THE

House of Assembly Debates

(OFFICIAL REPORT)

PARLIAMENT LIBRARY BARBADOS

FIRST SESSION 1994 – 99

HOUSE OF ASSEMBLY

Tuesday, August 20,1996

Pursuant to the adjournment, the House of Assembly met at 10.20 a.m. o'clock on Tuesday, August 20, 1996.

PRESENT

His Honour R. D. MARSHALL, (Deputy Speaker)
Mr. H. deB. FORDE, Q.C., M.A., LL.B.
Rt. Hon. O. S. ARTHUR, M.Sc. (Econ.), (Prime Minister, Minister of Finance and Economic Affairs and Minister of the Civil Service)
Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs)
Mr. L.R. TULL, Q.C., M.A.
Dr. R. L. CHELTENHAM, Q.C., M.A., M.Sc. (Econ.)
Mr. J. O. TUDOR, J.P.
Hon. G. W. PAYNE (Minister of Public Works, Transport and Housing)
Hon. R. C. EASTMOND, J.P., B.A. (Hons.), Dip. Ed., LL.B. (Hons.), L.E.C. (Minister of Agriculture and Rural Development)
Dr. R. C. HAYNES, M.B., Ch.B., F.R.C.P. (Edin.)
Mr. D. CARTER
Hon. R. N. GREENIDGE, B.A., LL.B. (Minister of Labour, Community Development and Sports)
Mr. G. A. CLARKE (Parliamentary Secretary, Ministry of Public Works, Transport and Housing)
Mr. J. M. EDGHILL
Mr. F. J. STUART, B.A., LL.M.
Mr. W. C. C. CALLENDER, J.P., B.A., Dip. Ed., B.Sc. (Chairman of Committees)
Hon. R. St. C. TOPPIN, LL.B. (Minister of Slate in the Ministry of Foreign Affairs, Tourism and International Transporl)
Mr. D. St. E. KELLMAN
Hon. Miss H. E. THOMPSON, LL.B. (Minister of Health and the Environment)
Hon. Miss M. A. MOTTLEY, LL.B. (Minister of Education, Youth Affairs and Culture)

Prayers were led by His Honour the Mr. DEPUTY SPEAKER.

Mr. DEPUTY SPEAKER: The House is now in session.

MINUTES

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, I beg to move that the Minutes of the proceedings of the Honourable the House of Assembly for its meeting of Friday, August 16, 1996 which have not been circulated be deferred.

Hon. R. C. EASTMOND: I beg to second that.

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

PAPERS

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, I ask that this item be deferred.

NOTICES

Hon. D. A. C. SIMMONS: Similarly, I beg that Government Notices be deferred.

OBITUARY SPEECHES

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, recently we lost a former Member of this Honourable House who had rendered yeoman service to his country,

Mr. Arlington DaCosta Edwards, better known as Joy. It was with sadness that I learnt of his death and with equal grief that I attended his funeral.

I got to know Mr. Edwards around 1959, just before I left school and he was at that time a young man of considerable popularity in Barbados. I was abroad for 10 years during which time I met him twice in England on official business. I say on official business because in the general elections of 1961 Mr. Edwards won a seat in this Honourable House, as representative for St. Andrew and was the youngest Minister ever elected to this Parliament. That was not the circumstance that should have caused any surprise because Mr. Edwards was a man with many facets to his life. At about the time he won a seat in 1961 he was the principal of a private secondary school called the Federal High School, having served his apprenticeship as a schoolmaster with the late Louis Lynch at the Modem High School.

Mr. Edwards, in those days, was one who was willing to assist young Barbadian scholars in the teaching profession. Some had taught with Louis Lynch and others taught with Mr. Edwards but he brought to bear on his management of his school a sense of humanity that allowed him to offer genuine free secondary education to students who could not afford to pay for education in that private institution. It was a very laudable effort.

Mr. Edwards, as I said, Sir, was a very popular man. I remember seeing him driving up Broad Street. He drove a flashy car and after the fashion of Sir Garfield Sobers, the then Gary Sobers, he used to have his collars up and he wore dark glasses and was much attracted to feminine pulchritude. When I came back to Barbados I got to know Mr. Edwards a lot better but, particularly, in the middle 70s and after the Government changed in 1976, Mr. Edwards of course had lost his seat in St. Andrew in 1976 but he had served continuously from 1961 for 15 years to 1976. After the Government changed, he fell upon hard times and I became close to him in very difficult circumstances which could have been tragic for him financially because I have met few people with as many ideas as Joy Edwards. He was always gushing forth ideas about all kinds of things.

So prior to the hard times upon which he fell his ideas had led him to the First National City Bank of Barbados and that bank was very generous in disbursing funds for a number of the projects Mr. Edwards put to them, using the medium of a variety of companies. Mr. Edwards was a builder of chattel houses for people who needed homes. He had some apartments near the residence of the Honourable Member for St. Michael West. He ventured into agriculture. In the period 1966-76 it is recorded in the annals of this Honourable Chamber that Mr. Edwards was the best Minister of Agriculture that this country had.

He did much for agriculture and I suppose his interest having come from a rural agricultural community, born in Dark Hole, St. Joseph, he must have had a love for agriculture and so I believe he got into the business of buying plantations and ultimately I think that desire to be part of the landed gentry led to great financial problems for him.

I said that I met him in days of great financial difficulty. The First National City Bank sued him and several of his companies for a few million dollars and no one would take the representation of his cases, no one, particularly within his own Party, the Democratic Labour Party. I remember one Friday evening about 3 o'clock he called me at my Chambers in Lucas Street and said that he and his brother Happy would like to come and see me, that they had a pile of writs for hearing the following Monday. In those days, we used to have the right to file affidavits of defence on a Saturday morning prior to the special court on a Monday up to 11 o'clock. I asked my secretary to stay on and we did a number of affidavits of defence and had them filed.

He had no funds but I thought that he had legal defences and I ran them. Ultimately we won everyone of those cases - Inland Investments, Agricultural Developments. I cannot remember all the names of the compani s. We became very close as a result of my representation of Mr. Edwards.
10.30 a.m.

Later on Barclays Bank sought to sue Federal High School, and again I represented him, Sir, in a case, which is in the reports on the ***ultra vires*** principle in Company Law, and we won that case. I think since we had won so many, nobody else bothered to come thereafter.

I found Mr. Edwards a man of very generous spirit. Even though he was not as well off, after the change of Government, as he had been before, at every festival I could look forward to a leg of pork and a leg of lamb. That is the relation we had. No fees. I have never been that interested in fees, rather the pursuit of law and justice. So, we had this relationship, Sir. I would visit Norwood from time to time and he would visit me at Neils, after I moved to Neils. As I said, I was pleased to be able to help him.

He gradually revived his fortunes and he reduced his operations. He moved to Norwood, Sir, and he continued his agricultural development in every area. Mainly he changed his focus to quarrying, and the quarry at Norwood kept him going for many years until his illness, which happened in the 1980s. The first aneurism was in the 1980s.

I always think that Joy Edward's life in politics classic example of the vicissitudes of political life, ,

the ingratitude that attends political life. When Joy Edwards was a staunch Member of the Democratic Labour Party, before they tried to expel him, anytime there was a function they would send to him for the pigs, sheep and the beet', but once he fell upon hard times he was abandoned.

Asides.

Hon. D. A. C SIMMONS: By many, but he had staunch friends who stayed with him, like the Honourable Member for St. Michael West.

It was with great sadness that one witnessed the rejection, the withering of the man, within his own political organisation, to the point where in the by-election in St. Thomas in May 1985, Mr. Edwards openly campaigned with me and supported me, and contributed, in no small measure, to my winning the seat, particularly in the area of Bagatelle. There was a great flood on October 1, 1970, people in St. Andrew were greatly discommoded, and Mr. Edwards moved them out from St. Andrew into Bagatelle. He was able, because of that act of political kindness and generosity, to be able to get those long-standing friends and supporters of his to help me out, Sir.

Asides.

Hon. D. A. C. SIMMONS: There were other factors we would not discuss now, Sir. I will be eternally grateful to him, and in due course when I write, Sir, I will give Mr. Errol Barrow his due.

Asides.

