a new school at that site. The problem arose that when adequate consideration was given even to building a two storey building, it became evident that if you went up one storey, then the kids and the teachers would be looking into the backyards and into the houses surrounding the school, and it was not thought desirable that such a development should take place at that site. In addition to that, there is very little room for recreational facilities and so on.

Some effort was made to look at another site across the road from Bridge Road on the other side, and presumably that effort was not successful. There were further efforts made to see whether or not a site could be located in the Erdiston area to accommodate the school, and as far as I know they met with no success.

- This particular property I think would serve the purpose well. I think that the Government should try to acquire any additional vacant lands in the area to make sure that there are adequate recreational facilities for the playing of games and so on available to the students at the school. At the same time, I believe that the architectural design of the school should be such as not to interfere too much with the Tweedside Road area.

I think Tweedside Road is an area of some historic significance. Only yesterday I was discussing with some . persons who have a very keen interest in the Barbados environment the whole question of the preservation of Tweedside Road. It is of interest that only two Friday nights ago I happened to be standing on Tweedside Road and I mentioned to a resident of the area that we will have to do ., something to try to upgrade this area, and he said to me provided there is no change to the appearance, because he Seels that it should remain like this as much as possible down the years.

I would like to see Tweedside Road become one of those areas like Lower Bay Street and other areas in Barbados, Baxters Road, designated probably by the National Trust, but certainly in this Parliament we should recognise at an early stage that Tweedside Road is an area of historic significance and should be preserved.

As a matter of fact, Sir, I would like to see more of the Crop Over activities come in the direction of Tweedside Road. It is true that we have made an effort in our organisation where we have a band in that area, but I would like to see probably the National Cultural Foundation recognise that this is an area, particularly when the school is there, to help to bring Crop Over to the school so that the children will begin to appreciate more of Crop Over at an earlier stage. Bearing in mind that we are building a school in that area, and bearing in mind that the cultural aspect of education should have an increasing dominance in the educational programme, let us bring some of the local culture to the children at an early age so that they would understand what Crop Over is about and in the future we hope they will be very active participants. 1.35p.m.

Sir, I have no difficulty in supporting this Resolution although it is introduced by my very good friend, the Honourable Member for St. Philip South, who is still my friend, sometimes my constituent, and I gather that having dismissed me as his doctor he is rehiring me again. Although introduced by him, Sir, I certainly have no difficulty in supporting the Resolution. Thank you very much.

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

RESOLUTION TO COMPULSORY ACQUIRE LAND AT TWO MILE HILL

Order No. 3 was called - to move the passing of a Resolution to approve the compulsory acquisition of parcels of land at Two Mile Hill, St. Michael.

Hon. H. A. BLACKMAN: Mr. Speaker, this Resolution also seeks the approval of Parliament for the acquisition this time of four parcels of land at Two Mile Hill, St. Michael. The lands are the properties of four separate persons, and they range from 535.1 square metres to just over 7 000 square metres, and the lands being acquired now are to provide car park facilities for the Sherbourne complex.

In 1987, Mr. Speaker, Cabinet agreed that the site at Sherbourne, Two Mile Hill, formerly used by the Community College, should be developed as a multi-purpose centre. It will cater to conferences; it will be a general examination centre; and it will be a site for the cultural activities and general entertainment. This

Resolution seeks approval from Parliament to acquire those four parcels of land to provide car parking facilities for persons who will be using this building.

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

Hon. W. O. FRANKLIN: I beg to second that.

Dr. R. C. HAYNES: Mr. Speaker, I am quite sure that the Honourable Member is no doubt aware that what is popularly referred to as "the thing" in Two Mile Hill, is causing a considerable amount of concern among the public of Barbados. The Minister did not indicate what would be the cost of this acquisition, and perhaps when he gets the opportunity he may wish to do so in his reply. We are now told by the Minister of Housing that the complex that is being built is for conference facilities, an examination centre and for cultural activities. It is my understanding, Sir, that in the Other Place a projected cost of some $40.5 million was the cost of this entire complex as estimated at the time.

I would like to know, Sir, whether the cost of this acquisition includes that $40 million or whether this is going to be additional expenditure. Now, Sir, it would seem to me that this is an appalling waste of public funds and a perfect example of squandermania. When this project was started we were told that it was an examination centre and that it would cost somewhere in the region of $11 million to $12 million. That was the kind of figure that was bandied around the place.

Mr. SPEAKER: I do not want to control the Honourable Member's speech to the point where he cannot make the relevant contribution, but the Resolution itself deals with an acquisition and it specifically states "for parking facilities". I want the Honourable Member to bear that in mind.

Dr. R. C. HAYNES: Yes, Sir, I am certainly bearing in mind the fact that the parking facilities are for Sherbourne as the Minister has said. If it was parking facilities for Parliament, I would have no difficulty with the matter at all. I would not even bother to get up and speak to the matter, because we need more parking facilities down here; but these are parking facilities for Sherbourne, and I think the public is entitled to know as much as possible about this area of expenditure.

However, Sir, the point that I was trying to make is that the cost of this project was supposed to be somewhere in the region of $11 million to $12 million. Within a matter of months we started hearing of costs of $16 million; in a short period of time we started hearing of a cost of $26 million, and I believe that the only firm statement that was made recently was made in the Other Place by a Minister of the Crown where he gave an estimate of a final figure of $40.5 million.

Hon. C. V. WALKER: On a point of order, Sir, I realise that we cannot reflect on matters debated in this House, but recently, just a matter of weeks ago, I took pain$^: to go through all the details about the conference centre, r costs, seating capacity and all the other information. Thank you.

Mr. SPEAKER: My reason for intervening when the Honourable Member spoke was that he had raised the question as to whether this particular Resolution that is before us was included in the cost of the project. My understanding is that if that has not been cleared by the Minister, then the obvious procedure to the Resolution would be to stay within the confines of what the Resolution says the acquisition is for.

Dr. R. C. HAYNES: I am told, Sir, that it makes no difference whether you are spending money for a car park for the Sherbourne Centre or for a window for the Sherbourne Centre; as far as the public funds are concerned, we just do not buy land for the sake of buying land; we are buying land for a purpose and the purpose is to provide a car park for the Sherbourne Centre, and we want to know "" whether this expenditure is justified in the light of the heavy expenditure that has taken place on that site already, an additional expenditure which we understand would be incurred at that particular site. We want to know, Sir, what is the complex really for, what is the car park really for. In order to know what the car park is for, we have to know what the complex is for. We want to know, Sir, how soon will the car park be in use for the public and how soon will the complex be in use for the public.

Now we understood that the project was supposed to-"" have been completed, including the rest of the car park, almost a year ago, July last year, that is July 1989. This is now May 1990. When will I be able to go and park my car on the extension of the car park to Sherbourne Centre? And for what purpose am I likely to be going there. These are the kinds of questions that we want to ask. 1.45p.m.

We want to know why it is that large contracts have been given in relation to the construction of the building*^ adjacent to and above the rest of this car park called Sherbourne to contractors outside of Barbados at a higher price than could have been obtained or offered by local contractors.

We want to know, Sir, why it is that in terms ot supplies whether it be asphalt for the car park or whatevesNJt is, that nobody had any clear design up front as to what The building was all about and that you have had a situation

where $40 million including car parking is being spent and you are designing as you go along.

I want to know why it is that no contracts could be made even to suppliers and that suppliers who have been offered to supply materials for the car park and other aspects of the buildings some of them got fed-up because - one minute they got one order, the next minute they got another order and nobody knew what was going on at Sherbourne.

I want to know, Sir, how you can come to the House and ask us to spend money on a car park and tell us that a building is going to be an examination centre and then tell us it is for a conference centre, and then for a cultural centre. I want to know how you can spend $40 million up in Two Mile Hill on a so-called conference centre when the country badly needs a conference centre somewhere in the hotel area in Barbados which can generate foreign exchange for the country.

I want to know what possible justification there can be for squandering $40 million of the public funds and now coming back here to squander more today. These are serious questions. They are bothering the people of Barbados out there. They want to know why they have to fork up $15 million in taxation to spend for this kind of exercise when they all know that we need an expansion of the infrastructure of the tourist plant in Barbados and this is not the appropriate place to go for it.

They want to know why we have to spend more money on a car park for an examination centre when examinations are taken only at specific times of the year, generally speaking, and we have been having examinations in Barbados for over 100 years and never had to spend this kind of money on an examination centre.

They want to know what is going to be the cost on the public purse in terms of current expenditure when this monstrosity is completed. They want to know what contribution this kind of idle expenditure has made to the foreign exchange problems in the country when you have to import the asphalt, the equipment, and the diesel for fixing up this car park.

They want to know whether this represents a priority expenditure, whether or not we should be spending money on this kind of car park now whilst the Ministry of Housing has been demonstrating on the floor of this House to cut back on 538 houses for poor people in Barbados. They want those kinds of questions answered.

I believe that the Government has a responsibility not to come in here and hide behind any kind of minor Resolution relating to a car park but the Minister when he Wtroduced this Resolution had a duty as a member of the Cabinet to tell the people of Barbados what this car park is for and to give some comfort to this country that over $40 million is being spent wisely and not being wasted.

We, Sir, like the rest of Barbadians, are very concerned about what is going on and we want these questions answered here. This has been a matter of public debate for a long time. No statement has been made in this Honourable House about this particular matter as to the ultimate cost, purposes or otherwise - just all kinds of general statements. The time has come when the people of Barbados should have some kind of answer to know how we are spending this $40.5 million plus the cost of this car park now.

I also want to know, Sir, whether these four parcels of land would provide enough car parking.

Sir, I am sticking very close to this Resolution because I do not wish anyone to suggest that I am straying outside the four walls of the Resolution in any way.

Now, Sir, I wonder whether or not the Government recognises that they have a duty to ensure that when public funds are being spent that they are being spent in a responsible manner and when they face the charge of squandermania then I believe they should not come in here and be telling people that squandermania means spending money on social services, spending money on welfare housing and this kind of thing. Squandermania addresses this kind of expenditure and I have never seen a situation obtained in this country where anyone has embarked on a $40 million project and has given the public no sort of explanation whatsoever as to how that particular project would benefit the overall country, not even in general terms.

How can we feel comfortable voting more money today when at the very beginning, as I said, we thought we were thinking of an $11 million or $12 million expenditure outlay and now we are talking about a $40 million outlay. What has happened in the interim? What has happened to the repeated statements that that project would be completed. It was supposed to be completed last year for a conference and today, a year later, as I said before, the project is still unfinished and to the naked eye it does not look as though it will be completed.

Over and above that, Sir, the question we want to know is whether or not the local manufacturers of furniture will be having an opportunity to participate in the furnishing of that building when they park their vehicles there, I presume that this car park is also along...

Aside.

Dr. R. C. HAYNES: Mr. Speaker, Sir, these Honourable Members are trying to force me to move away

from the Resolution. I am trying hard, Sir, to stick within the four walls of the Resolution.

Mr. SPEAKER: I think you had better try harder.

Dr. R. C. HAYNES: Very hard, Sir.

Now, Sir, the Honourable Member has not identified these four parcels of land in relation to the particular project. Are they on the same side of the road? Are they across the road? Are these lands adjacent? Are you going to extend the courtesy to the House of making a plan available to the House so we can see exactly where the land is located so we can see whether or not this expenditure is fully justified or not even for car parking?

The Honourable Member has not told us why it is that he has to come now for additional money for car parking. Was there an error made in the estimation of the amount of car parking required for the project initially? Because as far as I know when Town Planning permission is obtained, right up front you have to demonstrate the use to which the building is put and the Town Planning Department would tell you how much parking area you have to provide for the particular activity in the building. I do not know of any situation where the Town Planning in this day and age grants permission for construction to take place and then afterwards the person building has to acquire adjacent lands for parking because he would not have got the Town Planning permission in the first place unless some fundamental change had taken place in terms of the construction.

This acquisition is evidence, Sir, that they knew not what they were doing in the first instance and they were just continuing on an *ad hoc* basis to make all kinds of additions. I want to know if this particular car park has been approved by the architect on the project. 1.55p.m.

I know, Sir, that there have been a lot of problems in relation to designs in relation to delays caused by the lack of available architectural design. Can you imagine that, Sir?

I would want to know whether this particular location has the approval of the architect and that we would not find ourselves in a situation where we acquire these lands today, we pay for these lands tomorrow and then there is some change in the architectural landscaping and then we have to go and acquire lands elsewhere. Because it is known, throughout this country, that there have been so many changes in design, that that itself has cost the people of Barbados millions of dollars over the past 2 years, money that has been squandered and money thrown away.

I want to know, Sir, whether or not the Government has not only worked out the cost of acquisition but the cost of laying the car park; whether there has been an adequate survey of quantities and costings required for the car park? I ask that question because I know, adjacent to that, one of the problems is that there has been very inadequate and very poor attention to that area of building, quantity surveying, cost of materials and this kind of thing.

So we have had problems with architectural design; _ we have had problems with all kinds of hold-ups. Would' " we have the same delays, Sir, in respect of this car park? Everybody knows that it has nothing whatsoever to do with the contractors on the site. The fact is that people do not know what to do, up there, from day to day.

Sir, are we going to import this asphalt for this car park or are we going to get the asphalt from MOBIL locally? I ask this for this reason, Sir. I am talking about the car park. I have nothing to do with MOBIL today, Sir. I can assure you. I am staying a mile away from MOBIL. -^

But I happen to know that a supplier got so fed up with what was going on at Sherboume that they have refused to have any further dealings with that project, a major supplier in the United States. Every week, different specifications. Every week different quantities. They have said, "Look, we cannot continue to deal with people of this kind."

Mr. Speaker, I. really believe that when a project has been messed up in the way this project has been messed up, that a government is under obligation when they come in here to come in here and tell the truth, to come in here and say, "Look, we have a problem, we have altered the design; Town Planning has now insisted that we have more parking space or, we feel we must have more parking space." But give some kind of reason. Do not just come in here and say that you are acquiring 4 pieces of land on top of a wasted $40 million.

Sir, I pay an awful lot of taxes in this country. My constituents pay a lot of taxes. They have social needs. I really do not believe that we can afford to waste money in this kind of way nor can we be asked, any longer, in this House of Assembly to approve this kind of expenditure without the kind of details that I have been asking for.

Thank you very much, Mr. Speaker.

SUSPENSION OF SITTING

Hon. P. M. GREAVES: Mr. Speaker, I beg to move that this sitting be now suspended until 3.00 p.m. today, Sir.

Hon. B. M. TAITT: I beg to second that, Sir.

The question was put and resolved in the affirmative without division and Mr. SPEAKER suspended the sittf»g accordingly at 2.05 p.m.

ON RESUMPTION

Mr. D. A. C. SIMMONS: Mr. Speaker, I find myself on the side of comments made by the Leader of the Opposition because I am very concerned. Since October 31 last year I asked a question about this place that I have christened the museum of madness, Sir, at Two Mile Hill. I have not yet, after seven months been favoured with a reply to the question.

One of the aspects of the question was what was the projected cost of the project upon completion. I would have thought that a Government which has available to it the talents of architects, quantity surveyors, engineers and other technicians ought to have been in a position by October 31 last year to have known what was going to be the ultimate cost of the project. Indeed what was the date for completion of the project. And it ought to have been in a position to have told us, even today how much money has been expended up to now on the project.

I say that for this reason, Sir. When one is contracting a project such as the Sherbourne Complex, there should have been a tender on the basis of which the contract ultimately would have been concluded. And there would have been in that contract, a number of definite items, subject to fluctuation that may have been left in or may have been deleted, subject to variations and the inescapable overruns that you would get at the end of the day .When you come to the commencement of the work, the Government should, as they would say, have been in a position to identify what was the ballpark figure for that job subject, as I say, to the other things which I mentioned like variations, fluctuations and overruns which you would get, perhaps, by reason of problems in the foundations. The Government has been very silent with the public of Barbados on the financial implications of this project.

We are here today to vote money to approve the acquisition which involves, as an extension of this approval, the payment of money. We are here to vote the acquisition of properties which are near to the centre. I can understand that at some stage in a project there would be one or two unforeseen contingencies that would arise which might require the return to Parliament to regularize. 3.05 p.m.

But in this case, I cannot believe if the properties are those immediately bordering the present site on the same side that Government in its conception and planning of this project did not take into account the acquisition of these properties for car parking. So I am prepared in 1990 - this project started in 1988 - to accuse the Government of very shoddy and incompetent planning for this project.

Asides.