Hon. D. A. C. SIMMONS: Sir, Mr. Edwards had, and the Honourable Member for St. Michael West would know this even better than I could express it, Sir, he had a fierce independence of intellect, and he was prepared to make his point and stand on what he conceived to be the principle of the point. I well remember, Sir, his telling me that he and Errol Barrow had a clash one day that led to the gradual souring of their relationship, and over a very trivial thing. Perhaps it tells us about the attitude of politicians of those day; to each other. I am going to mention it, in the hope that we politicians of the 1990s and the year 2000, will have learnt from that experience and develop different attitudes to each other.

Now, Joy Edwards, like me, had a great interest and love for horses and horse racing. Joy was a horse breeder and he raced a number of animals which won – Mad Oliver, Brush Master, Frelaris, Sky Line, Whistler's Line. One day, when he was living at Sandford, Freddie Miller, the father of the Deputy Prime Minister, himself an outstanding breeder, who used as his foundation marles, spear grass and white oats, who raced a horse called Sir Grantley, which refused to start. It was ridden by a jockey called Walter Husbands, and the Speaker of the House at that time was Husbands and it was clear that Sir Grantley did not like Husbands on his back, and he refused to start. That was, perhaps, the only bad horse that Freddie Miller bred because horses like Idle Gower and Indian Brass, which won the Trumpeter Cup, Freddie Miller bred.

Freddie was going along the road by Sterling, which has featured so prominently in the last few days, to Sandford. He met Joy. There was a pre-arranged meeting, because Freddie did not know how to get to Sandford, and Errol Barrow was passing and saw them speaking, and quarrel very badly with Joy Edwards for speaking with Freddie Miller, who was a member of the Opposition.

Joy told me what he said, and in words that roughly asked Mr. Barrow to go away and to allow him to have his own friends. That kind of political enmity, I hope is a thing of the past. We will quarrel with each other, we will attack each other in here, but I still believe that we are able to speak civilly out of here on appropriate occasions, to each other.

Sir, Joy Edwards gave outstanding service to his constituents of St. Andrew. He was very attentive to their needs. I said he was a man of many parts. He organised the first Glee Club in St. Andrew. He loved singing, he had his own choir, which joined with Harold Rock. I think that Harold Rock's choir was called the Choir of the Animation of the Sick and Incapacitated.

Asides.

Hon. D. A. C. SIMMONS: They used to go around this country. Even after Joy had his first aneurism, every Christmas Bank Holiday he would still bring the choir to St. Thomas District Hospital, the Gordon Cummins Hospital. We would meet there at 10 o'clock. I would bring some gifts for the patients and so on, and Joy and his choir would render, before they went elsewhere, a programme of Christmas music.
10.40 a.m.

We had a service for Tom Adams after he died and the choir performed at Holy Innocents Church. He loved music, he loved singing and he was prepared to lavish those personal gifts and interests on members of the society generally, so that I am pleased to have known Joy Edwards. He had his downs, Sir, and his management of the National Housing Corporation was the subject of an inquiry but that did not leave him bitter.

After the inquiry he was still a good friend of many of us in the Labour Party and strange enough a good friend, even a boon friend and companion of the late Tom Adams. They loved card games and played many together at what was then the Union Club just down above the fishing complex. The story is told, Sir, that one night

they were playing, the Labour Party was having a meeting around Carlisle Car Park area and Tom Adams, about 10.00 o'clock said to Joy Edwards, "Joy they want me to speak at a quarter past ten so I am going to walk up there and put some blows in you. I will tell a couple of lies on you too." That is supposed to be a true story, Sir.

As I said, Sir, despite his periods of depressed economic fortune he was still the happy, gushing, friendly person. I learnt a lot from him about campaigning, Sir, particularly in 1985 in the by-election. I therefore will ever be grateful to him for the contribution which he rendered to me and my Party in 1985 and before and after.

Sir, I remember him today with fondness. I remember his concern for humanity. His jockey was Johnny Belle, the very popular Barbadian Jockey and after Johnny retired, Joy had him and William Hutson, otherwise known as "Lanky" who was then Blanchette's head groom to run the farm for him at Norwoods. They did very well. Joy never forgot his friends even though he might not have had the pennies at that time that he may have had in the sixties and early seventies. He would always ask them to come and drop in and he would give you the best that he had at Norwoods.

It was therefore very sad and unfortunate that he suffered a series of aneurisms which rendered him immobile and speechless and I personally found it very hard to visit him in the Cave's Nursing Home in his last days. It would have upset me too much, Sir, because he could not respond even though he could perhaps recognise me. I used to send my best wishes by his friend Charles Lunn, Sir, who kept in regular contact. But it was really sad to see the man that one knew - really, they used to say in those days of the fifties, as a hot boy - the hot boy of the fifties, reduced in the eighties.

His contribution is here and I am sure that historians, in due course, will give him his due. For now, Sir, I am content to say that it was a pleasure having known Joy Edwards. In many ways he enriched my life, Sir, and I am grateful to have known him.

Obliged to you, Sir.

Mr. B. M. TAITT: Mr. Deputy Speaker, Sir, in rising to participate in the tribute to this very distinguished Barbadian I feel a sense of sadness and yet one of elation because when word came that Joy Edwards had died word also came to me that as Honourable Members are aware and as events would turn out, word also came to me from his wife that he mandated me to be his eulogist I believe that Joy Edwards mandated me to be his eulogist because he knew that I would speak of him with love, that I would speak of him with truth and that in fact he would be satisfied with almost anything I would say about him.

Mr. Deputy Speaker, except for the need to ensure that the records of this House bear testimony to his having been a distinguished Member here, I should not wish to repeat the eulogy for want of time.

Mr. Deputy Speaker, Joy Edwards blazed a trail in parliamentary activity in Barbados that as I have said it seems unlikely to be bettered any time soon with regard to the record which he set. He came into this House in 1961. At that time, and still as I speak, the youngest person to become a Member and Minister in the Government of Barbados. At the tender age of 28 he not only won his seat on the first offer but he became a Minister, the Minister of Health and Social Services, and he became the youngest ever Minister in the Government of Barbados and given the circumstances which one foresees down the road it is likely that that record is going to remain for some considerable time.

Mr. Deputy Speaker, I also think it is important that Honourable Members in this House recognise that when you come in as a junior, sooner or later the time comes when you move up to the end of the line and then there comes a time when you move out and as much as many people do not like to consider their own mortality it is instructive that of the 24 Members who came into the House in 1961 with Joy Edwards there are only two who are left in the flesh and those would be Mr. John Yearwood and Sir Frank Walcott. All of the others, with the passing of the late Joy Edwards, have joined that great parliament somewhere beyond this one where they have to answer to whomever one answers to.

Mr. Deputy Speaker, the Honourable Member for St. Thomas has spoken of Mr. Edwards with candour and with knowledge. I met him about 48 years ago, nearly 50. In those days my mother who was relatively poor would send her children' to Chimborazo the day after we got vacation and it had happened with all of the children except her girl child. For some reason girl children did not have the luxury of being sent on holiday. So I spent every summer of my life, every long holiday and many short ones in Chimborazo, St. Joseph and it is in Chimborazo, St. Joseph that I met Joy and his brother at a very early age. They were special people in St. Joseph in terms of boyhood and how people functioned. They ruled the roost in St. Joseph along with the two Smith brothers, one who was an undertaker, Jonathan, and the other one was a parliamentary aspirant from St. Joseph, the sons of another great man the late Lloyd Smith. Indeed, very early in his life, Joy Edwards had determined that he would emulate the late Lloyd Smith and anyone who was familiar with both of the two gentlemen would recognize a certain directness which they both had and a pristine honesty of ideas and intellectual discourse which was refreshing. There is no one who has known Joy Edwards who could fail to be impressed by the simplicity with which he expressed himself and the clarity no doubt borne out of having

been a school teacher from the age of 15 until his demise, because he never from what one heard and observed, never ceased to be a teacher. He had the patience of a good teacher in that he would listen to all kinds of rubbish from any quarter at anytime and then seek to clarify it in the terms that only he could perceive.
10.50 a.m.

The Honourable Member spoke about his generous spirit but his generosity moved beyond spirit. Indeed, if ever a person impoverished himself by virtue of his generosity or if a person could, certainly Joy Edwards sought to claim a record in that regard. Because again as I have said elsewhere, there is no one who has come to be part of his friendship ambiance who did not benefit in some way whether it was, as the Honourable Member said, by a leg of pork or whether it was a house or whether it was an apartment for 3 weeks or whether it was the school fees being paid at a school other than his own or a number of things which myriads of citizens in Barbados could testify to.

Mr. Deputy Speaker, it would be impossible for anyone to imagine the magnitude of generosity of this man. He was a strange being in that regard but it was not unusual for persons born in his circumstances to behave in that way, because he was born like almost everyone of us in this Honourable House in humble circumstances. His humble circumstances embraced a traditional family – that is the only way one can describe it – that extended throughout the village of St. Helen or as it is better known, the village of Dark Hole. Dark Hole had an Edwards clan, a Bryan clan and a Brathwaite clan and some others and all were part of the traditional family. Joy Edwards and his family were close in spirit, they were close in blood and they were close in ideas and wherever Joy Edwards went and however he prospered he carried his entire family with him.

Mr. Deputy Speaker, we are familiar with these kinds of relationships. He and his brother Happy were more like a twin than many twins I know and they had a sister and their mother and father, and they were all like a single unit. They were literally all for one and one for all. Whenever Joy who was a basic entrepreneur would embark, especially in the early days, on various and sundry exploits, the most famous of which was the opening of his first school the Federal High School, they pooled their entire resources and moved in that direction. Many years later when I met him in 1970 and 1971, I recalled that his sister had started a business in the United States and most of the resources for the beginning of that business had come from Barbados where Joy had continued the tradition of taking his family wherever he went.

The history of his movement as a person I have recorded elsewhere and I do not wish to detain the House unnecessarily. But reference should be made to the peculiar relationship he had with the late Tom Adams. The Honourable Member has told a true story about Tom Adams leaving the card table and going to speak to a political meeting. But a perusal of the records of Parliament will show that in Parliament these two had a continuing repartee going between them which was vicious in terms of the language used and at the end of which almost every day they would compare notes to see who had bloodied whose nose figuratively speaking on the basis of the utterances they made. One famous one, Mr. Deputy Speaker, can be found in Hansard and I am sure that Honourable Members as politicians would forgive me if I refer to it for example. This is a case between the late Sir James Tudor who was then J. C. Tudor and Tom Adams and Joy Edwards. Earlier in the debate Joy Edwards on a point of order got up. They were talking about a man who had been employed at the Development Board and Joy Edwards finished what he was saying, addressing a point of order while Tom Adams was speaking and he said:

> "Now that this has been pointed out, he begins to dance the twist." (meaning Tom Adams).

Tom Adams went on to say some things about him subsequently. Later on now Mr. Tudor said on page 3346:

> "Mr. Speaker, I got the impression that the only conceivable reason for the Honourable Member calling Mr. Tudor's name was because there happens to be somebody with that name who is still a Member of this House."
>
> Mr. ADAMS came in:
>
> "Sir, there are criminals in Barbados called 'Adams'. There is none in prison, but there is at least one in the Democratic Labour Party. I have never found it necessary to get on a platform to say this. Indeed, Sir, I see from the Voter's List that there are three persons named 'Grantley Adams'."
>
> Mr. SPEAKER said:
>
> "And there are three parcels of land at Wildey which is the subject of this Resolution."
>
> Mr. ADAMS:
>
> "None of them owned by the three Grantley Adams, Sir."
>
> Hon. DaCosta EDWARDS:
>
> "On a point of order, Mr. Speaker. Did these three criminals called Adams commit crimes in the United Kingdom?"

Mr. Deputy Speaker, only those of us who are familiar with the relationship between Adams and DaCosta Edwards can fully appreciate this point of order which comes out of left field but it is really in response to something that Tom had said way back in the debate. This is the kind of relationship they had, but I think that it would be fair to say that they were friends.
11.00 a.m.

This House has been replete with friendships which exist between members in opposite political parties, where the friendships have not contaminated the political rivalry and where, in my view, there is a level of civility which exists at the political level, because politics is primarily about ideas and the ideas people have about how the country should be arranged and how the resources of the country should be distributed. It is entirely possible, as Your Honour knows, for two persons who like each other as persons to have entirely opposite views on how those two fundamentals of the arrangements for the country should be determined. Hence Joy Edwards found himself from time to time at variance with everybody on issues relating to how poor people should be treated.

If it can be said that he had a virtue, if he had only one virtue it was that he cared about ordinary people as much as he cared about himself. There is no doubt, and has never been any doubt, in my mind that Joy Edwards cared about ordinary people and his ordinary people did not extend to the cocktail party circuit ordinary people, but rather ordinary, barefoot people, because in his day many ordinary people were in fact among the barefoot crowd.

Mr. Deputy Speaker, the story of how he rose from nothingness to become one of the major entrepreneurs in Barbados has been told and no doubt will be told again. The story of how he fought with his own political party has not been told as often, but when he reached the point where he believed that their attitude to him was iniquitous, he demonstrated his own position, as Your Honour heard, by campaigning vigorously along with Mr. Simmons, as he then was known, because he felt that at a time when he needed assistance Mr. Simmons had come to his assistance and he felt that since he was unable to provide Mr. Simmons with the kind of lucrative fees that were necessary, he needed to provide him with a friendship that was necessary, even as he knew, having been an officer in the party, that it was bound to follow as night the day that if he provided comfort for the enemy he would pay the ultimate price, which is fact he did with the expulsion from the party.

His expulsion from the party as such could never expel him from the hearts of those who had known and loved him. As a matter of fact, Mr. Deputy Speaker, one of the ironies of our relationship – that is, Joy and myself – is that I was the Presiding Officer as the President of the party on the occasion when the issue came before the party, and the only time I can recall seeing the Honourable Member for St. Thomas in the halls of the Democratic Labour Party, in the bosom of the Democratic Labour Party, was when he appeared bringing the defence for Mr. Edwards who determined that he would not turn up at the so-called trial and thereby allowing himself to be expelled by default, as he knew would happen. On the day after the expulsion from the party, the first person on the telephone to speak to me was Joy Edwards, so generous of spirit that he wanted to let me personally know that he understood that I had no choice but to preside as a Presiding Officer and that nothing could stand between us, not even his expulsion from the party which he had served and loved with such distinction. And, Mr. Deputy Speaker, it is true that he had served the Democratic Labour Party. He had served the Democratic Labour Party in every respect and the record must bear, for all time, that during the most difficult parts of the party's existence in the early days, when the party had no money, as is the case with political parties in the wilderness, when the party had no resources other than enthusiasm and the good abilities of its leadership, it was Joy Edwards that provided the financial and other resources for the Democratic Labour Party to carry out its campaign in 1961 and many times thereafter.

Joy Bdwards provided, as happens with other political parties and still happening with my own political party, there is always someone who may be unsung subsequently, who can never be forgotten for having provided the blood, sweat and tears, the mortar, financial and otherwise, which help to make a political party a cogent entity, The Democratic Labour Party, for as long as it exists and even thereafter, will have to be grateful to Joy Edwards for his contribution to the party, and in that respect I will end, Mr. Deputy Speaker, as I began, to say that Barbados will have always to be grateful for the contribution which Joy Edwards made to this country as an educator, as a politician, as Minister of Government, but above all as a human being. The character of the man, the human, superseded all of his other attributes in that his first and foremost consideration, both when he was well and when he was well endowed, was for his fellowman. If the spirit which Joy Edwards demonstrated throughout his life, if the generosity which he showed both in things material and more particularly in things spiritual to his fellowman can be emulated by a small portion of those in public life overly as we move into the 21st century, Barbados will continue to be well served.

I am proud to have had him number me as one of his friends and I know that all of the others who were so numbered are proud. I have had the privilege of knowing his young children and hearing them speak about him and I know that they would wish me, along with the rest of his family, to record their thanks to Honourable Members who have spoken and will speak in this debate and I know they will wish to know that this House has recorded its

thanks to one of its most illustrious sons for a job well done at a period when what Barbados needed was in fact patriots willing to give their lives, and in many ways that is what Joy Edwards did for his country.

I am grateful to Your Honour.

Hon. R. C. EASTMOND: Mr. Deputy Speaker, Arlington DaCosta Edwards who served in this Honourable House between the years 1961 and 1976 was in his last 15 years a constituent of mine, living at Norwoods, St. James, and in his last years still kept loyal to what he perceived to be one of his callings, that of encouraging and developing agriculture.