Mr. D. A. C. SIMMONS: They are all voters. The Honourable Member for St. Michael East - solid, solid. In 1988, Sir, the Government ought to have had some clear idea as to how much parking space would have been required for the project which they had in mind. Now even though I say that with some sincerity, I think it has to be counter balanced by the admission of the Prime Minister in here when the first set of money for this project was voted of $12 million I think it was. You will recall, Sir, that I put it to him that the project was not properly conceived and he admitted that it was hastily contrived and proper planning had not gone into it but they were hoping to have it ready for the CPA Conference last year October. I sent for the debates today but they have gone up to the Printery. That question was made in here. But that was the day when we had the argument, Sir, between the Minister of Education and Prime Minister - not argument but divergence of opinion between the two - as to the proper use for the two buildings. We were told that it was going to be an examination hall and that it would serve certain cultural purposes. Then the Prime Minister got up to make it clear that it was not to serve any tourist related purposes. I believe that is still the intent of the project and you cannot use it for Crop-Over activities. They said that because we pulled them out on it on that day. You said it in Hansard that they would not be using it for anything so. Subsequently, we learned that 1,000 students are going to use it over a whole year for the purpose of writing exams. That was said in here. It is $40 million as of now. I do not know what it will be in 1993 when it is finished. It is $40 million now and counting.

I wish to advise the Government, Sir, that because the project has been hastily conceived on their own admission and well knowing that they could not have gotten it ready for the CPA Conference, they should have suspended the works for a period of time and replanned that project properly. What the Honourable Leader of the Opposition said today is true. Sir. I am presuming that a project of this nature would be done according to the provisions of an RIBA type contract. Those types of contracts require the contractor well in advance to have working drawings and detailed drawings supplied to him at regular intervals by the architect who is the Project Coordinator. Now if the Government's architects have been unable to supply those drawings on time, whenever this job is finished I wish to say on this floor the employer, that is the Government, is going to be met by claims running into millions of dollars presumably from the contractor who is going to claim that he was delayed in the execution of the work because of the late supply of the drawings and they have to pay. So it would have been better to have suspended the work when you know that you could not get it ready for the CPA, plan the thing properly, and start from there and go on in the usual organized way. I bet you this project does not have a programme for the completion of work, Sir, including this car park. Before you start the project, the contractor should have been required to submit a programme setting out his

Cabinet Meetings. That will be less used. That is a waste of Government property.

I did not speak on the previous Resolution because that was to do with a primary school in Carrington's Village, but as I said on Friday, Sir, large Government buildings like these, new Government properties, must be fully utilised by the community, particularly the immediate community, for the total development of the community as a whole.

This project, from what we have heard, will have some features that will lend themselves to the development of the arts and culture. If that is so, Sir, that is welcome, but the Government must make sure that the place is available for maximum use by community groups and social and cultural organisations. There is no point closing them up at 4.30 because the officials leave at 4.30, we must have these things open throughout the early evening. Good closing time would be between 9.30 and 10.00 p.m. and they should be accessible to people in the community.

I have said in respect of secondary schools I would like to see a type of person who is not a Watchman, not that type at all, someone come on at 4.30 to manage these properties in the evening.

Aside.

Mr. D, A. C. SIMMONS: That is not squandermania. Do you know what is squandermania, Sir? To have the pavilions all around this country closed up all day long.

Aside.

Mr. D. A. C. SIMMONS: Who used to close them? That is not true. In St. Thomas every pavilion for three, four days a week is closed up and the young people cannot use them to the fullest. All I am saying, if you have these large properties that Government has - and I know the Minister of Education accepts the general thrust of the argument, from what he said on Friday - there is no point closing them up at 4.30. Bring in a part-time person to work from 4.30 until 9 o'clock to supervise the use of those premises by the various groups. Organise things with the Ministry of Community Development and so on. You can come up with a co-ordinated policy, but I am straying, Sir. I recognise your signal. I will come back. You want me down in the car park.

Mr. SPEAKER: I thought you were recommending supervision for the car park.

Mr. D. A. C. SIMMONS: I was coming back to the car park, Sir. That is where you want the Watchman, Sir, down in the car park, not managing the proper use of the ^buildings. In all seriousness I think the House deserves to know today from the Minister how much space is going to be encompassed in this car park. Since that question is all right and you can work it out from adding up the number of square feet and dividing by 44 000 per acre or whatever it is, he must go the next step and tell us how many parking spaces will be incorporated in that 3.25 p.m.

You have forced me down into the car park. You said the debate must stay in the car park. Tell us how many parking places will be there, because if this is a place that is going to hold 600 or 700 people at a time, if the building next to the car park is going to offer accommodation to 600 or 700 guests, you have to work out that at least three quarters of them will have motorised facilities. So you have to have car parking for about 500 cars. If you are saying that you are going to put on cultural performances for that number of people....

Asides.

Mr. D. A. C. SIMMONS: The Minister of Health says 2 000 people you are going to have up there, so they are going to put on a lovely pageant or something. What kind of parking are you going to provide? I only want to know, Sir. I am not speaking in generalities at this stage in the project; this project has been going now one year and seven m,onths; so you should know by now the details of the parameters of the project.

Sir, I can now sit down. The Minister of Health has said what I said ever since.

Hon. B. M. TAITT: On a point of order, Sir, the Honourable Member must know that the Minister of Health has not participated in this debate. The Minister of Health has said nothing in this debate, Sir. I have not seen the Honourable Member at all outside. Don't put me in it.

Mr. D. A. C. SIMMONS: The Honourable Member in a very loud aside which I am sure appears in Hansard from time to time, a voice said, identified to me, because of long years of association so I know it perfectly, as the Minister of Health....

Hon. B. M. TAITT: On a point of order, I am not responsible for any defective capacity in his health and I feel he should go and see someone about his hearing.

Mr. SPEAKER: That is no point of order.

Hon. B. M. TAITT: The point of order is that any asides he heard would have been in relation to bad information coming from the other places.

Mr. SPEAKER: The asides are not printed in Hansard, neither will I hear them.

Mr. D. A. C. SIMMONS: I am warning my friend the Minister of Health from time to time in here, the Attorney General tried with him once or twice, that sometimes he should stay quiet, but he can't help it The problem has been well encapsulated by an aside to the effect that not even the engineer knows what is happening. That was the point I was constrained to make from the very beginning and the Government in its planning from the very beginning did not adequately make provision for coordination of the work between the engineer, the architect and the quantity surveyors, and today we are still in the state where it is being said that not even the engineer knows. On that I rest.

Hon. B. M. TAITT: Now that the engineer is in the debate, now that the Honourable Member has put the engineer in the debate, I want to discuss this particular issue in this House, Sir.

Mr. SPEAKER: Let me make my position clear. Even if the Honourable Member has raised it, I did not allow him to expand on it and therefore Honourable Members may be able to make statements but not expand on them.

Hon. B. M. TAITT: Sir, I do not intend to expand. I am saying that there is something fundamentally immoral when an engineer in a project is taking all of the information of the project and giving it to the Leader of the Opposition. That is immoral. I am saying that the engineer in the project for this car park is a potential candidate for the NDP and has taken the information and has spread it across and they come into this House and try to give the impression - when I say not even the engineer, I am saying the engineer does not know, but it suits the engineer in this car park issue....

Mr. SPEAKER: I am very concerned about drawing public officers into....

Hon. B. M. TAITT: He is not a public officer.

Mr. P. J. M. MILLER: On a point of order, Mr., Speaker, I am not aware of any engineer on this project being any potential candidate for the NDP. I don't know why he does not get on with what he i& trying to say if he has anything to say.

Hon. B. M. TAITT: On a point of order, he does not know. I am stating categorically that a lot of the information which has emerged in this debate so far is evidence of the immorality which is now abroad in the public affairs of this country where an engineer on a project by the Government is able to be spreading the information around, and I have heard it in Bridgetown, I have heard it...

Mr. D. A. C. SIMMONS: On a point of order, I appeal to you, Sir, to ask the Honourable Minister to show some restraint in his strictures, because let us assume that there is freedom of expression in Barbados, the dissemination of information does not necessarily render the person who published information corrupt and immoral. Those were the charges.

Mr. SPEAKER: I may want to re-emphasise what I said in respect of my ruling. I said that Honourable Members may make reference, but I would not allow any-^ extension or expansion on that matter, and .therefore t would think that the Honourable Member, if he has said - what he wanted to say in a condensed way, should bypass that

Hon. B. M. TAITT: Sir, my position in this matter is very straightforward. We have come to the House to acquire a piece of land for a car park and in the course of the debates information concerning the adjoining property -and it is only adjoining in the sense, and Sir, I am using the opportunity of the debate where the Honourable Members^ on the other side have referred copiously to the property next door and the car park is in aid of the property next door. I do not intend in any way to go outside the parameters of this debate, but the property next door is related to the car park. I am saying, Sir, that neither the Leader of the Opposition nor the Honourable Member for St Thomas is an engineer. I am saying further that it is of my own knowledge that the engineer relating to the car park and the site next door is a potential candidate of the -* National Democratic Party.

Mr. D. A. C. SIMMONS: On a point of order, all of ours except one is to come very shortly. I think 27 have been done already. Are you making sport? We are ready.

Hon. B. M. TAITT: I am saying that since the engineer is not a candidate for the BLP, since the BLP has disowned that he is a possible candidate for the BLP, then let the Leader of the Opposition who is the only one over there who knows who the candidate can be, come and he is not a candidate for them; but I am saying, Mr. Speaker that the person who was a potential candidate for the constituency of St. John along with a public health inspector,...

Mr. SPEAKER: You said a public health inspector?

Hon. B. M. TAITT: He is retired now, Sir. He is a retired public health inspector.

Mr. SPEAKER: I am sure the Honourable Member has made the point he wanted to make and now I think the Honourable Member should continue now within the debate.

Hon. B. M. TAITT: I am saying, Sir, that there is something immoral about our having a simple Resolution t£* acquire a piece of land for a car park and that Resolution has taken us up Two Mile Hill and around a substantial *at*s&* and it has carried us all the way into St. John. It is not

unusual. What I am saying is that the public life of this country requires a certain trust, that when contractors are employed by the Government ...when you hear the Leader of the Opposition raise a number of questions relating to this car park, when you hear the Leader of the Opposition - I know you would come in - raising these questions, he is raising these questions on the basis of information which he has been able to glean. 3.35 p.m.

I am dealing, Sir, not with his deductive powers. I am dealing with the information. I could tell you. I could brief you. The questions which the Leader of the Opposition asked about this simple car park are very simple - straightforward matter of a car park - and could only have come if a person who is functioning in a certain capacity would have been in a position to brief the Leader of the Opposition on these matters and I am saying that that particular person was approached by the Leader of the Opposition to become a candidate.

Dr. R. C. HAYNES: Mr. Speaker, the Honourable Member is misleading this Honourable House. I have received no information from anyone whom I approached to be a candidate for the NDP.

Hon. B. M. TAITT: I respect the view of the Leader of the Opposition in this regard, Sir. If he said that he has received no information from that person, I will respect his views on this. I will go on to say, however...

Mr. SPEAKER: And refrain from repeating it.

Hon. B. M. TAITT: Yes. I will refrain from repeating it but I will go on to say since the Leader of the Minority Opposition who gave way to the Leader of the major Opposition said that he does not see anything immoral - about it, I am saying that if I were a person working on a project for the Government as an engineer that I would not use the information in that project to assist any political or other enemies...

Mr. D. A. C. SIMMONS: On a point of order, Sir.

The weakness in all of this is that the Leader of the Opposition would not call a Public Accounts Committee ~_ Meeting so we can bring the same engineer to Public Accounts Committee and get the information. Let him call a meeting. Bring them down there. We will get the truth. Summon one quickly.

Hon. B. M. TAITT: I was waiting for Your Honour to rule on that point of order. You see, Sir, there must be some Engineer that has something to come now. You see now Sir, that you only have to float a little fish and you would catch g'-whale. You hear him talk about the same engineer? He knows who the engineer is. He and the Leader of the Opposition know who the engineer is. I know and the whole of Barbados knows who the engineer is.

Dr. R. C. HAYNES: I do not know any engineer working for the Government on Sherbourne.

Aside.

Mr. SPEAKER: Order, please.

It is clear to me that the debate seems to be misunderstood in respect of what I said in the debate. Repetition is against the rules of this House and, therefore, Honourable Members should not repeat. I would ask the Honourable Member to continue within what I have said.

Hon. B. M. TAITT: I am grateful to Your Honour for assisting me, Sir. I am merely responding.

The Leader of the Opposition said something about a Government Engineer. I am not speaking of any Government Engineer. I am speaking of the engineer in the project that is related to the car park, Sir. There is a project related to the car park. This is a Resolution to acquire land to supply additional car park space for persons who may use, or who may be patrons of, or who may have been... As a matter of fact, the Objects and Reasons state categorically that it is a car park to assist with the project and the Leader of the Opposition knows that were I able to call the name he would recognise the person instantly as a person who, among others he has canvassed for the possibility of running for St. John.

Aside.

Hon. B. M. TAITT: I am not speaking about any Thompson. I talked about Smith.

The fact is that when we come to do a car park in here for an acquisition it should not have...

Aside.

Hon. B. M. TAITT: How come when the Honourable Member for St. Thomas was expostulating you did not have any difficulty but how come all of a sudden because I am putting the issue squarely in the eyes of both the Leader of the Opposition over here and the Honourable Members... I am saying that there is something immoral.

Mr. SPEAKER: I believe that there still needs to be a little further guidance on the matter. If an Honourable Member raises a matter, another Member also has access to say something on that matter. But what I am saying is, he cannot expand on it as the substantive motion.

Hon. B. M. TAITT: I apologise to Your Honour, Sir. I understand Your Honour's ruling and I appreciate that. I do

not wish to range far and wide. An opportunity will be provided for me to range far and wide on the difficulties which the NDP is having getting credible candidates. If the person had been an articulate person the Honourable Member would not have any difficulty. But it is because he is not articulate that the Honourable Member is having difficulty.

But, Sir, I just wanted to get involved in the debate because the Honourable Member for St. Thomas who is now not in his place and who, unfortunately, has this difficulty of not being able to be around after he has made telling points in debate...

Hon. H. deB. FORDE: The Honourable Member is making remarks that affects the privilege of the Honourable Member for St. Thomas and I really have to raise the matter.

The Honourable Member for St. Thomas obeys the rules of this House with the greatest sense of decorum. He is within the confines of the Chamber because he really is in the Chamber in consultation with the Leader of the House and I take it on matters relating to the House. And it really would not be proper then to put into the record that he has the knack of not being here soon after he has spoken. I do not think that is worthy of the Honourable Member for St. Michael West

Mr. SPEAKER: I am sure the Honourable Member would accept that that is a fair way of dealing with it.

Hon. B. M. TAITT: Coming as it does from one as eminent as the Honourable Member I accept that. But I was not raising questions. I did not say that on this occasion. I said that he is in the habit of. I did not raise any questions about his being absent. But it is a fact. It is not a question of privilege.

It is a fact that he spoke and it appears to be convenient for him not to be in his place. I was just passing on that as I moved along. I was not dwelling on it but obviously the Honourable Member for Christ Church West recognising that the Honourable Member for St. Thomas has this particular weakness, felt he had to get up and put into the record...

Hon. H. deB. FORDE: The Honourable Member again, Sir, is imputing things to me that are not I know the Honourable Member for St. Thomas has the strength of character of being able to debate firmly in this House and to answer anything that is raised. He has no weakness of not listening. The Honourable Member for St. Michael West does not make any impression on him. He probably is running because the Honourable Member has not said anything of substance.

Hon. B. M. TAITT: Sir, I made the fundamental error of assuming that the Honourable Member for St. Thomas was like the Honourable Member for Christ Church West All that I said about the Honourable Member for St. Thomas could really be withdrawn and would have been more properly directed to the Honourable Member for St. Michael West. So I agree with him. The Honourable Member for St. Peter is a fledgling in these matters and we j^ do not get into that.

Mr. SPEAKER: Order, please.

Hon. B. M. TATTT: Anyhow, Sir, quite seriously, I am very disappointed that this little Resolution to do with a car park has been used as the opportunity for persons within the framework of the rules to range far and wide. 3.45 p.m.

The Honourable Minister of Education has stated^ categorically in this House that all of the details concerning the property next door to this car park... The Minister of Education in this House only a matter of weeks ago gave details and yet the Leader of the Opposition found it convenient to forget, as he sought to bring this car park into a wider parameter.

Certain remarks made by Dr. R. C. HAYNES were ordered, by Mr. Speaker, to be expunged from the Record. ^

Hon. B. M. TAITT: It is not even worthy of the Leader of the Opposition; The Leader of the Opposition in this debate is the person who got up first and steered this debate in the direction which it has taken ever since then. If the Leader of the Opposition had the requisite amount of shame in regard to these issues, then he would have recognized that his attempt was politically sordid. However, Sir, the Leader of the Opposition is not known for any massive encircling understanding of the ambiance within which these matters are discussed and therefore I have[1]" allowed him to pass without comment. Suffice it to say that this is a mere car park and that the Minister was very clear.