I remember Arlington DaCosta Edwards as being a strong man in the constituency of St. Andrew. So strong indeed was he that when the constituency boundaries were realigned and readjusted in 1971, the Government at the time thought that he was so strong in parochial St. Andrew that the Government put Orange Hill, a Barbados Labour Party bastion, into St. Andrew to relieve whoever was to run for the Democratic Labour Party in St. James, at the same time being aware of the risk it was taking in taking a HLP stronghold and putting it into Joy Edwards' St. Andrew. Edwards was able to win in 1971 by in excess of 600 votes, notwithstanding that Orange Hill voted against him massively. Such, Mr. Deputy Speaker, suggests that hen: was a politician with an enormous amount of grass-root appeal. He made Belleplaine into his most treasured stomping ground and to this day St. Andrew people will tell you that when they went to him with various needs, not only did he always offer a listening ear but there were times when they required personal attention and personal favours and Joy was always there for them in times when giv ng was in the form of tremendous personal sacrifice.
11.10 a.m.

He developed a reputation in politics as being a heavy spender simply because to alleviate the suffering that he saw among his people he pulled his pocket and supported his constituents. In fact, in 1976 when elections came and some of his adversaries were suggesting to his voters in St. Andrew that he could have been crooked, Joy Edwards made boast to say publicly on a platform – "If I tief, I tief fuh wunna." He said so. His adversaries were saying that this man is a thief and Joy said that "if I tief. I tief for St. Andrew people." Such was the man.

I recall, too, Mr. Deputy Speaker, that Mr. Edwards worked with Mr. Rock, who was organist at St. Leonard's Church for a long time, with a choir called the Choir for the Animation of the Sick and Incapacitated. This choir drew membership from countryside Barbados including parts of St. James. For years this choir was able to go around Barbados at Christmas time offering comfort to less fortunate people.

In the days of what are now district hospitals, which people used to call almshouses, that choir would go to these district hospitals, Mr. Deputy Speaker, and sing Christmas carols bringing with it gifts and I remember this because I think that we in Barbados have lost the opportunity to spread Christmas cheer in that same form. We used to have in Barbados a tradition whereby people called the scrubbers who would come around at Christmas singing and all they really wanted was some appreciation. They never really wanted cash as such. Out of the scrubbers we had had in Barbados, 30 and 40 years ago, a tradition in which people came around at Christmas time to spread joy – and I am not punning on the word "joy" – and to offer solace to those especially in need at the Christmas season.

If there is one thing I see that Barbados lacks today when we remember these things is that the decline of village choirs in Barbados is in my view a very sad experience. I would like to see the NCF do something to inspire people to develop village choirs. I remember just a few years ago going to the parish of St. Philip at St. Philip Parish Church and that church was honouring a number of outstanding village persons in St. Philip who did precisely what Joy Edwards did in terms of music and developing choirs of a small scale, in terms of the cultural importance of good church music.

I remember too, Mr. Deputy Speaker, that when Mr. Edwards was elected to this Honourable House in 1961, he was then the youngest member of Parliament and became the youngest Cabinet Minister. I would want for the record to say that Joy Edwards had the distinction of either being the occupant of every portfolio in Barbados except the Ministry of Finance or being the acting Minister in every portfolio in Barbados except the Ministry of Finance. In all the portfolios that this country has had he has had some say whether it was as acting or substantive Minister, in all except the Ministry of Finance and of course the Attorney General, because he wasn't a lawyer.

Mr. Deputy Speaker, shortly after I took up office at the Ministry of Agriculture, a lot of the long standing members of that Ministry, the civil servants, were of the view that he really had his heart in agriculture and had done a lot to inspire them to work and, in fact, some of them actually said he was the best Minister of Agriculture they had seen in action both in terms of his human relations, getting along with them, and in terms of some policies he brought.

He was interested in livestock farming and did an enormous amount to develop livestock. I believe it was under his tenure that he devised a system by which one stream of the Ministry concentrated on plants and the other stream on livestock. He made it his business to ensure that Barbados had healthy livestock both from the point of view of actual health and from the point of view of numbers.

He went around the world looking to see what new breeds we can get. In fact, it is a remarkable coincidence that as he was searching the world for new breeds of animals the black belly sheep emerged in Barbados in his time as being a species of remarkable potential.

Mr. Deputy Speaker, even when he was clearly beyond his times he still struggled to identify with agriculturalists and he was a member of an institution called NAFA, Northern Association of Young Farmers, but as it turned out he was the only persons in the group with any capital and the others were hangers-on and they put enormous pressure on him at a time when his finances were not the best. So that project never succeeded. Not because of any absence of will on the part of Joy Edwards but because the persons with him had no resources and eventually the project died.

I would also like the record to reflect the fact that as an educator Joy Edwards was great and he turned out some noble people. The Honourable Member for St. George North sat at the feet of Joy Edwards at the Federal High School. Reverend Errington Massiah, Desmond Haynes, West Indies cricketer, Graydon Nesfield, currently General Manager of the National Housing Corporation and the late Dr. Esther Archer also sat at the feet of Joy Edwards, not at the Federal, but I believe at the Modem...

If you note something about these people whom I just described all of them without exception were people or are people who did a lot for humanity. He seemed to have been able to interest them not necessarily in physics and electronics, those detached things that have to do with dealing with mechanical things, but he was able to bring out of his students a feeling of humanity which permitted them to go on to help humanity.

Mr. Deputy Speaker, I know that when the Federal was in Belmont Road despite the fact that Melbourne, Belrnont Road, the headquarters of the Federal, had no real playing grounds, Federal High School was one of the top teams in Ronald Tree's Under Fifteen Cricket, despite not having their own playgrounds. They used to have to go down to Weymouth to be able to practise and to engage in cricket.

To his credit, then, Mr. Deputy Speaker, in addition to being an able politician, in addition to being a choirmaster, in addition as the learned Attorney General and Member for St. Thomas in a most remarkable obituary speech said, in addition to all these things that have been outlined, Joy Edwards was able to work in education to make a contribution to education and to make a contribution to sports.

I am not much of a horse racing fan but I do vividly recall that there was a story about Joy Edwards being involved. I remember.Johnny Belle being his jockey.

As a man from Dark Hole, St. Joseph, he was able to touch many a life. He was able to carve for himself in the parishes, both of St. Joseph and St. Andrew, a very special niche. As fate would have it, his last 10 or 15 years often saw him in moments of despair and I am sure there were times when he was virtually desperate. He fought manfully against ill health in the last 10 years of his life and in recent times of course he passed away.

Barbados today is very much a fortunate place to have been visited by Joy Edwards and to have benefited from the contribution he made. Mr. Deputy Speaker, with these remarks, I too would like to offer sympathy to his relatives and to associate myself with the remarks that other Honourable Members have made. Thank you very much.

11.20 a.m.

Mr. J. O. TUDOR: Mr. Deputy Speaker, it is an honour for me to contribute in this tribute to one of the greatest Parliamentarians that would have served in this Honourable House for some 15 years, during the period 1961-1976.

I, myself, Mr. Deputy Speaker, was not a direct associate of the late, former Honourable Member of this House, Arlington DaCosta Joy Edwards. However, I must indicate that I happened to have had many close encounters and incidents with him. I certainly, speaking on behalf of the younger members of the Democratic Labour Party, would like to indicate the kind of influence that he would have had on this second generation, and certainly pay my respects on behalf of all of us to a great life well lived,

Mr. Deputy Speaker, I should say, at the outset, that the late Arlington DaCosta Joy Edwards emerged on the .political landscape of this country at a time when it was necessary to demonstrate to the mass base of people of this society what good living is about. I think he had a very clear vision about what he would like to see in terms of development for black people, and by his own living he sought to demonstrate the kind of life that is desirable for people to aspire to live. I think the fact that he was able to develop that entrepreneurial skill where he was able to reach success at a very early age, as if he had some degree of urgency, tells us a story about this great man.

The eulogy that was presented by the Honourable Branford Taitt, during his thanksgiving service, is a document that should be properly noted and recorded. It was very well done. It was fair, it was very honest, and it depicted the man that I am trying to capture today. That Mr. Deputy Speaker, is a document, I am not sure if it is at all possible, to make it a part of the record of

this House, but I certainly would like to make it a record. It should be preferred reading, and if I have the kind permission of the House, Sir, I would certainly make it available to the House. I adopt it as part of my speech and certainly would like it to form part of the record.