The final point I want to make is that I am disappointed that a Minister of Finance who has been in this Honourable Chamber since 1978 could raise the question of whether he would be able to see the plan. It is a standard practice which every Honourable Member knows. Every Honourable Member knows that the plan is always available and is made available for any Member to call for. And for him to suggest and that is why I thought that an engineer might have been involved....

Dr. R. C. HAYNES: On a point of order, Sir. The ^ Honourable Member must not be permitted to mislead this^- Honourable House. I should know that a plan is alwajp available.

On several occasions, Sir, I have heard that Honourable Member, along with this Honourable Member complain that the plans should be available when acquisitions come to this Honourable House and he has been complaining of that for many years. And now he has the gall to come in here and mislead this Honourable House. You ought to be ashamed or he would say, Sir, the awful temerity.

Hon. B. M. TAITT: Sir, that was the time when the Barbados Labour Party was the Government. But he knows that from 1986 no acquisition has come down here. He was party to the policy which determined that no acquisition would come down here without the plan.

Hon. H. deB. FORDE: On a point of order, Sir. The Honourable Member is misleading the House.

I heard the Honourable Member himself say in this House that the then Leader of the House, Mr. Craig always made a point of making sure that the plan was here and was passed around.

Hon. B. M. TAITT: Sir, to the extent that this was so, it confirms the view that I am dealing only with the occasions which the Honourable Member just referred to when he and I would raise questions about the plan.

I am putting it to the Honourable Member that he is aware that there is a plan and that all we need to do is to ask for the plan. I think it is not right. The Honourable Member knows why he is not communicating with the Leader of the Opposition. The Honourable Member for St. Philip South had no reason to trust the Leader of the Opposition. On the Floor of this House he has said that he cannot trust the Leader of the Opposition, yet today the Leader of the Opposition got up and said that he is his friend. So he has even more reason to be weary of the Honourable Leader of the Opposition.

If I were told by the Leader of the Opposition at a time after I had denounced him that he was still my friend, I would be concerned too. Therefore I am not surprised that the Honourable Member for St. Philip South is weary of sending information of any kind to the Leader of the Opposition. The Honourable Member for St. Philip South has reason to be weary, as does the Honourable Member for the City but he does not know that he has reason to be weary. I know that the Leader of the Opposition has reason to be weary.

But, Sir, back to the car park. I am very disappointed and this is really the gravamen of my intervention. As you know, Sir, I do not get involved in these matters as a rule. But the gravity of my intervention is that this little car park - there must be some reason why they do not want to - debate the substantive Bill that is coming - but this little car park has occasioned some of the strangest comments.

You cannot be speaking to me in those terms. For as long as we have been in here after the tributes, this little car park has occasioned a massive intervention by the Leader of the Opposition. The Leader of the Opposition does not intervene unless he has some motive, Sir. His motives you and I know about. They are always pure, as perceived by him, unlike mine. Mine, Sir, are normal. They range the full gamut of impure to pure but his are always pure.

I hope that the Honourable Member for St. Thomas who ranged far and wide when they could not get any audience at the political meetings, they went out and had meetings that had 200 people. And now they come here and they are trying to suggest... The implication was that there is something corrupt going on at Two Mile Hill. That is the implication! You cannot come in here and ask the kind of questions that were asked by the Leader of the Opposition and do not be suggesting and be implying that there is something going on that is irregular, if not corrupt.

You are not going to be able to do it from over there and expect us to smile and look the other way. We are not going to smile and look the other way because we have from 1986 been trying to run an honest Administration. But you have a number of vipers, there is a number of vipers who are functioning in the framework of the body politic of this country who are assisting the Leader of the Opposition. Those vipers will be exposed whenever the opportunity presents itself.

Dr. R. C. HAYNES: On a point of order. I have no vipers assisting me. I escaped from a pit of vipers when I left the Democratic Labour Party and I have no vipers around me.

Hon. B. M. TAITT: Do not interfere with it, Sir. He escaped the pit, Sir, and he has created his own.

Dr. R. C. HAYNES: The Honourable Member said that he was going to get back into the car park.

Hon. B. M. TAITT: I am coming to the car park, Sir, but we have to go via the generation of vipers.

Mr. SPEAKER: I have also said and indicated to Members that they would broaden the scope of the debate, if they make comments which I would not refuse other Members to respond to.

If Honourable Members have made comments and the Honourable Member responds, then I would limit the response. But I am not going to permit the debate to widen to the extent that the very Resolution that we are discussing is not properly discussed. That is the purpose of the debate.

I am asking Honourable Members not to broaden the scope of the debate by introducing matters that are not relevant.

Hon. B. M. TAITT: Mr. Speaker, Sir, I do not have much more to add at this stage. I merely wanted to let the other side become aware that they would not be able to take a debate concerning the acquisition of property for a car park and extend it, within the Rules, Sir, impliedly and suggestedly to the point where those who are untutored in these matters would come to conclusions about the Democratic Labour Party Administration when in fact they are subverting the process. 3.55 p.m.

In fact, they are subverting the process when the Honourable Member raises the question about whether you can get contracts and when contracts have been given to persons outside of Barbados and in that language that is so characteristic of him, when they are able to make these suggestions and leave a veil...

Asides.

Hon. B. M. TAITT: Do you see what I mean, Sir? Let the Honourable Member get up. The Honourable Member will be free at anytime. But that is why we are going to defend and deal with any of the implied suggestions because they have been going around this country, Sir, and leaving the impressions that there are areas of corruption. That is what they say. There is one of them that recently returned from overseas who is particularly good in this regard and the time will come when we would have to deal with him. But in the meantime the car park, Sir, is nothing more than a decision brought about by the requirement of additional space for car parking. I want to make the point as I sit down, Sir, that those Honourable Members are going to come to the examination centre next door to this car park and to the cultural centre next door to this car park, and to the multi-purpose centre next door to this car park. By the way, Sir, at no time can this House recall any amount of any $11 million being used unless you meant U.S. Sll million. But that is part of the methodology of the Leader of the Opposition throwing in figures like $11 million and then saying in quick time that it was S26 million, when he knows that the figure started in the twenties. I challenge the Honourable Member to find the debate which indicated that this project would be any $11 million. But that is the nature of the beast. The car park is not $11 million, Sir. The car park is not $26 million. It is a simple sum to acquire a piece of land to enhance the car park.

The Honourable Member as Minister of Finance was a party to the decision of the acquisition and conversion of the property that he is now giving the people the impression that he suddenly discovered it as he was passing.

Dr. R. C. HAYNES: On a point of order, Sir. I was not party to any such decision. That decision was not taken when I was Minister of Finance of this country not to the best of my recollection.

Hon. B. M. TAITT: He says not to the best of his recollection, Sir. If his recollection fails him on this day, no one can test him when his recollection fails him, Sir. It is reasonable that a man can say I do not remember. Richard Nixon cannot remember anything. What I do not understand is how come his recollection fails. I have said before that he has a photographic memory. The Honourable -.> Member is not like some other Members. This Honourable^ Member has a good memory but his recollection fails him, Sir.

Asides.

Hon. B. M. TAITT: No, I would like the Honourable Member not to leave the impression that we are a bunch of fools, that we have no sense and the centre is something that is a figment of the whims of the Honourable Members on this front bench. The Honourable Member cannot leave-^ that impression and I will not be party to any assistance of his leaving that impression. He is part of the most if not all of the decisions on capital projects which have been made over here. Therefore, any squandermania which we have he has been part and parcel of. I am not party to any squandermania that he does not know about as a participant and I am not going to be party to it in here or outside. I do not mind what anybody said. I vote for the car park, Sir, as he voted for the other projects. But I am not going to be ^ party to that. I will .not have anybody going around giving the impression that I am an idiot who does not know what is happening and any fool...

Dr. R. C. HAYNES: Mr. Speaker, on a point of order. To the best of my recollection, there was no decision taken about any examination centre up to when I left the Cabinet of Barbados at the end of July 1987.1 do not recall entering into any discussion with anyone on any examination centre at all.

Hon. B. M. TAITT: What I am concerned with, Sir, is what Your Honour and other Honourable Members in here think of me. I am not going to be party to any debate which suggests that all of us over here are a bunch of nitwits who spend the public's money like how the Barbados Labour Party spent it on some projects. I am not going to be party to that. So every time we have a car park which you extend into a multi-million dollar project you can expect this Honourable Member to participate in the debate at the level at which you have begged him. I am grateful to Your^ Honour, Sir.

Hon. C. V. WALKER: Mr. Speaker, I would like to make a brief submission on this acquisition which to the best of my knowledge has to do with land and not a car park. In so doing, I want to make the point that we have heard a discussion about a car park which adjoins th*T Sherbourne Centre which was discussed in here last ye,[9]*, the year before, and indeed just a matter of weeks ago. Since so many points were made, I think through you, Sir, I

would like to make reference to a few of the points that were made. As recently as April 30, 1990 just a matter of weeks ago, Sir, the latest progress report submitted by the consultants to the architect assigned to the project by the Ministry of Transport and Works pointed out that there were ten major components or segments to the construction of this centre and I will deal with the specifics of the centre in the letter. Those ten, Mr. Speaker, relate to external works which incidentally or which by fact do include the car park, which means that from the conception of the project there was the whole idea of including the car parks to the east of the complex.

Indeed, Mr. Speaker, we are just carrying out the official decision in terms of the acquisition. There were discussions and the Honourable Member for St. Michael East in whose constituency these people reside has had discussions, not yesterday - not last week, but over a year ago, Mr. Speaker, about the whole question of the acquisition with the understanding that there will be a car park to the east of that structure. There is also the substructure and I am going to go through these ten, Mr. Speaker, because I am going to get to a point which was raised earlier concerning the external works, substructure, and superstructure. This is how the engineers refer to it, Sir - the Superstructure 1, Superstructure 2, Superstructure 3 and Superstructure 4. Then there is the electrical installation, theatrical installation, air conditioning, and the landscape works. 4.05 p.m.

Mr. Speaker, six of those contracts have been awarded to one company who in turn utilised sub-contractors. We have heard of an Engineer working for the Government. The Engineer referred to is not working for the Government. Indeed the Engineer we have been hearing about for the longest time who might have been giving problems works for the contractor, not for the Government. Then there is the air conditioning and the landscape works. These are given to different contractors; so if there is any doubt, if there is the slightest inclination of any dilly dallying being suggested on the other side, it would have to come from someone who is working for the main contractor.

Mr. Speaker, I do not want to delay this Honourable House, but I wanted to get the record straight. I also want to state that as of 30th April, 1990 $8 777 054 was the total amount spent. This work started on 15lh August, 1988.

Aside.

Hon. C. V. WALKER: The Honourable Leader of the Opposition might not have prepared the Estimates for that , particular year, but he was privy to previous discussions on " this project. We know that, you know that, I know that.

Mr. Speaker, the Honourable Minister of Housing will deal with the car park and the number of spots within the car park, but I want to reiterate, as I mentioned just a matter of weeks ago, it seems not to be sinking in. You are not doing as well as some of the students in the last few days.

Dr. R. C. HAYNES: On a point of order, Sir. I believe that this Honourable House should be aware of the fact that I was not part of the Government after 31st March, 1987 and that project started some time in August 1988. Therefore, Sir, the House was being misled.

Mr. SPEAKER: I gave a ruling on that aspect of the matter already and I ask that it not be discussed any further.

Hon. C. V. WALKER: Mr. Speaker, we are not dealing with starting dates, but I think we are sharp enough to understand what is a start date and what is a planned date. Let me reiterate. We hear Honourable Members, either *sotto voce* or otherwise making points in terms of the name of the project. It is indeed the Sherboume Centre. If I may repeat, there is the Conference Hall which will seat 400 delegates; there is the Auditorium seating 2 000 people; and there is the Examination Hall which will seat 1 000 students. This is no one-shot, one-time examination. Up to yesterday, Mr. Speaker, I had representatives of overseas agencies which administer examinations in this territory who are seeking to consolidate the examinations in Barbados for the entire Caribbean territory, so we cannot be giving up schools and closing schools on a daily basis to accommodate people with examinations.

There is also the lounge. You must have a lounge. If you have people at a conference you must have facilities to feed the people so they can have a drink and have refreshments in the hot sun of Barbados. There is provision therefore of a lounge for 120 people.

I think, Mr. Speaker, this is the third time I have said it and I hope it has sunk in.

I thank you.

Hon. H. A. BLACKMAN: Mr. Speaker, it is amazing how a simple Resolution for the acquisition of land for car parking purposes could have taken about three hours.

I heard some questions today from the Leader of the Opposition. One of the first questions he asked was what is the purpose of the car park? Quite arvrt from the point that there could only be one function for a- car park, if you do not want to be facetious, I stated when i was introducing the Resolution that a decision was made, ana I am going to read exactly what I said previously. "The Cabin., t, agreed that the site at Shcrbourne, Two Mile Hill, St. Michael, formerly used by the Community College, should be developed as a multipurpose centre catering to conferences of 2 bQO or less persons, a general examination centre for the MinVry of

Education and a site for cultural activities and general entertainment."

If you are acquiring land for a car park for that, would not any simple person understand that the car park was for persons who were going there to take part in any of those activities? It is simple. How do you turn around and ask what the car park is for? That is simple, elementary. The smallest child would know that. I specifically said what the examination and cultural centre was, and then I said that we are acquiring land for the car park.

The next question the Leader of the Opposition asked, what is the cost of the car park? Mr. Speaker, I have come to this Honourable House of Assembly on about 20 or 30 occasions for the acquisition of land. Never on any of the 20 or 30 occasions has anyone over there asked what was the price of the acquisition. It is obvious that if you are going to compulsorily acquire land, you are doing that because you want the land fairly quickly, and even if you had started discussing the matter with the persons who own the land, the question of how much you are going to pay for the land does not come into the acquisition. The Honourable Leader of the Opposition knows this.

When you are coming to acquire land, especially if you are doing it compulsorily, what the Government is willing to pay does not come into the Resolution, and the Honourable Leader of the Opposition knows that, because this is about the 20th, but he wanted to make political mileage of this. I cannot say that I blame him, because if you are scrambling for issues, or if you are dying, or if you are sinking, obviously you snatch at anything. When you are sinking you snatch at anything. When you are drowning you snatch at anything.

Mr. Speaker, let me continue. The Leader of the Opposition said also that the car park was an afterthought That is what he said before lunch in his speech, that the acquisition of this car park was an afterthought. 4.15p.m.

Sir I am reading from a note of a meeting of the Committee set up to prepare the brief on the construction of, and I am going to call the title at the time "Examination and Convention Facilities at Sherbourne, Two Mile Hill, St. Michael" and this was held on 27th August, 1987. Let me read because he said that the car park was something we just thought up yesterday; that we needed car park facilities. I am going to read from this document.

Asides.

Hon. H. A. BLACKMAN: This is not a Cabinet paper. I started out by saying it was a note of a meeting of the Committee. You didn't hear that?

Dr. R. C. HAYNES: Mr. Speaker, on a point of order, so often one sits in this House and listens to the Honourable Member misrepresenting everything you have said. I made the point that normally when Town Planning permission is granted up front that that permission is usually conditional on an adequate amount of car park space being available, and if the Government now finds itself at the last minute and in a hurry having to acquire additional car. park space, then they must have changed the alterations and increased the need for additional car parking.

Asides.

Dr. R. C. HAYNES: That is not elucidation, that is what I said. He can argue what he likes.

Hon. H. A. BLACKMAN: Mr. Speaker, I am saying that the Honourable Leader of the Opposition said that the acquisition that we have come here for today was afterthought.

Mr. SPEAKER: The Honourable Member ought not to interrupt the other Member like that.

Hon. H. A. BLACKMAN: Mr. Speaker, I am going to get back to that part in a minute. But let me continue and tell you that on 12th May, 1988, the land adjoining the Sherbourne site, Two Mile Hill, the properties within the area outlined may be described as follows, and on 12th May, 1988 the four parcels of land that we were acquiring for the car park were set out there as the property of Laura Banficld, Eyre Prescod, Martha Bayne and Philmore Johnson. That was 1988.

Mr. SPEAKER: I would ask the Honourable Member now not to respond to asides.

Hon. H. A. BLACKMAN: The point I am trying to make, Mr. Speaker, is that right up front from the meeting that was held on 27th August, 1987, the decision was made that those properties adjacent to the conference centre should be acquired for car parking facilities. The reason why we have come now with the acquisition, Mr. Speaker, is that in several acquisitions there are times when you try to acquire the property by private treaty and it takes long, and there are problems; then when you realise that you are not going to get the land by private treaty, then you have to come and do it compulsorily. That is why on many occasions I have come in here five, six, seven, eight months after we have taken the decision to acquire. We have to take this seven and eight months before we could come to the House of Assembly to acquire. The Honourable Member knows that that happens all the time. It is not anything that has now started under the Democratic Labour Party.

Asides.

Hon. H. A. BLACKMAN: Of course it will take that time. There was no hurry for the car park. If you are negotiating with persons to purchase land and you run up against problems .....

Mr. SPEAKER: May I have some order, please? It is about time that Honourable Members start to respect the Rules of the House and the Chair too. I will not hear anybody else other than the Honourable Member for St. Philip South. All other Members will have to be dealt with according to what the Rules say.

Hon. H. A. BLACKMAN: I am saying, Mr. Speaker, that this matter of the Examination and Conference Centre or Examination and Convention Facilities was discussed at Cabinet when the Honourable Leader of the Opposition was in the Cabinet. It was discussed in July 1987 and he resigned on 31st July, 1987. It was discussed in Cabinet when he was there.

Mr. SPEAKER ordered that certain remarks made by the Honourable Member for St. Michael South Central be struck from the record.

Hon. H. A. BLACKMAN: Mr. Speaker, the fact of the matter is that throughout 1989 the Honourable Leader of the Opposition, every time he spoke about squandermania, mentioned the Sherboume Centre. So he could not have diverted today, and what has happened is that you have repeated every single thing you said in 1989 today. The point I am trying to make is that you aspire to be Prime Minister - I am talking about the Honourable Member for St. Michael South Central ...

Mr. SPEAKER: I would like Honourable Members to desist from that line of argument. I am sure the Honourable Member would prefer the debate to stay as it is at the moment within the confines of the Resolution.

Hon. H. A. BLACKMAN: I am coming back to the car park. I am amazed, Mr. Speaker, that someone who aspires to be leader of this country can go about using people, finding people who will prostitute themselves for reasons best known to themselves and he wants to be Prime Minister of this country. Heaven help us. I am telling you, Mr. Speaker that as long as this sort of situation continues, the country is going to be in a serious position. What is happening, Mr. Speaker, is that things that are happening in Barbados today since the formation of new parlies have never happened in Barbados before.

Mr. Speaker, you heard in here the Leader of the Opposition speaking about not seeing any plans. The Leader of the Opposition knows that when you come to Parliament with an acquisition, you always have the plans with you.

4.25 p.m.

He knows that He was in the Opposition for five years, then he was in the Government for two more and he knows when you come with an acquisition you have the plans and he says he did not see any plans as though this Government has something to hide. We have nothing to hide and those people who are giving you information will have to understand that this administration has nothing to hide.

Dr. R. C. HAYNES: On a point of order, Sir. There was once a practice in this House that when a Minister came down here and introduced a resolution for land acquisition as a matter of courtesy when he wound up he passed the plans across and made them available to Members of the House. That is what I am complaining about and you did not do that.

Hon. H. A. BLACKMAN: But I am now winding up, Mr. Speaker.

Dr. R. C. HAYNES: It is not when you are winding up. It is when you are introducing it.

Hon. H. A. BLACKMAN: You said winding up. I am winding up now.

Dr. R. C. HAYNES: I said that if you have them then you could probably pass them. I am just complaining about a practice that has developed here in Barbados.

Hon. H. A. BLACKMAN: If you want the plans they arc there.

Aside.

Mr. SPEAKER: I have not heard the aside so you do not hear it. I am getting ready to put things in the right order. You do not hear the Asides. You speak. Let me deal with the Asides.

Hon. H. A. BLACKMAN: Mr. Speaker, I believe that most of the questions that have been asked I have answered. The question of the cost everyone knows that you cannot give the cost and there is no way you can give the cost when you compulsorily acquire land.

Certain remarks made by Dr. R. C. HAYNES were ordered expunged from the records by Mr. SPEAKER.

Mr. SPEAKER: I want to say this as well. I have repeatedly said in this Honourable Chamber that good parliamentary language is based on good temper and moderation. I have not been hearing much of that in this debate today and I allowed Members to express themselves within what I consider reasonable limits. But I am not prepared to accept that kind of unparliamentary language which in my view does not suit the Chamber for which we speak so dignified of. I am going to ask Honourable

Members to desist from that kind of language and let us proceed with the debate of the Resolution as set out in the Order Paper.

The Honourable Member for St. Philip South.

Hon. H. A. BLACKMAN: Mr. Speaker, I think that I have answered some of the questions that can be answered at the moment. Obviously, as I said, the question of the cost of the car park could not be determined or could not be provided at this time because I said we are compulsorily acquiring the land.

What I am saying, Mr. Speaker, that I am amazed that a simple Resolution which seeks parliamentary approval to acquire four portions of land to provide car parking facilities for an examination and cultural centre and I explained what the centre was for, could have generated all of this debate.

Mr. Speaker, with those few remarks I beg that this Resolution do now pass.

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

PROCEEDS OF CRIME BILL, 1990

Mr. SPEAKER: Order No. 1.

Hon. H. deB. FORDE: On a point of privilege, Mr. Speaker.

Mr. Speaker, Sir, when Your Honour put the question a division was called for.

Mr. SPEAKER: I did not hear it. I heard "No" and I put the question again.

Hon. H. deB. FORDE: I regret very much that Your Honour did not call it but I would wish the record to reflect the fact that I called for a division and other Honourable Members on that side on that motion since it does not have the support of the Barbados Labour Party and I would not wish it to be shown at all in Hansard that that measure has gone through without a division of this House. It was absolutely clear.

Mr. SPEAKER: Apart from my not hearing, I asked the Clerk if a division was called for and he said "No."

Mr. SPEAKER: Order No. 1.

RESUMPTION OF PROCEEDS OF CRIME BILL, 1990

Mr. SPEAKER: The question is that this Bill be now read a second lime.

The Honourable Member for St. Thomas. 4.35 p.m.

Mr. D. A. C. SIMMONS: Mr. Speaker, Sir, this Bill which is designed to part drug traffickers from the proceeds of their crime is a fundamental piece of legislation. We have always thought on this side that this Bill and the other Bill, the Drug Abuse Prevention whatever it is called Bill . that passed last time should have been sent to a Select" Committee. We are even more of that view now because, despite the fact that we called for time to digest and analyze these Bills properly, the last one was passed somewhat with haste, only to meet a fate in the Other Place that, if we had shown a bit more restraint perhaps that embarrassment to this Honourable Chamber - all twenty-seven of us - may not have occurred. It has to come back down.

Hon. M. A. KING: Mr. Speaker, on a point of order. The Honourable Member cannot talk about embarrassment, • Who says that anything has to be done with it? As I~~ understand the position of the Bill in the Other Place, the Leader of the Senate said that he wanted to adjourn for consultations. Who knows what would be the result of those consultations. Sir, from what I have heard, there is nothing.....

Aside.

Hon. M. A. KING:... wrong with the Bill. All the explanations can be given.

Mr. D. A. C. SIMMONS: The two of these Bills, Sir, are matters of fundamental importance to the public of Barbados. I still say that despite the Government's assurances in respect of the other Bill, the problems that may be occasioning a delay are not fundamental and can be easily dealt with. I still say that these Bills ought to have more time in the public domain and in the hands of Parliamentarians so that there could have been a full detailed assessment of the Bill.

Aside.

Mr. D. A. C. SIMMONS: Immigration Officer getting locked up. He did not get locked up under this. He got locked up in England which had one of these since 1986. That is nothing to do with Barbados at all.

Sir in 1985, twice publicly, I spoke about the need then for legislation to confiscate the proceeds of crime associated with the drug business. In January 1986, I was interviewed in New York and gave my views which were faithfully reported, I must say, in the Sunday Sun, late January or early February 1986, pointing out to the public of Barbados that the movement towards this type of! legislation was international and that there was pressure pi^ Barbados to get in the queue. ^

But I was careful, as it were, to feed it into the public system to get their feedback because to proceed with this type of legislation required caution since it would strike fundamentally at the provision of the Constitution which prohibits a person's property from confiscation. I use confiscation not in any technical sense of private international law, unless of course proper process and due - process is gone through.

You cannot deprive a person of his property, real or personal in Barbados, under the Constitution, unless certain procedures are followed. Therefore legislation which was going to invest the courts with a power to confiscate had to ensure adequate protection of that fundamental right in the Constitution. No sooner had the interview been published than a man writing a column called "Mixed Bag" in 1986 in the Sunday Sun cursed me very badly - I go further - organized people in this country to call in on the programmes under his direction and authority to abuse me because I wanted to get public reaction on this thing. We were moving to it gently, as the Honourable Attorney-General had to move to it. He had to move to it, he had to sensitize the public because it is a very severe step that we are taking.

He wrote in a column that he hoped that because I dared to speak on this type of legislation that I should lose hundreds of votes in the Elections of 1986. Praise Christ we did not make the mistake of sending him anywhere near Pilgrim. Because I would have shuddered to think that he would have signed it, assented to this. God works in a mysterious way. That is why we had to knock him out the ring early o'clock. Disgusting dog! You cannot teach an old dog new tricks. I make no apologies for blistering him. Every time I get a chance I am going to sandpaper him. Let everybody understand that. I have no respect for him.

Mr. Speaker, I do not believe that perhaps we should have gone as far as we have with the ramifications of this Bill. I believe that it is possible to achieve the same ends and provide the Constitutional safeguards without this very cumbersome method. Britain has done it, I know, in the Drug Trafficking Bill of 1986 and then the Criminal Justice Act of 1988. They have harmonized the two. I brought them in here the last time we were debating. They have this very convoluted procedure. I am not sure that we had to do all of this.

What concerns me more Sir, is the use of language in various sections. I must not be taken to be delaying with approaching this as though it were Committee stage. But I have to condescend upon an identification of some of the Clauses and alert the House as to what bothers me. Throughout the Bill, there is a phrase which occurs and it speaks of the court being satisfied. In Clause 5 (4) for — example you see... the Honourable Minister of Health, I think, would appreciate some of these points:

"the offence of which the person was convicted, unless the Court gives leave for the purpose of making of a new application on being satisfied

(a),(b)and(c);".

4.45 p.m.

10(1) - The court is satisfied that property is tainted.

10(2)(c), 13(2):

Now 13(2) is an interesting one because 13(2) explicitly says:

"If a person applies to the Court for an Order under this section irrespect of his interest in the property and the Court is satisfied on a balance of probabilities;".

17 speaks about the Court being satisfied. 18(1):

"If it is satisfied that a person has benefitted;".

"All property appearing to the Court."

21(2) speaks of satisfied.

Without going through anymore, Sir, the point that strikes me is this: what are we providing for in criminal legislation in respect of the standard of proof? It says that if the Court is satisfied.

Hon. M. A. KING: Mr. Speaker, on a point of elucidation. If the Honourable Member would just turn to Clause 66, he would see, "Save as otherwise provided in this Act, any question of fact to be decided by the Court in proceedings under this Act is to be decided beyond a reasonable doubt." So where we do not state, you see balance of probabilities in relation to some. Other than that, it is beyond reasonable doubt.

Mr. D. A. C. SIMMONS: All right, Sir, I am very grateful to the Honourable Attorney General for pointing out that. Why I raised the point was that it has recently been decided in England in a case of Regina vs. Dickens in THE TIMES Law Report for April 12lh... "The Court Orders Depriving Drug Traffickers Of Their Ill-gotten Gains" is the caption. I will pass it on. The Court had to consider how to construe these words, Sir: "Any property appearing to the Court". Lord Lane and the others held that it meant that if there was *prima facie* evidence that any property had been held by the defendant since his conviction or was transferred to him since the beginning of the relevant period the Judge could make the assumption that it was a payment or reward in connection with his drug trafficking. Then it goes on to speak of the assumptions that are made which cast on the defendant a responsibility to educe evidence of a

standard not however reaching the criminal standard. But I think we may have gone in advance of England in that regard, Sir.

Well, if Section 66 adequately deals with the question of satisfaction, Sir, of the standard of proof, then one is grateful that that has been written into the law because now it means that at every stage where the word "satisfied" is used, as I understand it now, the Court has to be satisfied beyond reasonable doubt. This Act, no doubt, is going to give rise to much litigation and lawyers will have a field day.

Asides.

Mr. D. A. C. SIMMONS: As I said, Sir, the other Members on the other side are with me and I have to be very careful how I speak, Sir, or express myself. I hope that we get some good judgments on the interpretation of much of this, Sir. Fortunately, Australia and England have similar legislation and we may be able to gleam some assistance from those jurisdictions as to how the legislation should be interpreted.

This Act I must confess, Sir, is a substantial improvement of the 1983 Act. Now in the 1983 Act which we have repealed in fact, Chapter 40 I believe it was, an attempt was made in there to give the Court the power to take away profits of vehicles, conveyances, and so on used in the transport of drugs. It was a bear section and my view of that has always been that it is unconstitutional as it appears. That is a personal view. It has never been tested. But I believed that you had to do a lot more than merely...

Asides.

Mr. D. A. C. SIMMONS: Do you want me to repeat it? What I am saying is that the section that presently exists in the Narcotics Act which gives the Court a discretion to take away profits, vehicles, and so on as it appears in the law now is in my view unconstitutional because it sets out no procedure for safeguarding the rights to property as enshrined in the Constitution. It passed everybody in 1983 but on reflection I am satisfied, Sir...

Asides.

Mr. D. A. C. SIMMONS: No, I was not here. The people of St. Philip North did not give me the chance. But I was in the Other Place. I cannot beg off on grounds of absence. I was in the Other Place. But I had occasion to look at it sometime ago within the last two years and it crossed my mind then that it is in fact, in my view, unconstitutional. I do not know if there is anybody else who would agree with me, but that is a personal view.

So that I am happy that this Bill now, in my view, seeks to cover the problems and at the same time to safeguard the rights of the individual to his property. When the Bill was first mooted, Sir, there was a little disquiet because it was thought that Part 3 of the Bill which deals with facilitating police investigations and preserving property liable to forfeiture and confiscation orders...that the Police wanted too much power. I am glad that the Attorney General has not acceded to some of the excessive^ demands that can be made for increased police power. -- _

Asides.

Mr. D. A. C; SIMMONS: "That have been made", they are saying, Sir. I am glad that they have given some particulars in respect to search warrants. What I regret is that we have limited this to drug situations. What I am saying, Sir, as I understand Part 3, Part 3 deals with tainted property upon land or premises and that relates to tainted by reason of drug trafficking. The provisions for the issuing of ^ search warrants, I am saying, are sound. What I would have- -' liked to have seen is that these provisions apply generally in the law not only to tainted property but wherever a search warrant is going to be issued. A search warrant must satisfy the conditions that we spell but for them in Part 3. Do you know why? Last year the Police treated a boy very, very badly in St. Thomas and nearly crippled him. The case has been tried and the chap got off and reported mental evidence. _^

4.55p.m. , "~ ..

One fellow lifted him up by his neck and threw him down in the street. The chap suffers from epilepsy very badly. He went into an epileptic fit and went to the QEH and was there overnight. For months he could not work, and his doctor said he is very lucky to be able to walk today, because damage was done not only to this cervical spine but also to the other spine.

One of the weaknesses in the police case was in-[4]; relation to the warrant, because when they produced the warrant there was no proper information on the warrant which they claimed they had executed. That was one of the grounds upon which the case was dismissed. There were the usual discrepancies and so on, but the Magistrate laid a lot of emphasis on that and called for the enactment of some legislation such as what we have here. What I am saying is that I regret that we have limited this area to tainted property, and I would have wished to have seen this of general application throughout the system. Some clause -r could be included, I suppose, that notwithstanding the~ —-foregoing it shall be of general effect or something, because we need to pin down the law about search warrants in legislation now.

Too much foolishness is happening. Yesterday evening something happened in St. Philip. People turned up^ at my house last night at 9 o'clock. The police had jumped through a window, and this was supported by three peopO I was not able to take full statements, but this is bad. When

they got into the house, into the kitchen, the person asked "How could you come in here and do this? Do you have a warrant? Move out of my face" and pushed. The person said "I must see a warrant." The fellow said "Well, look at that then, look at that" They are already in the house and they brandish this, so do you know what happened? Our people tore the search warrant

Now, that is not fair. The stage has been reached in Barbados where everybody has to be conscious of his rights. More and more people are becoming conscious of their rights in Barbados. Barbadians have been very loath to use their constitutional rights or to pursue them with vigour. I suppose we will reach a stage when people will be conscious. Part of it is that they have not been exposed to education about their rights, so there is a level of ignorance - I do not use that in the pejorative sense at all - indifference about rights. Persons in uniform in authority _ take advantage of that innocence. It has got to stop, Sir.