I must speak on a personal note, as I said, Mr. Deputy Speaker. Here is a man who understood development of people. He understood the struggle, the difficulties the masses of people in this country were experiencing. He joined hands with a political organisation, whose philosophy obviously gelled with his, and in the 1950s they sought to progress the social development of this country that we considered necessary in the Democratic Labour Party. Also when we fused the kind of philosophical positions held by the late Joy Edwards, we understood that this was a person who recognised that people could not continue to live in the kind of poverty, within this region, as they were living and sought to so something about it.

I think, Mr. Deputy Speaker, many Honourable Members spoke very glowingly about his development, and his stewardship as a Minister, and so forth. I must indicate to you that I had the very fortunate pleasure of working very closely with Joy Edwards when he sought to bring new breeds of livestock into Barbados. At the time I worked as Operations Manager with Air Canada, and I was responsible for Cuba, Barbados, Venezuela and Brazil, where I was in charge of moving...

Asides.

Mr. J. O. TUDOR: I was responsible, Mr. Deputy Speaker as the Air Canada Operations Manager for this region. I had to oversee the transportation of cows out of the Canadian market, the Jersey cows and pigs and so forth, into the region. What struck me was that this Minister, who was very famous and very important, would come very calmly to the airport when we were off loading the cows, and just be among the guys on the ramp and so forth, participating in the off loading. Then he would quite simply say that one of the reasons why he wants to have this line is because he feels that we have a tourism industry, we have to upgrade the quality of meat and he san down the future. That here is an opportunity for us to hav; the quality of meat available to Barbados and to the local tourism industry that was available to North America and Europe, and he stressed on.

He was a lover of good bloodstock, and I think that he had a passion for it. I remember distinctly, that we had a slogan that triggered him called "Yes We Can." Within Air Canada itself, there was a marketing slogan that we used at the time, "Yes We Can," we can do anything. It triggered him and he said that he liked the slogan because people must understand that anything you want to achieve in this life, yes you can do it if you put your mind to it.

Asides.

Mr. J. O. TUDOR: Whatever you say, Mr. Deputy Speaker. I am not very famous for Latin. I had a very short experience with it with Stanton Gittens, but I would not speak about that on this occasion. I am not familiar at all, but I have some fond memories of it in any event and I will tell you at sometime privately.

That slogan, "Yes We Can," is a slogan that triggered the late Joy Edwards. I remember him querying me about it and he said he like the slogan because it meant that in terms of offering service or achieving what we want to achieve...

Asides.

Mr. J. O. TUDOR: That captured in essence what people living should, in essence, be all about. If you want to achieve, "Yes You Can." I think that he demonstrated that he was simply able to achieve a lot of success during his time as school teacher, a farmer, a businessman, a politician and horse racing enthusiast.

I recall, Mr. Deputy Speaker, many years ago, as the Honourable Member for St. Thomas said, that he had a very strong love for horse racing. I remember this, it sticks out in my mind very often, when his horses would win, he would just calmly lead them in and he would just simply congratulate the jockey and admire his horses as they walk away and they took them out of the winner's enclosure.

Here was a composed man. Many people would be so excited and elated, and jump all over the place when their horses won. Here was a very calm man, who was very self-assured, who understood success, and enjoyed it in a very calm and a very dignified manner.

I must indicate that he had a bloodline that he was very proud of called the Berry Brow bloodline from which he had produced a filly called Beryl. I do not know if the Honourable Member for St. Thomas remember Beryl. This was out of that bloodline and he was very proud of that, from which Floating Mohammed also came.

Asides.

Mr. J. O. TUDOR: He admired this bloodline. I think that when you look at the development of horse racing today, where you have seen the development of boodlines, you can appreciate, again, that even though it was not directly related to agriculture, as the Honourable Member for St. James North had indicated, that he set up, and had this love for the improvement of livestock. Even in horse racing he admired and appreciated good top qua' breeding.

I am trying to capture, that here is a man who liked the best, who set examples, who sought to improve the lot of himself, to provide an example of the kind of life that you should enjoy, and at the same time never losing sight of the mandate that was set before him to pull along other people with him. That is the stamp of a very great man. A man who can show this is what we must achieve in this environment, we must live better, we must have better conditions. He lived it, he enjoyed it, but what was most important was that he sought to share whatever he enjoyed with every single person around him.

It is regrettable that Parliamentarians, who produce so much over their period of time should ever be rejected in this country. I recall in 1976 when I knew the kind of work that had been done by Joy Edwards, when I heard that Joy Edwards had lost the election in St. Andrew, it was a painful experience because Joy Edwards, who we all knew had done so much for so many, yet he lost. Somewhere along the line, it shows you that you can go to the fullest extent, but because of a breakdown in communication or because of misunderstandings in politics, that sometimes the very people that you have sought to pull up are misguided and would want to pull you down. What is strange, Mr. Speaker, is that recently as I travelled through St. Andrew the people of St. Andrew, still today, are saying that they regret that they still do not have the late Honourable Member as their representative. They have said over and over again that one of the greatest mistakes they ever made was to get rid of a good representative. Mr. Deputy Speaker, I think that I have captured in a very honest and factual way the life of the late, great, Arlington DaCosta "Joy" Edwards.
11.30 a.m.

I am going to, as I indicated to you Mr. Deputy Speaker, make this document which is a record of the eulogy that was delivered at his thanksgiving service, a document of this House and I certainly, Sir, would want to pay his family my greatest respect and to ask them to appreciate that in their own household rested one of the greatest Barbadians that ever lived. I think that history should record and they should never forget the kind of contribution that was made by this great man. I thank you very much.

Mr. G. A. CLARKE: Mr. Deputy Speaker, I too would want to pay my respects to a former parliamentarian who has done tremendous service to his country and whose life has touched a number of students in Barbados. I, Mr. Deputy Speaker, am a product of the Federal High School and by virtue of the fact that he was the founder of the Federal High School I too was touched by his generosity, by his love, by his kindness, and by his willingness to listen to young people.

I believe, Mr. Deputy Speaker, the nearest time I ever came to be a Member of the Democratic Labour Party was during the years 1961 to 1966 when men of the calibre of Joy Edwards were indeed doing tremendous service within this country and Honourable Members have spoken of the fact that he was founder of the choir which went around Barbados praising God and giving service to most of the hospitals and infirmaries within this island. I too would like to say that Joy Edwards and people in that era who were young at that time inspired other young people like myself to be concerned with their fellowmen.

I would like to say on behalf of all the students who have gone to the Federal, all the people whose life he has touched, who will miss him, he has been an inspiration to us. He has taught us to be men and women. He has taught us to love, to be caring. He has taught us that education is important. The Honourable Member for St. James North has spoken about a number of those educators who have succeeded because of the contribution made by-the late Member for St. Andrew. Surely there are a number of other people who may not have made it to the top who in their daily lives have and are contributing tremendously to the development of society not only in the field of politics, medicine or the law but surely in other humble fields wherever they are today and we want to thank him for his contribution and for his foresight in establishing an educational institution which has contributed. Today we wish we had people of the talent and inspiration of Joy Edwards because it is sadly missing in education where we can have a strong head teacher who can inspire discipline in the schools. His school, Mr. Deputy Speaker, did not have 500 or 1000 children. At one time the Federal High School had as many as 2 000 and over students and it was people like Mr. Edwards who have contributed significantly because many students did not pay their term fees yet they went to school. Many students did not have lunch during the day but yet he contributed significantly to the development of hundreds and thousands of young students throughout this country and we would want to remember him.

I would like also to pay special tribute to his family who wen: sympathetic to him during his sickness. I saw him in Toronto after 1985 when we he went for an operation. I visited him when he came back home. I know that he was one of those persons who always had a liking for people. I would like at this stage to pay my respects to his family and offer our condolences. Thank you.

Mr. W. C. C. CALLENDER: Mr. Deputy Speaker, I rise in support of this Resolution. The late Arlington DaCosta "Joy" Edwards was an associate of my father and I have gathered much about this late gentleman from my father with whom he had worked.

As a young man he had gone to school at the Regal High School which was then owned by a Mr. Blackett who is the uncle of the current principal of the Springer Memorial School who also happened subsequently to be a

Regal High School closed down Joy Edwards was about 15 years old. Joy as we knew him then, came over to the Winmore Prep. School which was based in Thornbury Hill, a school which my Dad was running at that time. He came there as pupil teacher and he received lessons from George Nelson, my father's brother, also brother of the late Milroy Reece. George was teaching at the Winmore Prep. School at that time and George gave him lessons. Joy, having learnt the art of teaching and having gained one or two 'O' levels then went on to work at the Arlington High School which was owned as well by a former parliamentarian, Mr. George Batson, who happened to be Menrber of Parliament at one stage for St. Thomas. Joy went to teach at the Arlington with Mr. Batson, I think it was between 1949 and 1950. He then moved on to the Modem High School in 1953.

After the Winmore Prep. School closed my Dad went to work also at the Modem High School in 1955 and there he rejoined Joy for a period of time up to 1958 when Joy started the Federal High School with his assistance. Joy was a diligent teacher I am told. He was a very good teacher of English History and he was well respected at the Modern. Indeed, he rose to become Deputy Principal of the Modern High School and he also acted as Principal at times under the late Louis Lynch who had also been a Member of Parliament for the City of Bridgetown.
11.40 a.m.

When Joy started his school, he had about 9 pupils in the first year. But what was significant is that Joy understood the need for heavy promotion and he went about the promotion for his school and he was able to attract within one year about 1700 pupils at the Federal High School. As my dad told me, in 1959 when my dad had started the Cooperative High School that Joy came over to him and said "I now have the same numbers as the Modern High School." So the Modem had about 1700 in 1950 and Joy by that time had reached 1700 in just one year.

This therefore speaks of a man who had a lot of ambition, dedication and who would go all out to achieve his objectives to have started a school with just a few pupils and in one year to reach 1700 the same as the Modem School he had left. Not only that, Joy understood the spirit of good will and to that extent he had been able as the Honourable Member for St. George North has told us to attract a number of pupils through a number of incentives whereby he gave a number of students free education at his school. For example, if you had a number of children at the school, you were given one free and he had a scale which is like the modem principle of marketing which he was applying way back in the late 1950s and early 1960s to the extent that his school became the biggest private school in Barbados.

Joy was also instrumental in having the Barbados Independent Secondary Schools Association started to represent the interest of private schools. I believe that it is with the starting of this Association that the private schools have been able to get recognition in Barbados to the extent where the Government has given a package of incentives and assistance to the private schools whereby children could get bursaries along the same principle that Joy had where he would on his own means give children free education or subsidize their education.

It is no wonder then that Joy had been able to gain his seat in the House of Assembly. My understanding is that he was originally a member of the Barbados Labour Party but in 1961 he had been offered to run for the Democratic...

Aside.

Mr. W. C. C. CALLENDER: My understanding was that he was a "member".

Mr. B. M. TAITT: On a point of order, Sir. The gentleman is not here to defend himself but I feel bound to set the record straight. He was a member of a political organization before but never the Barbados Labour Party. He was never a member of the Barbados Labour Party.

Mr. W. C. C. CALLENDER: My understanding, Sir, and I am not being pejorative is that he was a "member" and I do not know if he paid his dues, but he was a member of the Barbados Labour Party.

Mr. DEPUTY SPEAKER: The Honourable Member for St. Michael South Central.

Dr. R. C. HAYNES: On a point of order, Sir, to rise in this kind of presentation to interrupt. I can testify to the fact that he was not a member of the Barbados Labour Party. In point of fact, Mr. Deputy Speaker, for the record the late Joy Edwards started his political career as a Young Conservative along with the late Dr. Charlie Harris. They were the two that organized the Young Conservative group which supported Mr. Louis Lynch and they started holding public meetings around 1957 in Barbados. That is a fact. I was working beside him at the time. All right.

Mr. W. C. C. CALLENDER: What this shows is that I think that it is important that Members of Parliament have documented relevant history so that we would not have this kind of disagreement on these matters. But I am giving the record as I have it from some person who I think is authentic and who has no axe to grind that he was a member because sometimes people refer to people as members, not that they are card bearing members, but that there is an association and they construe that these people are members. I am just stating the facts.

But the point that I am making, Sir, and I am just stating the facts as I know them, is that Joy Edwards joined the Democratic Labour Party after the **1961** elections because there were certain things about the Democratic Labour Party that made contact with what...

Mr. B. M. **TAITT:** On a point of order, Sir. The Honourable Member is saying that he joined the Democratic Labour Party after the **1961** election. He was a candidate in **1961** for the Democratic Labour Party and you must not distort the fact if you are putting it into the record. If you have something written down and it is not accurate, then say what you have to say because it is foolishness.

Mr. W. C. C. CALLENDER: Mr. Deputy Speaker, I would have to be idiotic to say that the Honourable Member joined the Democratic Labour Party after he had run. He ran for the Democratic Labour Party in **1961** so he had joined before the election. So that is nothing to be disputed and this is not a matter of BLP or DLP. I am giving the facts as I know them.

Sir, he found that there were certain things that appealed to him and he therefore went forward as a member of the Democratic Labour Party and he ran for the Democratic Labour Party in **1961.** Sir, I think that we also need to make the point that Joy Edwards was one of those community minded persons at that time who was drawn to politics as a form of representation, the **kind** of person who was thrown up from the community having worked hard and therefore had been given the kind of recognition that made him a prime candidate. He was one of the persons such as we had in Louis Lynch. We had Mr. George **Batson** at that time. There was Joy Edwards himself and we had other people of similar stock who was interested, like Wynter Crawford's brother who was also involved with the school. These were people who had made contact with the masses through mass based institutions. He was one of those people who understood what mass based representation was about and therefore comments that we are hearing that he always was minded to represent the masses obviously would have come out of a situation where he understood the masses through being involved with a private school. I need to make that point because people like that are able to give the kind of representation from the grass root because they understand what grass root contact and representation is all about through their daily contact.

Sir, Joy Edwards was also a community minded person. My understanding is that he was involved in upwards to **17** social organizations in Barbados and in most of them he made a very great contribution. Here was a man who understood what community representation was all about.

11.50 a.m.

I also want to speak of Joy Edwards the man who understood how to represent a cause and to work towards a cause. We have heard reports of his coming to disagreement because when he had a view and he had facts which supported that view he held strongly to that view. It is a position we need to be mindful of, that people sometimes tend to just follow a crowd instead of bringing an informed position to discussion. I am proud, therefore, to be speaking of the late Arlington DaCosta Edwards, a man who from an early age made a sterling contribution, a man who at the age of 28, a very young age, even before he was 28 years old had been able to make a contribution in education and who was a Member of Parliament and also a Minister at the age of 28, a very early age.

By the time he had finished, Sir – he had lost the election in **1976** – he was age 43, an age at which a lot of people come to Parliament. By that time he had served his country. But what is significant about his coming **to** Parliament at age 28 was not only the youth in itself, chronologically he was age 28 but he had much more experience than I believe some people have at age 45. This speaks to the fact that we need in our communities to encourage people to be involved, starting at the community level, to understand their communities so that they can make a worthwhile contribution not only to the communities but in time also to the **country** as a whole.

I therefore want to give condolences to the family of Arlington DaCosta Edwards and I hope his life will be an example to those who want to contribute to the communities and to the country.

Hon. G. W. PAYNE: Mr. Deputy Speaker-I did not attend the Federal High School and I am not, and I was not, a member of the Democratic Labour Party, so I cannot really speak in the same terms with which Honourable Members on both sides spoke. I will be very brief in my comments with respect to the Honourable Member, but I believe that as the representative for the constituency which he represented I would not like this opportunity to pass without giving my condolences to his family, and in this respect I support the Resolution and I would like to associate myself with all the positive comments by Members on both sides with respect to the Honourable Member.

I knew the late Joy Edwards when I was a very young boy at school. I recall him coming through the area indicating that he was interested in representing the constituency of St. Andrew. The boundaries have since been changed, but Orange Hill where I lived was very close to the old constituency of St. Andrew, even though Orange Hill is now part of the constituency of St. Andrew. My first impression was how could one so young be that mature to represent such a large constituency, because in those days that is how I saw St. Andrew. I was somewhat surprised when he was elected, I must say, and I was

even more surprised at the quality of his contribution after he became the representative for St. Andrew.

He was a very community minded person. He made you feel, even though he was a lot older than I was at the time, as though he was of the young boys, one of the teenagers in the district. He was at every fair, every youth group meeting. He would always offer to come to speak to the group, and if there was an occasion that the youth group – and I recall in those days I was a member of the St. Silas Youth Group – and if we had a function and we did not invite him, you could rest assured that the next day the telephone would ring and he would say: "I know you did not invite me, but I want to pay my contribution." He would always know about the activities in the area and he would always offer to make a contribution.