Even criminals have rights and they must be preserved until they are taken away as a result of due process of law. We have to make the security forces understand and have respect for those rights. They did not go into the Constitution just for fun, or to be read for bedtime reading; they are there to be protected. Too many cases have come before the courts .....

Aside.

Mr. D. A. C. SIMMONS: Part of what is being said on the other side is true, Sir, that people have not agitated enough in terms of pursuing cases where there are genuine....you have to be satisfied at some stage. If, as an experienced lawyer, you sit down and you have tested the man in cross-examination in your Chambers and you are satisfied that he has a case, it is your duty to go the next step - file it.

Aside.

Mr. D. A. C. SIMMONS: Do you see that, Sir? The Honourable Member for St. John likes to tease me. He is saying what the Honourable Minister of Health told somebody, that a certain association could not afford me. That is not true. He slandered me in fact, Sir, when he said that. The Honourable Member for St. John will know that the last two murder cases that I did were both legal aid, and both people are walking about out there. I have always done legal aid, Sir, I have always had my name on it.

Sir, I am happy with Part III of the Bill, but I have a little concern about the need to disclose information. I presume that in relation to disclosure of information, pages 71 to 75, dealing with the obligations of financial - institutions, these are areas that cause me a little concern. I ^understand the intent, because I have seen situations when I was Attorney General and we could not do anything about them because we did not have the law, but I wonder if we have not buckled too much to the pressure of the United States Government in this regard.

I know they have been driving some very hard bargains; that is why on the other Bill last time I said they must put their money where their mouths are. They want us to do all of these things which are foreign to the mores of the people. We have to give financial information, tax information about private citizens to foreign Governments. At the level of principle, at the level of my own political philosophy -1 am not speaking for anybody else - my own political philosophy, I find it running against the grain to be party to the sale of my people's privacy to the big fellow, as Cro Cro calls him, the big man, Uncle Sam. 5.05 p.m.

I wonder if there was not another way of dealing with this short of invading the privacy of Barbadians to this extent. It has to be a policy decision. I would know the Attorney General well enough to know it was a hard one for him. I would know it was a hard one for him, because I think in many things, I am being frank, he and I seem to have the same type of attitude. I know this is a hard one. I would like to hear from him in his reply why did we have to do this now. Is there so much of this kind of conduct taking place in Barbados that there really is a justifiable need to amend the legislation to this extent to, as I say, completely change people's legitimate expectations over time to satisfy what America wants. What are we getting from them for it? Not even a Boston whaler.

I have problems when I am an independent country. When I was a colonial territory I would expect all of that, but now I am independent I have problems in doing so much at their beck and call which impinges on my sense of independence. You see, Sir, when we had the double taxation treaty with the Americans about February 1986,1 am reminded, then we were trying to attract some offshore business to Barbados, and our negotiators, Dr. Cheltenham and others were able to get a very good deal for Barbados. It has not lasted.

Mr. SPEAKER: I don't want to interrupt the Honourable Member here, but I think it is fair that I explain to the Member that my understanding is that you are speaking first for the Opposition.

Mr. D. A. C. SIMMONS: Yes, Sir. I was saying that when we were negotiating that double taxation treaty with the Americans in 1986, they tried to drive a very hard bargain too about exchange of information, Sir, and we refused then. I understand, Sir, that the drug situation has got worse - more sophisticated. But I am still saying that the only aspect of this Act that really bothers me and strikes fundamentally at my sense and my feeling of independence as an independent Barbadian is this one.

Hon. M. A. KING: Mr. Speaker, on a point of elucidation in relation to this matter, the Honourable Member has gone on at length speaking about pressures of United States Government in relation to legislation of this kind. When I introduced this Bill at some length on the last occasion that this Honourable House met, I believe I dwelt at some length on the fact that these measures in large result are based on the Vienna Convention of 1988. They are not pressures from the United States Government. The Vienna Convention of 1988 was an international convention agreed to by the nations of the world, and among the provisions existing in that convention are requirements that Government enact legislation of this kind including provisions of the kind about which the Honourable Member is now speaking. So that the provisions which the Honourable Member finds an infringement of sovereignty as he says and finds odious are really a result of agreement among the nations of the world, not only Barbados, who attended the Vienna Convention and who are being urged to sign the convention and to ratify them in their local jurisdictions. They have agreed that we would enact legislation of this kind, nothing to do with the United States alone - all the nations of the world, and we will find that even if we look back at the Offshore Banking Act passed in 1979, if you look at section 47, it says "a person who has acquired confidential information concerning a licensee as a director, officer, employee, auditor of the licensee, shall not disclose that information to any person except as permitted under subsection 2 or use that information for any benefit not related to the duties through which the information was acquired." The section goes on to provide for information to be released by the financial institution when the information is lawfully required to be disclosed by an order of the High Court, subsection (2)(c).

Now the obligation of financial institutions to disclose information in these sections to which the Honourable Member now refers are dependent upon an order of the Supreme Court. So I think if we believe in the doctrine of the separation of powers and we trust our courts, I think we have to place some faith that the courts will not frivolously make orders for the disclosure of information by financial institutions, but that the courts will act responsibly in ordering such disclosures. And we have to bear in mind that disclosure ordered in circumstances to which these clauses relate will only be made after a conviction has been made and not before. So these proceedings will come into play only after a person has been convicted of a serious criminal offence involving drugs, and the prosecution applies to the court and secures an order demanding that the financial institution disclose the information; and we need to trust the courts to act responsibly.

Mr. D. A. C. SIMMONS: I am grateful to the Attorney General for his clarification of some of the points. The Vienna Convention notwithstanding, I still am not convinced that my fears about the scope of this legislation are not well grounded, because in return for signing the exchange of information agreement, the US Government, when the Barbados Labour Party negotiated that, gave us an exemption from Federal Excise Taxes on insurance premiums. They have not taken that away, and want us now to tag along with them with all of these provisions. I don't think it is fair. It really galls me. I might be small but I am very proud, and I don't really feel good to see that those people are playing these kinds of psychological games with black people in Barbados. I have to say that because I don't feel good about it 5.15p.m.

My colleague, the Honourable Member for St. Peter put it just neatly in an aside to me. He said it was a *quid pro quo*. They have got the quid and we are left with the quo now. They have withdrawn the concession. They gave the concession and we gave the information. Now they take back the concession and have the information and we gone worse and put it down in legislation now. It cannot be right, Sir.

Anyhow, Sir, perhaps these are some of the hazards of being a small, independent, black, Third World country in the international seat. These are some of the buffetings that you get from the super powers. But we have one way of dealing with it at the level of principle. We cannot fight wars over it. You have to deal with it at the level of principle. Stand up- to them and let them know, as the youngsters say, "where you are coming from." I am very strong on that, Sir.

I understand that after a person has been convicted, the orders which relate to financial institutions and disclosure of various information - tax information and so on, this part of the Act, will come into play, Sir.

I have to accept at this stage that the Courts have always been the guardians of the rights of the individual and in this new and developing area and very sensitive area the Courts are going to be called upon to play a role of even greater watchdog of the individual's rights than before. So we have to rely on our faith and trust in the excellent judicial system that we have had over the years to ensure that the rights of the individual are not trampled. And, as I was indicating earlier, we have to be very careful that those who wield power and who will have a tremendous amount of power under this Act representing organs of the State do not take the liberty to trample upon the individual's liberties.

I saw in a newspaper yesterday a call to arm the Police. I will describe that simply as rubbish. I cannot use unparliamentary language in here, Sir. It is an empty comment. It is not even an emotional response because for it to be an emotional response there would have to be something that is precipitating that response. None of us can truthfully say in Barbados that there is an element ou there that is terrorising the society by guns and that have the

population at risk and, therefore, the Police response should be in similar vein. It is not happening.

We have problems. I would be the first to talk about them, of lawlessness and indiscipline. June 22 at the meeting on the Highway... We knew we had some gangs and so on - youngsters engaging in deviant and anti-social conduct. But it has not reached the stage where I believe the society feels that it is threatened by an armed group of persons, therefore necessitating armed response. Because it is only in my view, and I know I have the support of some Members on that side, it is only where there has been a complete breakdown and the criminal element has armed itself and is offering violence by means of guns and arms generally to the society at large that one can countenance a response by the Police in a similar way.

If that is not happening and our history includes that cultural element in our make-up which has ensured that Barbadians over centuries have remained as very level-headed people... We are not given to excesses; I am talking about generally. You will get a fringe element now and then, here and there. Generally we are people who are very moderate, considerate, analytical and deliberate in what we do and our response has always been measured - I do not want to say conservative - in similar proportion to the kind of attacks that might have been offered. But I think it is really quite improper and quite wrong for a leader in the community to be suggesting that the Police should be armed when there really is no good reason for that.

The evidence is not there to support that kind of emotional outburst. That is all it could be - an emotional outburst and I deprecate it. I know the Police themselves would not wish that power for themselves. The general body of Police persons in this country, men and women in the Force, are too sensible, too reasonable, to be making those kinds of calls and to be party to that kind of behaviour.

In every group you will find one or two who will not conform. That is so whether in a political party or in the Police Force. You have one or two who play the fool. I am not condemning the Force. I would be the last to do it because of the excesses of one or two who will have aberrations from time to time.

I am saying that on the whole, by and large, I know from my talks with them and I have a lot of friends who are Police and I talk with them every week they would not be the ones who would support the cleric in St. Philip in that kind of emotional outburst.

Sir, I wish to indicate again that the response to drugs has to be fought on a number of fronts - at least five: By way of education and sensitising the public by the -*' dissemination of information to the size of the problem and the dangers of the problem; by enhancing the detection capability of the Police Force: That includes giving them better equipment, better training and more men, if that appeal for more men can be properly justified, and, as we are doing now and we did a couple of weeks ago, Sir, stiffening the legislation.

This alone, improving legislation, making fines almost $1 million, taking away property - this is only one aspect. This will not solve any of the causes but it is necessary in the whole attack - the whole approach because you are hoping perhaps to achieve a specific and a general deterrence. You hold a fellow under this and you wet him a couple of a hundred thousand dollars, he should not wish to see illicit narcotics again. And the message... It may have is specific deterrent effect as far as that individual offender subjectively is concerned. But you are also sending a message to the general community to read of it and hope that they by way of general deterrents are now warned or frightened against involvement. So legislation can have a positive role to play in terms of the formation of the values of people in the society, but it does not get to the root of the problem.

The other limb or avenue of attack must be harmonisation with international forces, cooperation with international forces. Even though we will rely upon INTERPOL and we will rely upon our local policemen in the Drug Squad sharing and gathering information with their colleagues in the region and internationally, the international community itself which is concerned about drugs and those countries which can afford to assist South countries, Third World countries in developing their strategies to eradicate drugs from the society, those big countries must put money and programmes at the disposal of the small countries. There is no doubt in my mind about that. 5.25 p.m.

There is no doubt in my mind about that especially when we are asked to all accede to the Vienna Convention and interfere with traditional notions of sovereignty and independence in the larger international interest. I understand that. We are being asked to do that. Those who can afford must help us to solve some of our problems domestically. Government cannot provide all the equipment that is necessary. Some of these large countries have excess equipment. They can give us or sell us. I prefer if they sell us though because I do not want to be begging. I would prefer if they sell or give us over a period of time, a concession. Sell it to us cheap. But they have to help us in some meaningful way.

They are concerned that Third World countries like Barbados are used as transshipment points for narcotics to get into their countries. So they want us to give them all the information about the druggies in Barbados so that they can be on the look out for them. Simple scenario. When you ask

them, what are you doing to help us police our waters so that the drugs do not come from South America .....

I am calling on the Government to make its position known to the First World countries, particularly America and Britain. I am not going to say Canada because I have always found that Canada has been more sensitive and responsive to the needs of Caribbean countries - Barbados not excepted - than the other two. I am calling on the Government when it has an opportunity to negotiate or to discuss these matters with the Government of the United States of America to speak in the clearest terms to let them know that we expect that they can put at our disposal some of their expertise, some of their technology and if necessary, some of their money. I never forget with the Grenada business, they had all of those big heavy bombers coming in here mashing up the runway. They did not give a cent for it. I am not saying that they did not have to be here. I supported the decision. I am not vexed with them for going into Grenada and cleaning it up. I am not vexed with them at all. They wanted it as much as we want it in the Caribbean. It was to their interest to get rid of the Commies in Grenada. They used Barbados as a staging post. They mashed up the runway. All last year you are going down there taxiing down there and the plane was doing so with you. All of that was from then. I speak to all and to Mr. Speaker. I am not speaking for any record. I am not conscious that I am being written down.

You travelled a lot, Sir, going away to CPA Conferences and you know that that surface at the airport some years ago was very uneven. He wants me to say undulated. I use a little word like uneven. It means the same thing, Sir. I am saying that some of that damage was done during the 1983 Grenada business. All I am saying is that it is time that the Government of Barbados holds its head up, be it to Trinidad, or America, or Britain. Let them know we are small but proud. We will not be pushed around. We will co-operate. But co-operation means, it implies a joint enterprise. Not one-sided. If we are helping you, you must help us. It is to the mutual benefit of our respective societies. The American Government has got to be more liberal in relation to this matter.

Ever so often I see them you know, overflying our air space, right up, high, high, high. Every couple of months you see a fellow way up. They are photographing. You know that. You know what they are doing.

As I say, Sir, I know certain Members over there know what happens. But we must no longer sit down and feel that they can invade our air space and do not reciprocate in a meaningful way. I think I have got the point across, Sir.

Mr. Speaker, I wish to say that all the Opposition are supporting this Bill as an attempt to deter those who traffic in narcotic drugs from profiting and benefiting from the fruits of their crimes. We recognize that the Bill is far-reaching in its conception, in its intent and in its operation because it strikes at the fundamental right to property which is enshrined in the Constitution. To the extent that an attempt is made to deprive the citizens of that fundamental right, we recognize that the Government itself has tried to grapple with that problem and has tried to safeguard, as far as possible, that fundamental right. I want to predict at *this* stage that there would be a lot of litigation spawned by this Bill. That is inevitable. I am not saying that that is something the Attorney-General should worry about. Every time you pass legal legislation - when I say legal legislation I mean something having to do with pure lawyering - fellows are going to find arguments and so and a lot of litigation would be spawned. That has to be so because the provisions are so stringent and the Bill is so Draconian in its intent - deliberately so, deliberately draconian in its intent - that one can foresee appeals on top of appeals all the time. -
5.35 p.m.

Nobody is going to take what one Court does and not go into appeal and try a little further to get a decision on the point at the highest possible level. So we can safely predict that there will be lots of litigation arising out of this.

I am summing up, Sir, what I did. In respect of the search and seizure warrants under Part 3 of the Act, we are happy that at last there is legislation which provides for the minimum content of search warrants. What we would like to see is that that aspect of the law that is now reduced to Part 3 of this Act should have been made of general application to all search warrants about Barbados not only to those dealing with tainted property. So have one law relating to search warrants which would apply to drug property, ordinary stolen property, and so on. Let them all conform.

I have spoken, Sir, about the problems of disclosure of financial information. I will not repeat that, Sir. I had a long time on that. I was just checking, Sir, concerning the Honourable Member for St. Peter. He was only concerned about the question of the double tax treaty and financial information. But the Attorney General has dealt with that, Sir. As far as this side of the Opposition is concerned those are our submissions on the Bill.

Dr. R. C. HAYNES: Mr. Speaker, the Honourable Member did an excellent job in highlighting the purposes and limitations of this particular piece of legislation. I would like to raise one or two points. Firstly, sometime ago it was perceived that there was a problem in Barbados with praedial larceny. I recall we came down to this House and brought down legislation which imposed substantially more severe penalties and I believe the legislation was strengthened in other ways as well. This is about 4, 5, or 6 years ago that this was done about 1984 or 1985 <£> somewhere in that region regarding the Bill relating to

praedial larceny and the increase in penalties. The reality is that despite the more severe penalties and despite the legislation being beefed up over the past years very, very few people have come before the Courts and the problem of praedial larceny has continued unabated or has even got worse.

Hon. M. A. KING: Mr. Speaker, on a point of order. ~'The Honourable Member referred an amendment to Praedial Larceny legislation which was brought before the House sometime around 1984 or 1985.1 remember the last Government did bring some legislation to this House relating to praedial larceny. As I recall it, this was around 1985 or 1986. As far as I can remember, Mr. Speaker, that legislation was withdrawn. I do not think that you will find any legislation relating to praedial larceny in 1985 or 1986.

Asides.

Hon. M. A. KING: Yes, but the Honourable Member was making the point that in relation to praedial larceny there were increased fines and penalties but yet it did not make any difference. I believe he is drawing the analogy that similarly here that this legislation is not going to make any difference. I am saying that is where you are coming from. So I am saying that I thought that the Praedial Larceny Act never passed Parliament.

Dr. R. C. HAYNES: The Honourable Member, Sir, has anticipated me correctly on this occasion. But my recollection is, Sir, that certainly that Bill was passed in this Honourable House because I remember participating in the debate and making the point. As a matter of fact, the Honourable Member was shadow Minister for Legal Affairs at the time. The point I was trying to make was that passing of Draconian legislation in itself will not solve the drug problems in Barbados. As in the case of legislation relating to praedial larceny, quite clearly there will have to be other mechanisms put in place to reduce the incidence in that area of crime or to catch the criminals. However, as far as I can see, what has happened is that people still continue to lose their crops in increasing amounts over the years.

I make that point, Sir, in order to stress that bringing this legislation in itself does not necessarily mean that you are going to see a reduction in the amount of drug trafficking in Barbados tomorrow after this Bill is passed or whenever this Bill goes through the due process. Sometimes I wonder and, in fact, I have been making some inquiries as to how many cases involving illicit drugs or how many persons suspected of involvement in illicit drugs would have been either brought to justice or would have had property confiscated if this legislation was in place. Sir, I have asked again and again and the answer has always been, "None". I trust, Sir, that the point is taken. The answer has always been, "None". Therefore, Sir, I believe Hhat this legislation must be seen as supportive of other Tneasures that need to be taken in the society to deal with the question of the traffic in illicit drugs. I, Sir, must say that I share the concern of the ability to access the bank accounts of people and the ability to seek certain types of information. Sir, if we have a situation as was described earlier where instead of going to the front door and knocking and serving a warrant that people are prepared to jump through the kitchen to serve the warrant, I would hate to see a situation where this legislation can be used as a shortcut for due process. I am particularly concerned, Sir, because I know of a case where a Barbadian had a whole heap of charges brought against him in a jurisdiction outside of Barbados. Police Officers from that country were unable to persuade the Courts in that country that they had a case to justify having his affairs disclosed to the Police in that country. They came to Barbados and succeeded in persuading the Courts in Barbados that they had a case for disclosure and have to access his information in the banks in Barbados. A few months later all the cases against the individual were dropped and as far as I am aware now serious legal action might follow of a civil nature.

Now that is a serious matter. In other words, what I am saying is that in the very mature jurisdiction the standard of evidence was not presented to the Courts to justify the Courts in that jurisdiction allowing the Police to have access to certain financial information. But the Police can leave that country and come to Barbados, go to our Courts, and get an Order. The same Police who got the Order in Barbados when they brought the gentleman to court in another jurisdiction dropped the case. They had no case whatsoever. 5.45 p.m.

You have had a situation where a Barbadian's personal rights were seriously eroded in his own country and protected in another jurisdiction. These are the kinds of fears that I have. I think when it comes to the question of bringing legislation which is in conflict with certain fundamental rights guaranteed in the Constitution, we have to be very careful about this. I do not for one moment believe that the Attorney General of this country is happy with this piece of legislation. I believe that pressure was brought on him - it may well be in the Bahamas, I am not sure, or Jamaica, or somewhere else.

Hon. M. A. KING: Mr. Speaker, on a point of order. The Honourable Member cannot assert that any pressure was brought on me to do anything, and he goes on to particularise in the Bahamas or somewhere else. Pressure by whom? What do you think I am?

Dr. R. C. HAYNES: Sir, I know as a matter of fact that pressure was put- on the Attorney General and he resisted it.

Hon. M. A. KING: Mr. Speaker, on a point of order. The Honourable Member cannot say that pressure was

brought on me. The fact that he adds "and he resisted it" does not alter the fact No pressure was brought on me. I deny categorically that any pressure was brought upon me by anyone.

The whole point I was making about this legislation is that it is part of our process in living up to our international obligations under the Vienna Convention about which I spoke. We have agreed to the principles of the Vienna Convention and we are trying to fulfil our international obligations under the Convention, so if you talk about pressure, we agreed to this, as have so many other States in the international area.

Dr. R. C. HAYNES: Mr. Speaker, even when I compliment the Attorney General he gets up and objects. The point is that I believe that any Barbadian steeped in the Barbados legal tradition would have serious reservations in relation to the parts of this Bill which deals with the confiscation of property. All that the Honourable Attorney General is doing is using a whole lot of words to say exactly what I said, that he found himself in an international environment which would have brought the kind of pressure on him to introduce this kind of legislation in Barbados. That is all you have said. It is the same thing.

Hon. M. A. KING: Mr. Speaker, on a point of order, the Honourable Member proceeds to persist with this statement about pressure being brought on me and I keep denying. The Honourable Member should desist from continually insisting that any pressure was brought upon me internationally or otherwise. We arc a sovereign nation. If we participate in international conferences, we participate by virtue of our own free will. Nobody brings any pressure on us to do anything.

Mr. SPEAKER: I think the Honourable Member would agree that having had a denial on the particular issue he would not want, no matter how he puts it, to continue with the same idea which the Honourable Member has denied.

Dr. R. C. HAYNES: I think, Sir, we understand very clearly that the Attorney General is in fact articulating the same kinds of reservations which I am articulating, only using different words. By and large I think it is the same thing.

When it comes to a financial institution, Sir, we have to be very careful in Barbados. We have been trying very hard to develop an offshore banking sector, an offshore financial sector in Barbados. One of the key factors enshrined in the legislation of Barbados in respect of the offshore centre was that element of secrecy whilst at the same time provisions were made, I think in the 1979 legislation and subsequent legislation, to ensure that there were reasonable precautions against money laundering and other activities.

We have only one financial centre in Barbados and that is in Bridgetown. It is a small growing financial centre. Secrecy and confidentiality are fairly fundamental to the development of offshore financial activity. It is okay for the United States to put the screws, so to speak, on Miami as a financial centre, or the axis between Miami, Bahamas, Cayman Islands as a financial centre. All that happens is that the more reputable accounts leave Miami and they go - elsewhere in the United States, but the money remains *in* the United States. The offshore activity in the United States continues to grow not in Miami, but maybe in Atlanta, New York, Texas or somewhere else. In the case of Barbados, then of course the money will leave Barbados and go elsewhere.

I have my concerns and I think it is important to recognise that legislation of this nature can to some extent compromise that element of the assurances of confidentiality and secrecy as it relates to the offshore*-sector in Barbados, and in fact to the overall banking sector." That is one thing one wants to be absolutely sure about: that even if you have only one dollar in the bank you want to know that the only person who should know about that would be your banker and who you choose to tell about it, and that nobody can just get access to it or information about it.

Make no mistake about it, this is a major step forward. • It is a step which in a sense I understand that in technical legal terms it cannot be said to be unconstitutional, but at the same time it can be said to be a curtailment of what one assumed was a fundamental constitutional right in the wider good or for the wider interest of the community.

I have no doubt, Sir, that the Honourable Attorney General is not unaware of these considerations. As a matter of fact, I have good reason to believe that any comment I made complimenting the Attorney General I have just cause for doing so. Otherwise I would not do it, even if he objects'" very strongly. That particular aspect of this legislation does concern me and it is one that I think should concern the entire House.

One final point. I do not think I need to go into this in any detail. Most of the points have been covered, but I think it is important to recognise that in dealing with legislation of this nature, the kind of impact which this legislation could have on the financial situation in the United States or in the United Kingdom would be very different from the ••* potential impact that it could have here on the financial " centre, largely because of the size of the operation and the capacity of people to move from one city to another within those societies while the money remains in the same country.

5.55p.m.

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Now the last lime I saw a summary of what had^ happened in the United Kingdom since they had introduce**

similar legislation, they had really collected insignificant sums of money - a few million pounds - in relation to the vast drug trade. So it would appear that even in the United Kingdom where similar legislation has been introduced, it has had no major effect on drug trafficking. In the United States where it has been introduced, the same situation exists. I believe that it is important to let these countries know, apart from the fact that they have to give something in return for what they get, and I am not so sure that they should get anything of this nature because I don't think this is going to benefit Barbados that significantly, that what they have to do is to take steps to reduce the demand for narcotic drugs in their own countries, and that would be a major factor in controlling the traffic in illicit drug.

And so, Sir, I believe that by and large we will have no problem in supporting the Bill, but I would like to say and repeat that let no one either in here or anywhere in this - country believe that this is going to alter the ever worsening situation with regard to the traffic in illicit drugs. I think we still have to be dealing far more effectively with what is happening to our inner sea coasts, what is happening at our airport, what is happening at the harbour, what is happening with the Colombia, Venezuela, Trinidad, Barbados, the UK axis in terms of the traffic in cocaine.

These things have to be addressed, and what is very important is that we have to be sure that the institutions of the state, those institutions that are there to protect us, do not become overwhelmed by the narcotic drug traffic. We have to make sure that our police officers, that our customs officers, that our army, that our immigration officers, that all these people who are there and who are supposed to be defending the country against insults of this nature are not involved in the process, because, Sir, it is when that kind of thing happens that the whole area of drug control becomes impossible. We say this because we know that in one of our sister Islands in the northern Caribbean that is precisely what happened. Every single aspect of the law enforcing agents and those persons who were suppose to stop the flow of narcotics, it was discovered, was infiltrated by the drug traffickers and involved in drug trafficking, and therefore it has become virtually an impossible task without massive help from the United States so far in trying to cordon off that area between Miami going past the Bahamas up north in trying to reduce the inflow of drugs into the Bahamian Islands and elsewhere.

We have a serious problem, Sir, and it docs bother me, because I recall in the 1970s when debates took place in this Honourable House on drugs, it was viewed that the accidents were more of a problem to Barbadians than drugs. Now ten years later here we are; some say it is the most serious pressing social problem. I believe that we really have to dedicate a considerable amount of time and effort in this Parliament in not only talking about it, but talking vjbout it freely and dealing with it, because all of us, everybody in this society would be at risk as a result of drug trafficking and that risk can spread from one form to another. Because you start today, and on one side you have people trafficking in drugs and then you have the drug users, the addicts and that translates into crime. It translates into all kinds of problem. So that when you live in a society, no matter how pure you are, in a society that is over-run with drugs, you can find somebody coming in your house and shooting you because they want to get $5.00 or $10.00 or $20.00 to go and buy some cocaine or marijuana or something; but your life is still gone. What has been the origin? The origin has been the drug problem in the country.

Sir, it is such an overwhelming problem, that I think we must not try to under-estimate the seriousness of the drug problem, and in a small society, these problems escalate far more rapidly, and when you have a society where there is clear evidence of significant alienation of the youth, high levels of unemployment, high levels of frustration in the society and you add to that a drug culture, then we are asking for serious problems.

Sir, the resolution here today, Sir, should be to support the Bill with the reservations which I think were voiced by both speakers on this side, and both include myself in this situation and to be sure that we do not trample upon the liberties and the rights of other people or allow anyone to do that, because in a sense if as a result of any legislation passed the drug traffickers can succeed in getting any diminution of the constitutional rights of those citizens who are not involved in drugs, in a sense they have scored a major victory. Make no mistake about that, because they have taken one step in reducing the freedoms of the people, and ultimately looking at the drug problem in a wider sense, it is not only a medical problem, it is not only a social problem, but it is a major national security problem. It is an international security problem, and in the long run it is really a threat to democracy and a threat to the freedoms of people when you have to introduce legislation which curtail your freedom. As a matter of fact, I don't think that, as far as I can recall, any legislation has been introduced in this House during the period since I have been in here which was against the background where one recognises that you were diminishing to some extent the constitutional rights of people. There has been legislation passed where some Members have felt that it might be unconstitutional, others have felt not. In other words, unconstitutional legislation has been passed in error or by legal differences and so on, but here the drug situation is forcing us into a position where we have to say, look, the Constitution really says so and so, but provided we can have due process and various mechanisms and so on, then fair enough let us accept this and go ahead.

This is a serious matter, Sir, and it just shows the over-all impact of the drug culture, the impact that it can have on the whole legislative process, on the whole law and

order process, and the whole question of motivation in the society, and even on your financial system. 6.05 p.m.

Who would have thought that in 1979 when legislation was brought in here to give a significant measure of secrecy to some element of protection in the offshore area that we would find ourselves now with legislation where someone could say, "look, Barbados is not the place for me to put $100 million because of this particular legislation and this is what happens". Let me explain.

In the United States today any legitimate transaction, I believe of over $10 000 in cash, deposited in a bank in the United States... First of all they do not want to accept it; secondly, if they accept it they accept it under suspicion; thirdly, they have to report it to the FBI and a whole lot of problems begin to surface.

Where that kind of supervision is most intense people just move from there and do their transaction elsewhere. So that even legitimate transactions you cannot just say, look, the only transactions that will not come would be those that are illegitimate. The point is this that there are a whole range of legitimate transactions which have nothing to do with drugs but will not go into a jurisdiction where there is any possibility of disclosure and this is one of the problems that we face.

I believe and I would hope that the message should go forth that we want the Police Officers to go out there and catch the drug traffickers. We want the organs of the Slate that are supposed to do the detection and the prosecution and so on to get out there and do it and only in extreme cases and where there is really very good and sound reasons.

I think there was some exchange between the Attorney General and the Honourable Member for St. Philip South as to a clause which strengthened or explained the balance of probabilities section of the legislation. Is that correct?

Aside.

Dr. R. C. HAYNES: Sorry. It was the Member for St. Thomas. Anyhow in the Act itself it deals with that and makes it fairly strong evidence really should be produced before the Court before any such action can be taken in respect of people's properties.

There are some other things I want to speak on. This section here to confirm the Police new powers to facilitate the tracing of proceeds, benefits and property derived from criminal activity that comes after prosecutions, as I understand it. And there is nothing in the Bill that confers those powers prior to or part of an investigation or anything like that.

So basically, Sir, these are my concerns and I think there are the concerns which occupy the minds of the international legal community and I sincerely hope that as a result of this Bill that we would see a little more aid coming form the United Kingdom and from the United States to help with the regional security network and so on.

Perhaps, the Attorney General may want, to intervene - at this point and tell us whether any assistance....

Mr. SPEAKER: I do not think he may because your time has expired.

Dr. R. C. HAYNES: It has expired? Mr.

SPEAKER: Your time has expired.

Dr. R. C. HAYNES: Just one final question to my good friend the Attorney General.

Mr. SPEAKER: Sure.

Dr. R. C. HAYNES: I hope that the Attorney General when he winds up that he would let the country know what has been the *quid pro quo.*

Hon. M. A. KING: Mr. Speaker, I think the Honourable Leader .of the Opposition made the point that we are dealing with a serious problem, drug trafficking, drug abuse and the problems which that can create ih any society and that a serious problem of this nature obviously calls for serious action.

He went on to make the point that the serious action which we use is legislation diminishing constitutional rights. Now, I take a little issue with him on that point that we are diminishing the constitutional rights of Barbadians because I spent a lot of time on this Bill and the precautions ~ I have taken are designed to ensure as far as possible that " the fundamental freedoms of Barbadians are not diminished.

Sometimes we do not always succeed in achieving what we strive to achieve but, certainly, the whole point about the Bill which is before us is that we have sought as far as possible to frame legislation which is not inconsistent with the provisions of the Constitution as they stand particularly in relation to the fundamental rights and freedoms which are guaranteed. So the legislation as it stands is designed to operate without diminishing any of the constitutional rights of Barbadians as now enjoyed.

Honourable Members who have spoken on this matter from the Opposition have raised concerns about the impact of this legislation on financial institutions and are - concerned that the legislation as it stands could have some adverse impact on the offshore financial institutions whicC* we are now trying to promote.

My own feeling about this matter, Mr. Speaker, and my own understanding of what has been done in this legislation is that those concerns are, perhaps, a little over-stated. Let me just indicate the background against which I make that comment.

Clearly the information gathering powers which are included in this legislation are a vital element in the proceedings which will necessarily have to be brought under this Bill for confiscation, forfeiture and tracing of proceeds of crime. And it is clearly going to be necessary to direct these very important powers against legitimate businesses and particularly against financial institutions because the criminals who are going to use businesses and institutions to conceal their ill-gotten gains are not going to use suspect institutions. They are going to use institutions which are highly credit-worthy, which have public confidence and which are sound financially.

They would look for the viable, the commercial and financial institutions of very high repute and it is these institutions that they would seek to use in order to launder their ill-gotten gains. And they would clearly want to make it appear that the monies which they have stored away in these institutions are derived from legitimate commercial activities. So it is going to be important, therefore, that we recognise that the legitimate institutions are the ones which are particularly going to be targeted by the criminals.