He knew where I stood politically. I would not want to get into the debate as to whether or not he was a member of the DLP or the BLP. I know he had sympathies both ways, I know that for a fact. I guess that if I disclose certain conversations that took place between myself and him the Honourable Member for St. Michael West would object, so I would not actually go down that road. But he knew where I stood in those days and I believe we were good friends, even though he was a lot older than I was. I recall as a member of the St. Silas Youth Group – because in those days I was very active in the area, I was not a Johnny-come-lately, I was very active in the St. James/St. Andrew area and everything in the Orange Hill area revolved around the St. Silas Youth Group, of which I was President, among other positions which I held.

I just could not understand how he used to get his information, but we would be in touch more or less on a weekly basis. I recall on one occasion, I remember vividly we had a raffle and at the time we were planning to raffle a bicycle. Say we had a meeting on the Friday. I remember being called on the Saturday morning and I recall Joy Edwards calling me and he said: "You are hiding something from me. You all are having a raffle and you don't want anything from me." At that time he had a pig farm, He said: "I am the representative for St. Andrew and I am going to show you that I am going to make my contribution and my contribution will be delivered at your house the next day." I was a little puzzled as to how he knew about the raffle, because we only had the meeting the night before, and lo and behold the next day a pig turned up at my house. He knew that I would have been familiar with pigs, because my father was a speculator and he used to deal with pigs on a daily basis, so there was no embarrassment there. Even though we did not proceed to raffle the pig, it came in very handy at the end of the year when we held a function honouring people in the area, and the late Member was invited.

I also recall another occasion when the St. Silas Youth Group's athletic team was making a tour to Tobago. At that time we were also very close to the representative for St. James at the time, Mr. Lionel Craig. He heard that the Honourable Member for St. James had made a contribution of a plane ticket to Tobago. It was close to 1971 when the single member constituencies were about to come into force, which would have meant that the Hon. Lionel Craig at the time would no longer be our representative and he then would become our full representative because Orange Hill then was part of St. Andrew. I purposefully did not, as the one who was organising the whole occasion, go to him for a contribution because, as the Honourable Member for St. Michael South Central would know, aspiring politicians in those days were very generous with plane tickets and we only needed one ticket because the others were donated and I didn't want to go to him. I purposefully did not go to him but he heard. He heard that we had got a ticket from the Honourable Member for St. James and he called me and he said, "I don't care what you all do with this ticket but I am going to send you a ticket." I recall very well that he spoke to Gem Travel and sent me a ticket in my name for Tobago. I will not disclose what I did with the ticket to Honourable Members.

12.00 noon

He was an excellent representative, very community minded, never like some members of Parliament who every time they did something would seek to have their picture in the newspapers. Even now, while I do not share the sentiments of the Honourable Member for St. Michael East when in his enthusiasm to praise the late Honourable Member he forgot the type of representation the people of St. Andrew are getting right now. The people of St. Andrew – I wouldn't like to say for the first time – but they are very pleased with the type of representation they are getting. I must say that as I travel from house to house in St. Andrew I am being told repeatedly that I am the best representative that we have had in this constituency since Joy Edwards. They never said that Joy Edwards was better than I am or that I am better than Joy Edwards. It is something that I hear all the time in St. Andrew and that tells me something.

Even though the Honourable Member for St. Michael West was quick to chide the Honourable Member for Christ Church East for introducing the element of party in this debate, I believe that the Honourable Member for St. Michael West should recall that it was not the Barbados Labour Party that did a disservice to the Honourable Member for St. Andrew because I believe that – I wasn't here and he said he spoke to it so I really would not go too far into that.

I recall a few weeks ago when we were debating in this House a similar resolution for the late Russell Lowe, the Honourable Leader of the Opposition mentioned that he regretted that his party treated the late member in that way. I wonder if every time a member from that side

passes away whether we will be hearing those types of comments. We are hearing them too often.

The Honourable Leader of the Opposition, when the late Russell Lowe died, said it is regrettable and the records will show that they did not treat him better. As a mauer of fact, I think that the words used were even somewhat harsher than what I am saying. But I cannot recall the exact words.

I believe that when the people in St. Andrew are telling me when I go around to their houses, from house to house that I am the best representative that they have had since Joy Edwards that they are not necessarily telling me that I am a good representative. I will be honest in admitting that. They want to remind me of the good representation that Joy Edwards gave to the people of St. Andrew and they would like me to aspire to that type of representation. It is something that I have always considered and in keeping with what I heard the Honourable Member for St. John, the Honourable Leader of the Opposition said it is something that I have taken to heart especially since I was in the Ministry of Public Works.

This whole question of honouring persons in their lifetime is a debate which will go on and on because some of us tend to think that we should wait until they are dead. Some of us think we should honour them while they are alive. The Honourable Member for St. Lucy I recall when we were honouring the late member for St. Lucy, the late Speaker, Sir Theodore Brancker, he had indicated that if we continue honouring people like that nothing will be left to honour him when he dies. But I don't think that we could go down that road...

Mr. D. St. E. KELLMAN: On a point of order. It is not normal for one to get up on a point of order during obituaries but when one sees a deliberate lie one has to correct it before it remains in the record.

Mr. DEPUTY SPEAKER: Excuse me, what did you say the Member was...

Mr. D. St. E. KELLMAN: When one sees, a misrepresentation of the facts, one has to correct it before it goes into Hansard.

Mr. DEPUTY SPEAKER: All right. Thank you.

Mr. D. St. E. KELLMAN: ...and you live to regret allowing it to remain. Sir, I did not say any such thing. It is one of the misrepresentations that the Honourable Member for St. Andrew is known for lately.

Hon. G. W. PAYNE: I won't actually use this occasion to dispute that and I will withdraw those comments.

The point that I was trying to make is that we in this Government recognise the contribution that Members of Parliament and distinguished persons in this society have made. Very shortly I will be making recommendations to Cabinet. As a matter of fact, this was something which we were thinking of even before we knew that he was near the end of his days. I recall in keeping with what I was saying about the level of representation which he gave to St. Andrew there was a track of road... If you see that track now you would not believe that this was a track during his time. It has now become a public road. He made sure that that particular road was well constructed and at the moment it is in need of further repair. It is a road by the name of Babylon Road and we in the Ministry were in the process of making a recommendation to Cabinet that that particular road, Babylon Road be renamed the Dacosta Edwards Road.

He was a very generous man. I recall on many occasions when members of the St. Andrew community had their problems and they went to him he would always be receptive to their requests. There was also another side of him and I was not here when the other Members spoke but there was a music club which he initiated in the St. Andrew area. Only recently we actually started in St. Andrew getting together a group to reactivate the St. Andrew Glee Club in honour of the late member.

Mr. Deputy Speaker, I would like to associate myself with the comments and sentiments which have been made by Honourable Members and I would like to offer my condolences to his relatives.

Dr. R. C. HAYNES: Mr. Deputy Speaker, I rise to join with the very positive remarks made by those who spoke earlier in this debate and I want to take this opportunity to extend my personal condolences, those of my family and the family of the National Democratic Party, to the family of the late Joy Edwards.
12.10 p.m.

Mr. Deputy Speaker, I think it was an interesting year for me, and it was a very interesting year in the life of the Modern High School. I distinctly recall that, first of all I had done the classics and I was supposed to spend that year doing the sciences. When I went and worked out how much it would cost me to pay for tuition in chemistry, physics, biology and zoology, it was in fact more than my salary. Therefore, I abandoned the idea of taking any science lessons during that year.

Some of us, including the Member for St. Michael South, the Clerk of this Parliament and a few others, got ourselves involved in some social activities, where in point and in fact your entire salary went to a lady Miss White in Roebuck Street at the end of the month. We decided that the salary was not sufficient, and we organised a

little internal strike to get an increase in pay. At the end of it all, those of us who were involved in the strike got an increase and Joy did not, because he considered himself to be nianagement at that time.

I distinctly recall, those of us who were in the staff room who had got the increase started making fun of Joy Edwards. He just sat back, one by one, and he said you are going to so and so to study medicine, you are going there to do this, you are going there to do that, but I am going to guarantee you that by the time you get back to Barbados I am going to be the youngest millionaire in Barbados. So said, so done.