We note that this will have some impact on the traditional banker/customer relationships as we have known them, on lawyer/client relationships as well. 6.15p.m.

One of the things clearly that we would have to do as time goes on is continually to monitor the legislation as it stands, looking at the impact which it has on traditional banker/customer relationship, on lawyer/customer relationships to ensure that the two important competing interests of confidentiality and the need to ensure that criminals do not abuse and pervert the system. We have to ensure that those two conflicting interests are fairly evenly balanced. So you have two very important public-interest concerns which have to be continually addressed, the public interest of ensuring that crime is not allowed to flourish and secondly to ensure that confidentiality in banking and in other private interests is adequately protected.

I made the point during the presentation of the Honourable Member for St. Thomas and also the Honourable Leader of the Opposition that the provisions of our legislation in this regard are consistent with the requirements of the Vienna Convention of 1988. I mentioned paragraph 2 of Article 5 which requires parties thereto to adopt such measures as may be necessary to enable its competent authorities to identify, trace and freeze °~ or seize proceeds, property, instrumentalities or other things for the purpose of eventual confiscation. Article 5 paragraph 3 provides that in order to carry out the measures referred to in Article 5 above parties shall empower their courts and other competent authorities to order the bank financial or commercial records to be made available or be seized, and parties are not permitted to decline to act under the provisions of paragraph 3 of Article 5 on the ground of bank secrecy. Those provisions are clearly articulated in the Vienna Convention.

Aside.

Hon. M. A. KING: Shall means must. Mr. Speaker, it is clear that the stipulation in the Vienna Convention to which I have just referred clearly has implications for the bank secrecy laws of states who are parties to the Conventions.

We have not ratified the Convention yet But I am strongly of the view that we should ratify the Vienna Convention and I think that it is this Government's position.

In some states in this region, notably the Cayman Islands, Antigua and others, we find that their domestic legislation has built into it a mechanism for ensuring that what you call the statutory veil of secrecy cannot be used as a device for fostering criminal activities. States like these which have that provision built into the law obviously have no difficulty complying with the provisions of the Convention.

In Barbados itself bank/customer relationship is still governed by the common law. This is outlined in a case of 1924, the case called Turney v National Provincial and Union Bank of England. The decision of that case said this.... In that case the Court of Appeal held that it is an implied term of the contract between a banker and its customer that the banker will not disclose without the consent of the customer, expressed or implied information relating to the customer's account, unless the banker is compelled to do so by an order of a court or the circumstances give rise to a public duty of disclosure or the banker's own interest requires it. So there are three situations. One where the banker is compelled by an order of the court to do so. Secondly where the circumstances give rise to a public duty disclosure. Or thirdly, the banker's own interest requires it. There was a gloss on that case in the case of Bankers Trust v Shapira, a 1980 case which makes it abundantly clear that the public interest would not permit the duty of non disclosure to be used to conceal fraud.

So that the view that there is all this big secrecy about banker/customer relationships and that under the bank secrecy laws, criminal activity cannot be disclosed is a bit of a myth. Because the law under which we operate in this country is that the public interest will not permit the bank customer/relationship to be used to conceal criminal

activity. Once criminal activity can be established, the provisions of the law in relation to bank secrecy do not apply.

We find that this implied contractual duty which has been established between those two cases which I have just mentioned has been given a statutory implementation in the Off shore Banking Act of Barbados to which I referred earlier at Section 47. Section 47 subsection (1) deals with the provisions of secrecy and then subsection (2) gives the situations in which disclosure may be made. Section 47 in general terms prohibits the disclosure by bank employees, directors, auditors or Central Bank employees and persons who have acquired confidential information concerning a licensed offshore bank or about the activities or identity of a depositor or beneficiary of the trust or concerning the assets liabilities transaction or other information in respect of the assets and liabilities or transactions of that person.

The first subsection of that section 47 prohibits disclosure. It is to be noted that when you look at the second subsection, you find that the duty of disclosure does not apply, among other things where the information is lawfully required to be disclosed by an order of the court.

So that even in the Offshore Banking legislation under which our companies now exist, although due recognition is given to the principle of bank secrecy, yet at subsection 2 it does provide for situations where the absolute provisions in relation to bank secrecy do not apply. Among those are when the information is lawfully required to be disclosed by an order of the High Court. So that in the provisions of the legislation which we are now considering the provisions for disclosure of information by financial institutions is dependant upon an order of the court. So the legislation follows fairly closely the provisions of the protection already existing in the Offshore Banking Act.

Any financial institution, any offshore banking institution which wishes to do business in Barbados and which has done business under the existing Offshore* Banking legislation should not have any difficulty in continuing to do business in Barbados because the provisions of the present Act in relation to disclosure by financial institutions do not vary from the provisions of the existing legislation. To crown that is these provisions in the Proceeds of Crime legislation which relate to the situation where you have convicted drug offenders. 6.25 p.m.

So that I conclude on this aspect of the Bill by saying that I understand the concerns which have been articulated by Honourable Members. But I assure them that the concerns are perhaps a bit misplaced.

Apart from that, Mr. Speaker, I do not think there were any other serious issues which Honourable Members raised in relation to this Bill. It has taken quite sometime before coming to this House because I wanted to ensure as far as possible that any provisions of the legislation which might affect the fundamental rights and freedoms of the citizens of Barbados did not, in fact, affect the fundamental rights and freedoms. We have tried to produce a Bill which is not inconsistent with the provisions of the Constitution. The Honourable Member for *St.* Thomas made the point ^ there will be litigation arising out of this Bill. Well, that is~ inevitable. I am not concerned unduly about that and perhaps would welcome pronouncements on the Bill from time to time.

So that with those few comments, Mr. Speaker, I urge that this Bill be now read a second time.

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

On the motion of Hon. M. A. KING, seconded by Hon.^ C. V. WALKER, Mr. SPEAKER left the Chair and the House went into Committee on the Bill, Mr. L. L. BRATHWAITE in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Hon. M. A. KING: Mr. Chairman, I beg to move that this Bill be taken in parts.

Hon. C. V. WALKER: I beg to second that

The question that this Bill be taken in parts was put and resolved in the affirmative without division.

Parts 1 and 2 were called and passed.

Part 3 was called.

Hon. M. A. KING: Mr. Chairman, in moving that Part 3 stand part, I just wish to make one comment which was raised by the Honourable Member for St. Thomas. He made the point that the provisions facilitating investigations in relations to the powers of search and seizure and the issue of warrants—that those powers he would like to see incorporated in the general law. I have no great difficulty with that except that it would not be convenient to deal with it in this Bill which is a specific Bill and that matter should ---^ be addressed at some later stage.

I move that Part 3 stand part.

Hon. H. A. BLACKMAN: I beg to second that.

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

Parts 4 and 5 were called and passed.

The Schedule was called.

Hon. M. A. KING: Mr. Chairman, if I could just have your indulgence for one moment. Why I hesitated in moving that the Schedule be the Schedule to the Bill is that what the list of offences in the Schedule does is to contain those offences which would trigger the forfeiture, confiscation, and tracing and seizure procedures under this Act The view expressed was that the list of offences to which these provisions should apply should be limited to drug trafficking offences and related offences.

Now Items 1,2, and 3 of the Schedule clearly relate to drug trafficking offences. Now money laundering contrary to Section 61 of the Act and possession of property derived from unlawful activity contrary to Section 62 of the Act as it stands would tend to go outside of drug offences. So that in order to confine 4 and 5 of the Schedule to drug offences . that has to read: "Money laundering in relation to Paragraphs 1, 2, and 3 of the Schedule contrary to Section 61 of this Act and possession of property derived from unlawful activity in relation to Paragraphs 1,2, and 3 of the Schedule contrary to Section 62 of the Act." 6.35 p.m.

With those amendments, I move that the Schedule be the Schedule to the Bill.

Hon. P. M. GREAVES: I beg to second that.

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

On the motion of Hon. P. M. GREAVES, seconded by Hon. H. A. BLACKMAN, Mr. CHAIRMAN reported the passing of one Bill, as amended, in Committee, and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. Hon. M. A. KING, seconded by Hon. P. M. GREAVES, the Bill was read a third time and passed.

ORDER NO. 5 - RESOLUTION TO APPROVE THE GUARANTEE BY GOVERNMENT OF 1.2 MILLION ECUs TO FINANCE THE EXPANSION OF STUDENT HOUSING FACILITIES AT THE CAVE HILL CAMPUS OF THE UNIVERSITY OF THE WEST INDIES

Rt. Hon. L. E. SANDIFORD: All of this is for real, Mr. Speaker. I am here in person. This is not a sepulchral voice.

Mr. Speaker, the last CARICOM Heads of Governments Conference was held in Grenada from July 3 ..to 7, 1989 and I attended that conference. One of the matters discussed and agreed upon at that conference was that student housing facilities at the three campuses of the University of the West Indies, as well as at the College of Arts, Science and Technology (CAST) in Jamaica, and the Cultural Training Centre should be expanded at a total cost of 16 million European Currency Units during the first phase.

That project for regional tertiary level student accommodation and related facilities in Barbados, Trinidad and Tobago and Jamaica has been approved for funding under the Lome 3 Caribbean Regional Programme. The total cost of the project is estimated at 21.8 million European Currency Units.

The Governments of the territories concerned - that is, Barbados, Trinidad and Tobago and Jamaica - have agreed to guarantee that portion of the loan attributable to the expansion of housing facilities in their respective territories. That is, Barbados would give a guarantee in respect of the funds being used for the expansion of the student accommodation facilities at the Cave Hill Campus, Trinidad and Tobago would do the same and the Government of Jamaica would do the same.

The purpose of this Resolution, therefore, is to seek the approval of Parliament for this guarantee by the Government of that portion of the loan of 6 million ECUs from the European Development Fund to be used to finance the expansion of the student housing facilities at the Cave Hill Campus of the University of the West Indies.

I do not think, Sir, that there would be any difference of view on this particular matter. The University is an important regional institution and as part of our human resource development, which is very crucial for our economic, social and cultural development, it is necessary that appropriate facilities be provided and increased whenever necessary in the interest of the development of the several countries of our region and of the territories in which those facilities are placed.

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

Hon. C. V. WALKER: I beg to second that, Sir, and reserve my right to speak.

Mr. O. S. ARTHUR: Mr. Speaker, I will be supporting the Resolution, but there are two broad issues that I would wish to advert to. The first concerns Government's general relationship with the European Development Fund.

If you were to read the Memorandum to successive Estimates of Expenditure that have been presented to the House, certainly since 1987-88, you will recognise that the Government of Barbados is no longer including the European Development Fund in the Memorandum attaching itself to the Estimates of Expenditure as a source of

financing for this country's Capital development. The European Development Fund has in the past served as an important concessional source of financing for Barbados' development It has served as a source of financing particularly for developments in the area of fisheries and agriculture in general, and apart from the carry over of certain funds for the national fruit orchard I am not aware that Barbados is utilising the financial resources provided under Lome Agreements through the EDF.

More particularly, Mr. Speaker, I am not aware that Government has yet earmarked nor found a use for the monies that were voted for the Speightstown Fishing Complex. If my memory serves me correctly, that project was to attract almost $3 million in both grant financing and loan financing of a very soft character from the EDF.

I am saying that Barbados is now in a position where increasingly we have had to borrow expensive money on the international capital market, and every situation where a source of soft financing is available I feel that we have a responsibility to make the fullest use of such concessional financing. 6.45 p.m.

I would therefore have to direct a few issues to the Minister of Finance. What has become of our relationship as a country with the European Development Fund? What is the balance of. funds that have not been allocated under the existing provisions from the European Development Fund? In particular, has the Government identified an alternative use for the grant financing and the soft loan financing that was provided for the Speightstown Fishing Complex, and is it Government's intention in the future, Sir, to deepen the relationship that existed previously between this country and the European Development Fund, having regard to the widening of the economic possibilities that could present themselves after 1992?

I would be grateful, Sir, if the Minister in responding could dilate a bit on where we are going in relation to thau relationship which in my judgment, Sir, has been beneficial to Barbados particularly in the area of agriculture where the Europeans do have an expertise and an interest and where Barbados has a very pressing and a very crying need.

Secondly, Sir, on the question of the University of the West Indies, I am pleased to see that additional funds are being earmarked by the region for the development of the social infrastructure of the University of the West Indies. I believe it is one of the great tragedies in the Caribbean region that the role of the University of the West Indies has in the course of the last 15 to 20 years - certainly in the last 20 years - been diminished, and, as I have said recently, that our University is no longer attracting the cream of the Caribbean except in a selected range of disciplines. I feel that the Caribbean people have a responsibility to reverse that trend.

I was fortunate in the early 1970s to have been part of that situation where the University of the West Indies was the meeting place for some of the best minds in the Caribbean. We must recognise that a lot of our best minds are now going to North America predominantly and that our University might even now be under-developing, and it is under-developing not only because it is not getting the best intellectual raw material to work with, but because, MnJ^ Speaker, - and I speak as a person who makes my living now as a lecturer at the University of the West Indies - the intellectual infrastructure, if I may put it that way, available for teaching at the University of the West Indies and the facilities available for developing the talents of persons who pass through that institution are woefully deficient. In my assessment as a person who has had and continues to have a relationship with that institution, the University of the West Indies need a first class library and it needs a first class bookstore. The Cave Hill campus, Sir, has neither.

I teach a course in Caribbean Economics and it is one of the most painful things to have to refer students in the Caribbean to references on the Caribbean economy which are not available in the Caribbean, and I really cannot understand how or why a Caribbean institution should not be a repository of knowledge and basic research material that could excite undergraduates, persons who have to teach undergraduates and persons who see the University of the West Indies as a place where they can do postgraduate work, and much as I welcome, therefore, the initiative that has been taken by the regional governments to improve the housing and hence the social infrastructure of the University of the West Indies, I really believe that I have a responsibility to bring to the Government's attention that there is a tremendous need at the University of the West Indies to make that institution a place where scholarship on Caribbean issues can be in the vanguard of the considerations of the institution; and for such scholarship to be in the vanguard, we have to be serious about the-^ resources that we make available in the form of a library"~ which is woeful, Sir, and in the form of a bookstore. The University of the West Indies, Sir, needs a proper bookstore not only for the purposes of students, but for the purposes of those among us in the wider society who have an interest in reading, and it is a tragedy particularly in relation to areas as I said earlier where one would expect that the University of the West Indies should be in the lead. I feel that as we think of the future, Sir, and how that institution should be developed, that at least we should guarantee one thing, if only one thing - that the University of the West '-' Indies should be a repository of all relevant documentation on the Caribbean society, the Caribbean culture, the Caribbean natural environment, the Caribbean economy, that a Caribbean person must look to the University of the West Indies, in my humble opinion as the repository of knowledge on the Caribbean. It is a sad thing that the ,,,. institutions in the rest of the world, which owe nothing to — the Caribbean people, where one can get a fuller exposure^ to Caribbean material than our own University.... if we

could treat that and that alone as the urgent priority to be worked on in the immediate future, then I am suggesting to the House that the undergraduates of the University of the West Indies would find their work and their stay at that institution far more rewarding; that lecturers at the University of the West Indies would find it far more congenial to develop the intellectual interest of their students; and that the University can again become a place where research on Caribbean issues is seriously advanced. It is sad that there are only three areas in which really frontier type research has been undertaken by the University of the West Indies since the late 1960s and the early 1970s.

In the social sciences in particular, Sir, there is a need, in my humble assessment, for a break through, if I may use the concepts introduced into our parlance, our vernacular by the Minister of Trade and Industry. The Caribbean, in my ' view, has lived with the same development strategy for the last twenty-five years, and there is a need for us in the Caribbean to even re-think our development strategy, and the University of the West Indies, Sir, must be pressed into service in helping us to re-think that development strategy, but we have to provide the resources to assist in that respect.

I therefore welcome this Resolution in that spirit. I am conscious, Sir, that the University of the West Indies itself is now trying to identify and find a wider pool of resources to undertake many of the things that have been left dormant or have languished for the last decade, but we cannot allow any further deterioration in the status of the University of the West Indies, because I still believe, Sir, that it is strategic as an institution in furthering the development options available to the Caribbean persons, and that we will be as a people the poorer, the poorer we make our University. I am obliged to you, Sir.

Mr. D. J. H. THOMPSON: Mr. Speaker, I want to support this Resolution as well. I should also like to say that on this occasion I am happy that the Barbados Labour Party has found it convenient to support some kind of contribution to the University of the West Indies, because you would recall, Sir, that on the last occasion when this Government sought to render assistance to that very important institution, we were told by the Barbados Labour Party that charity begins at home and that we should not be lending any assistance at that time to the University of the West Indies; so I am glad that today we have reached the stage where members of the Barbados Labour Party are able to look dispassionately on the contribution of the University and not only support this particular effort at re-development of the University in a particular area, but also to offer some commendation to the Government for its valiant support of the University over time.

'-- I was a student, Sir, at the University in the days of what was called restructuring. The Honourable Leader of the Minority Opposition is seeking to talk about the Barbados Labour Party. The Honourable Prime Minister can tell you that I invited him and the then Minister of Education to the University of the West Indies. He outlined his position as would any person who had attended the University. 6.55 p.m.

The University of the West Indies has produced 35 000 graduates to date, as I understand it. That is not a small number of persons. His position, like mine, is that as graduates of the University of the West Indies we believe that it is an institution that should continue to play an important role in development and that we would not countenance any attempts to disrupt the orderly progress of the University of the West Indies by means of outside political pressure.

The restructuring exercise at that time was embarked upon by the Barbados Labour Party. In fact, the strongest advocates of restructuring the University of the West Indies at the time were the then Minister of Education, Miss Miller, who sought with a vengeance almost to disrupt what had been a progressive regional institution and, perhaps, one of the only institutions that had, at least, tried in a positive way, and to some extent succeeded, in establishing and developing a Caribbean identity within this region.

Now, the question of accommodation at the University of the West Indies has been a longstanding sour point. And with land values escalating in Barbados it has become particularly difficult for students attending University to find accommodation at reasonable rates within the vicinity of the University. And I think in addition to that there has been a particularly difficult problem with security. A number of students have had the misfortune of being molested in the precincts of the University and, hopefully, the additional accommodation that will be provided as a result of this grant will ease the situation considerably.

The University, as I understand it, is also embarking upon a summer programme where they hope to bring West Indians living overseas and other persons to the campus during the summer vacation period to be involved in seminars and other kinds of courses and this increase in the accommodation can only be of considerable assistance to the development of the University.

Now, Sir, the University of the West Indies is operating now under considerable pressure from persons who have never had the fortune of understanding or the wisdom of understanding the meaning of free tertiary education in this country. And as was revealed recently in a debate in here, there have been some persons in this country who have called for the abolition of free tertiary education.

I believe, Sir, that that is, perhaps, one of the most backward calls that we have had from any sector of the

Barbadian economy in the past decade and is something that should be denounced and discredited for what it is. It is an attempt not to appreciate as perhaps we should, the contribution of human resource development particularly in the areas of organisation, in the areas of technology management, and in the areas of science where we need to make a considerable break-through.

The Honourable Member for St. Peter uses that word but because we have been, perhaps, not as successful in developing our natural resources and reaping the rewards of the development of those natural resources we now have to look at the question of developing human resources in the Caribbean region, and the University of the West Indies is going to play a critical role in this area and we have to do all that we can not only to support the development programme of the University of the West Indies which development programme, as I understand it, has been refined and has been presented.

But, in addition to that, we have to resist all attempts by persons outside of the University system and those who, perhaps, do not understand the role of the University particularly a Caribbean University from trying to dismantle it either by means of calling for the abolition of free tertiary education or by other kinds of sinister activities.

There was a time, Sir, when it was regularly promulgated in the Press that the University of the West Indies was a hive of leftist thought, and communists, and that all kinds of cloak and dagger activities were taking place up there.

This Government, in one of its early position on the University of the West Indies enunciated by the Right Honourable Errol Barrow, the former representative of St. John, indicated at the Caribbean Heads of Government Conference in Guyana that West Indian students at the University should be exposed to the widest possible ideas from the widest possible cross section of intellectuals, and since then under the thoughtful and prudent management of the present Democratic Labour Party Administration minus a couple of persons, we have continued to lend that support and encouragement to the University in a positive way.

There are some criticisms that may be valid about the University. The Honourable Member for St. Peter is in a better position than I am, but one has to be cautious in criticising regional institutions and you know how it is. I have fallen subject to the strictures of persons who believe that because an institution is a Caribbean institution one should not criticise it, and that it should be allowed to grow and people operating in those institutions should be allowed to do as they like.

My position on it, Sir, is that we have....

Aside.

Mr. D. J. H. THOMPSON: Yes. Do not worry. I have to develop this point but it would take a matter of minutes.

We have to ensure that Caribbean institutions are praised for their progress and their development and that we as a Parliament and as Members of Parliament are entitled^ to criticise those institutions even sharply, strenuously and /* courageously when we think that they are not meeting the needs of the Caribbean community as a whole, but, of course, on the understanding that if we are going to be critical, then we have to provide the resources to carry out the reforms that are necessary.

Now, people may consider that providing assistance by way of increasing student accommodation might be a cosmetic or merely an administrative matter. But it has serious implications for those students from what ont^ would formerly call the LDCs, I do not know what you call them now - what you would call the OECS countries, who have considerable difficulty in finding accommodation that they can afford and in integrating into the University community.

Now, when I was there they were students who lived in houses in various parts of Wanstead and so on. So that community life on campus particularly in the faculties other than the Law Faculty was not as vibrant. Now, where the Law Faculty was different was that most of the students came from all of the islands in the Caribbean including Jamaica and that we were able to develop student life because of that close affinity that we had to one another because most of them were resident either on Sherlock Hall as it is called or within the environs of the University. So that developing student accommodation on the University itself will have a considerable impact in ensuring, in a sense, that it keeps its regional identity and strengthens th«i. Caribbean identity by having persons from all islands" I" together on that institution.

There is just one question that I have to ask and, perhaps, the Prime Minister might not be in a position to answer it; perhaps, he will. There was some talk some time ago about the establishment of sharing the industrial relations. And I am wondering whether there had been any particular progress in this area or whether it is something that we can expect the results of or we can know whar[v] progress has been made.

The second thing is that recently the University carried out a survey of its graduates and I believe those of us who are graduates of the University would be families, with the form that went around. All I want to know Is" whether they have received the information and wheOr this kind of information would be made available to the

public so that we can actually see how the University has been contributing to the development of the Caribbean as a whole.

With those few words, Sir, I wish to give my full support to this Resolution and to hope that the University as a result of this will grow from strength to strength despite ^its detractors and those who fall by the wayside from time to time in giving their support to the institution.

Thank you.

Hon. H. deB. FORDE: Mr. Speaker, Sir, the Honourable Member for St. Peter has put the position of the Labour Party very adequately in this debate and I, perhaps, would not have intervened were it not for some of the misleading statements made by the Honourable Member for St. John.

The one in particular to which I wish to advert is his intemperate statement that the then Honourable Member for the City, the then Minister of Education, Miss Billie Miller attempted to destroy the University in any way by a restructuring programme.

1 think that the historical truth is that restructuring of the University was recommended by a very high-powered committee under Mr. Demas, a gentleman who is more West Indian than many of us in this House, and those proposals were being implemented on all three campuses of the University of the West Indies. I wanted to correct the Honourable Member, Sir. 7.05p.m.

Mr. D. J. H. THOMPSON: On a point of order, Sir. The Honourable Member must not mislead the House. The Honourable Member for St. Peter would be able to inform him the particular arrangement that eventually took place was not as a result of the Demas proposal. In fact, it had nothing to do with them. It was as a result of meetings that took place between the Ministers of Education, not even based on the Demas Report but based in fact on external influences outside of the Caribbean which were hell bent on destroying the region because they felt it was a threat to the existence of the regional character of the institution, because they felt it was a threat to their own existence.

Hon. H. deB. FORDE: The Honourable Member is not only myopic in his actual sight, he is myopic in understanding historical facts and their implication for the future.

I am not going to go down the road spending my time answering his interpretation of events. I believe that objective historians would view the facts and see that the Barbados Labour Party was not only in at the beginning of ^- what has now come to be known as the University of the West Indies back in 1948 but that the Barbados Labour Party has consistently supported the University of the West Indies as one of the regional institutions which could build Caribbean unity.

Sir, I like to listen to some of these latter day saints who are now becoming more West Indian than Marryshow and the fathers of West Indian nationhood. Because those of us who had the courage and the conviction to stand in 1965 as the under forties and argue for a West Indian nation now find ourselves being joined by latter day saints who understand that West Indian nationhood is not only a yearning of the people of the West Indies but is absolutely desirable.

The Barbados Labour Party has never waivered at any stage whatsoever in its strong belief in the West Indian nationhood and in West Indian institutions and have done everything in our power to strengthen the regional movement, Sir.

I want to make a few comments on the use of the funds and to say this, Sir. I do not want to delay the House at this hour by a debate on the University of the West Indies as such. But there are a few comments, however, which I should like to make. One is about the nature of the buildings at the Cave Hill Campus of the University of the West Indies. If there is one thing I regret is that because of our penurious conditions in the Caribbean, we sometimes do not build for generations and for centuries ahead. If there is one thing one can say about the campus buildings it is that almost all of them are architecturally uninteresting. From the point of view of the artists they are not aesthetically satisfying.

I would hope that in constructing buildings, we would think that when we are building - particularly public buildings, such as at the University of the West Indies and elsewhere - we would think of our architectural heritage and the need for us to construct something of which future generations can be proud.

I would hope that this building, Sir, would mirror the best in Caribbean architecture and would look very much to the future.

The second point that I wish to make, Sir, is to follow on from some of the points made by the Honourable Member for St. Peter and to some extent, the Honourable Member for St. John. This is not a negative criticism in any regard of the University of the West Indies.

I am very pleased myself whenever I have the time to research, to use the facilities that are available at the University both here and in Trinidad and in Jamaica and particularly to browse among the number of unpublished works, which are of a very high standard which have been done in the field of research sometimes by students both

undergraduate and postgraduate, as well as by some of the teachers and researchers at the University.

I regret very much however that there is a lack of publications over a wide range of subjects and I think one of the areas to which we should devote our attention is to set up a publishing company or companies to concentrate on bringing Caribbean research to the attention of the public.

The University of Warwick is now setting itself up as the main source from which you can obtain works about several aspects of West Indian life and culture. It is doing this by attracting research scholars there on limited scholarships for a period of time, inviting some of the best brains from the West Indies themselves, running courses that are available on West Indian affairs, on West Indian culture, on West Indian literature, on West Indian art, whatever aspects you like, Sir, and at the same time putting out publications which we are in turn importing into the West Indies for use by our students and by our people.

I believe that the respective Ministers of Education should give early consideration as to how there could be a major publishing press, either run by the University itself or the publication of works on West Indian matters. I think in particular of my own University, the University of Cambridge where the University printing press has made a tremendous impact on knowledge in the world and in particular in some areas that are not often taken up by commercial publishers.

The other comment I should like to make about the University is that I believe the University has so established its *bona fides* and its capabilities that we can now probably look to attracting to the University many more people, students from outside of the Caribbean. I think the strength of the university would be shown in a strong manner when scholars from beyond the region are attracted to the University, not only to teach but also as part of the student body of the University. Sometimes I myself wonder why> we do not see the University or push the University along these lines as well.

Perhaps the third point I wish to make, Sir, in very limited manner is one of regret as well. I regret sometimes that West Indian scholars are not in the forefront of pointing the way for those of us in politics along the road to West Indian integration. If you look at the publications on an academic level which precede each step towards a closer Europe, you are amazed at how much there is by way of knowledge, analysis and political thought, creative though to guide the politician along the road.

I think for instance of back in the fifties before the European Coal and Steel Community and other institutions establishing the greater Europe came on the scene how much literature there was available to Monet and the other planners of European integration. 7.15 p.m.

Sometime one has great difficulty in finding relevant material coming out of our scholars to guide us who are formulating policy for the integration movement. I wouldL hope that the researchers at the university would bear this[v] point in mind and see part of their role as pointing us along - the paths to which we should go with the analysis that is necessary for us if we are to take steps towards West Indian integration, Sir.

The Honourable Member for St. Peter has asked questions relating to the use of the funds available to us under the various LOME agreements. This information was lacking from the last Estimates. I should hope that the information is provided. It is a ready source of funds. Th^ funds that we are using here obviously are part of those ~ being disbursed on the regional level. I would like as well to know how we are disbursing what comes to us by way of the bilateral arrangement between ourselves and the European Economic Community.

Hon. C. V. WALKER: Mr. Speaker, just to answer a few of the questions concerning LOME 1 asked by the Honourable Member for St. John which have to do with->, industrial relations. -I would just like to give him the' assurance that negotiations are continuing and indeed the Minister of Trade I know also is involved. The second one is the survey. The survey is being carried out in the U.K., U.S. and Canada among all university graduates. Regarding the other question raised by the Honourable Member for Christ Church West in terms of communication and linking with others, I think we will see an advancement with the utilization of the technological era now with UWIDITE and distance learning whereby we will have more access indeed. I know that you are interested in the person being'J^ resident but we can even have that without being on - campus.

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, if I may just reply briefly to some of the points raised during this debate. It is perhaps regrettable that at an earlier hour we did not enter into the debate on this particular issue. I say that because it is not only matters that divide us which should lead to a discussion or debate on an issue, but also those in which we have some agreement but which caps perhaps point the way for future planning or which may be "~ heard in other areas outside of this particular Chamber itself. Sometimes we forget that one of the main purposes of Parliament itself is to educate. We are not only educated by what goes on in the wider society but we also seek to educate and point the way in which society itself may go or may be influenced to go. ~

As far as the University of the West Indies may^oe concerned, this funding from the European sources is only

part of the flow of funds that come to the Barbados Government, and I can think off-hand although I cannot give a detailed listing at this time of the funds from the European Development Fund itself or the European Investment Bank or related agencies. I will promise the Honourable Member that I will get that information out for him. But I can think off-hand that last year funds from European sources were made available to the Barbados Development Bank as part of its restructuring programme and in this House itself I had said that there was a 4-point plan for restructuring that particular bank which included a flow of funds from European sources. That is just one I can recall off-hand. But as you know there tends to be a long gestation period in terms of the development of projects and then the actual flow of funds. Another one has just come to my mind, Sir. I believe there is either ongoing or about to start shortly a study of the transportation system and funding from the European Development Fund is to be made available for that particular study.

The fact is that we are seeking to draw on all sources of funding which may be available to us. I will get the details for the Honourable Member and make a comment. Of course, the main thrust of his particular intervention related by some strange quirk to St. Peter. I am not sure if it should be strange. I think that was the whole thrust of his intervention and I would like to let him know that that particular project for the development of facilities in St. Peter we have had to reschedule. Let me put it that way. That particular project. And that will take its place among the development programme of the Government.

As far as the University of the West Indies *per se* is concerned, I do not wish to add to anything that has been said on either side of the House. I would not have to say that I am not only a committed regionalist but someone committed to the University of the West Indies. But there are many graduates of the University of the West Indies who have been trained not only in the University of the West Indies but have then sought post graduate training outside of the Caribbean and then returned to serve the Caribbean nation in various capacities. I think that sometimes when we talk about the University of the West Indies and what it needs, we sometimes tend to forget that that is part of a Third World scene in which scarcity of resources determine to a large extent what facilities may be available. Very often we are trying to make ends meet and we are not as well endowed as universities in First World countries and that has been an inhibiting factor. Again, Sir, I think the university has been inhibited in its development through a very divisive and time wasting period in which the whole issue of restructuring and the nature, role, and character of the university were all up for debate over a protracted period. Sometimes during that particular debate, Sir, I became a little concerned as to what kind of institution some of the thinkers and practitioners were seeking to direct the University of the West Indies. I believe if left to their own devices they might have been doing "0" Level work at the University of the West Indies rather than concentrating on graduate and post graduate work which will challenge not only the students but also the lecturers and professors to get into the area of research and that their own teaching could emerge out of their research activities for the greater stimulation of both.

Sir, I think that there can be no quarrel that the university could need or should need additional materials, a better library, more facilities, more audio visual materials and so on. All of that is a given and I certainly hope that in due course as resources become more available those thrusts could be realized. Even now, Sir, I believe that there is an appeal on now in the Caribbean, North America, Europe, and elsewhere for funding for the university arising out of (I believe it is) the 40lh Anniversary Appeal of the University. I would urge those Members who are well endowed and who may hold special chairs and special tenure at the university that they can make their own contribution in those particular regards, Sir.

I think, Sir, that I have taken note of the contributions that have been made and I think those are my replies to the issues raised during the debate.

Thank you.
7.25 p.m.

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

ADJOURNMENT

Hon. B. M. TAITT: Mr. Speaker, we have come to the end of Government Business and I believe that there is nothing on the other side that is ready for any other business, so I suggest that we adjourn the House.

I beg to move that this House do now adjourn until 29th May, 1990 at 12 o'clock noon.

Hon. H A. BLACKMAN: I beg to second that.

The question was put and resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly. 7.30p.m.

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