It is difficult to think of one whom you have had a close relationship with over the years, who was shown the kind of level of entrepreneurship which Joy Edward has been able to show. Whether it be in terms of farming, land development, housing and in many areas. One of the abiding virtues of Joy Edwards was his loyalty to his friends. Even in his darkest days when things were difficult for him, he never, ever blamed any individual for any problems he might have had, and his loyalty to his friends remain.

I know, for example, that he shared an abiding friendship and a deep and profound loyalty to the Honourable Member for St. Thomas, and Mr. Clyde Tumey among others. People who have stood by him in really difficult times, and who understood the problems which he had, and rose to the challenge of assisting him in the legal area. Indeed I believe, that arising out of that was one of the landmark cases in Barbados which has made a difference in relation to the attitude of banks to small businessmen. I believe that he was represented in that case by the Honourable Member for St. Thomas, and I believe R.G. Mandeville was also involved and in it. That is a landmark case which will make a difference to small entrepreneurs for many a year to come.

There can be no question about his loyalty, his friendship, and a remarkable over generosity. I can only say it went beyond what one would term generosity. Over generosity on the part of Joy Edwards. He sought to bring along his entire family. He sought to bring along with him all his friends. He did as much as anyone can humanly do for his constituents, and yet he was not bitter when he was defeated. I believe he understood that in the business of politics, it is not what you did in the past, it is what you can offer now or offer in the future, that people are interested in. They take what you did in the past for granted, and if you cannot deliver the goods now or offer to deliver the goods in the future, then you have a problem.

Sir, I remember during the September 2, 1976 campaign – again it was a long wet and very hot campaign. Hot in the sense, that it was a hot summer in Barbados – about midway through the campaign, I remember getting a call from Joy Edwards. He realised that the tables were turning on him, and he recognised what his opponent was doing. His opponent, who was also a very fine man, the late L.B. Brathwaite, had rented a small shop in Tudor Street, which belonged to a company called Hayman. Many people from St. Andrew made the trip down from St. Andrew to Tudor Street, and that was undermining Joy's campaign in a very fundamental way. I recall getting this call from Joy asking me what I can do to help. I said that there is absolutely nothing I can do, because as far as I know there is a lease that is in place and therefore absolutely nothing could be done.

These are just interesting tales. There are interesting tales of Joy Edwards, and interesting tales of the particular period.

Joy was also a great family man and understood the importance of the family in the development of Barbados, and a family in relation to the development of the community in this country. He understood the fundamental importance of education. He spoke of education, not only in relation, less about the business side of education, but also what education was doing for Barbados, and saw himself, and people like Louis Lynch and other Headmasters in this country, in the private sector of education as making a very fundamental contribution.

As many of you would know that I have often said, that in terms of the upliftment of the masses of Barbados, that those private secondary schools, led by the Louis Lynch Secondary School, and before him the Green Lynch, Arlington, a whole range of schools, did more for the development of the masses of Barbados than the traditional first grade and second grade secondary schools of the day which catered only to a very small minority. They were the schools that really went into the communities and brought the masses into contact with secondary education in Barbados,

As a Minister, I have often heard the late Errol Barrow say some very interesting things about Joy Edwards, and always very positive things. I think in the eulogy, which the Honourable Member for St. Michael West delivered at the funeral, I think he said that the late Errol Barrow said that if there were two people he would wish to have in his Cabinet they would be Joy Edwards and Eddie Seaga.

What was behind all of this? I tell you this. Joy was able to get things done in whatever Ministry he was placed. He was not over concerned with the niceties and bureaucratic rules that would prevent him from getting things done. From time to time this got him into trouble in the House of Assembly but nevertheless you will see that those people who operate in any sector where Joy was in a ministry that related to that particular sector of Barbados, until today they would tell you that he was the

best Minister in that area. For example I still hear people in Agriculture say that Joy was the best Minister of Agriculture and so on. That is because he was able to get things done.
12.20 p.m.

He also had a very peculiar relationship with the Barbados Labour Party. A lot of his friends were from the Barbados Labour Party. He was not a Member of the Barbados Labour Party. I can attest to that because I remember only too well when Joy and the late Dr. Charlie Harris were the first two speakers for the Young Conservatives of the day and that was 'sometime in mid 1957, 1 remember going to the first public meeting that they held somewhere to the back of the Lower Green and I can remember what happened when both of them attempted to speak on that particular evening in 1957. By the time I returned to Barbados Joy was in the Democratic Labour Party and he was a Minister of Government.

Sir, I could tell many more anecdotes about Joy Edwards but let me say this. I believe this man really had a vision of what a black poor man could achieve through business development in Barbados. I believe that he had a sound understanding of what the relationship between political parties should be that they should never, ever degenerate into deep personal divide. I recall the night before a famous no confidence motion was brought in this House by the then Leader of the Opposition, the late Tom Adams. Do you know where Joy Edwards spent the night before? Playing cards with Tom Adams. Now Tom Adams was the kind of person who could also relate to that kind of thing that when on the Floor of this House he could launch the most bitter attack, nevertheless when one goes through that door one makes the distinction between public interest being pursued and private hostility. Very important.

I think that he was part of that era. He understood and he functioned within that kind of environment. And so, Mr. Deputy Speaker, I believe that his contribution was very significant in the history of Barbados. I believe that there is one other aspect of Joy Edwards' life that I would like to advert to and that is, like L.B. Brathwaite, like the late Sir Edwy Talma, like many others, one could not help but feel that we do not do enough as a Parliament, as Parliamentarians, to ensure that those who serve in this House, those who serve with distinction that every...

Aside.

Dr. R. C. HAYNES: Mr. Deputy Speaker, I am not being critical, I am just saying that generally speaking it has happened to politicians on all sides, those who represented the Conservatives in here, those who represented the Barbados Labour Party, those who represented the Democratic Labour Party and the reason for this is that I do not think that we have developed the sense of consciousness which informs us that part of the respect that people would show to present politicians, part of that resides in how we treat politicians of the past. So that the dignity of Parliamentarians,past and present will always be held up before the public, and, Sir, I am ready to give my support to any reasonable proposals brought to this Honourable House by the present administration to assist in making sure that past Parliamentarians not only enjoy, a reasonable standard of living, but that they are brought constantly before...

Aside.

Dr. R. C. HAYNES: I have always supported pensions. I have always made a distinction anyhow.

Certainly I am ready to give my support to any reasonable proposal brought to this Honourable House by the present administration to assist in making sure that those who served in this Parliament in the past, that they are not neglected, that they are not forgotten and then after they go through years of hardship and they pass to the great beyond then all we can do for them is come in here, have an obituary and send a Resolution to their family.

I believe it is time that we should go beyond that. I thank you very much, Mr. Deputy Speaker.

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, in 1961 1 remember the great joy expressed by my grandmother on my father's side who was a relative of Mr. Edwards when Mr. Edwards was elevated to the position of a Member of this Parliament. I have, Sir, infused by her sense of joy, followed his career with much interest since then.

Mr. Edwards, Sir, was a man of the people in the very best sense of the word. His political career exemplified many features that ought to be noted to the ages. He reflected the Barbadian society and sought in his every endeavour to capture the Barbadian society, warts and all.

I believe, Mr. Speaker, that when the history is properly written and there will be a Heritage Foundation soon to assist us in writing this part of Barbados' social history, Mr. Edwards and his class of Barbadians' enormous contribution to the educational development of this country has properly to be recorded. There is hardly a family in Barbados in the period between 1960 and the early 1980s whose lot was not in some very material way affected for the better by the efforts of persons like Mr. Edwards, Mr. Lynch and others. I say not a family, Sir, because my eldest sister went to the Federal High School and I am sure there are others in this Parliament, Sir, who would have benefitted from his sense of social conscience in establishing a school in that context.

It is remarkable now, Sir, as we reflect on history to think in terms of a person before the age of 28, establishing and being a Headmaster of one of the largest schools in Barbados catering to a large mass of poor people in a benign way. The enormity of it is something that when you reflect upon it, Sir, you only now grasp the significance because there are very few 25-year olds in Barbados of today who are involved in the kind of actvities, like the building of a school to serve poor people.

Mr. Edwards also represented a class of Barbadian politician who is now a vanishing breed. He combined many and varied interests in his social and political life, Sir, educator, businessman, a choir master, and he was representative of that class of Barbadian politician who was not uneasy about the mastery of the dispensation of patronage. He was not at all nervous about the use of the Governmental apparatus or the system to ensure that benefits flowed to poor people. He was also representative of a tradition in Barbadian politics of a multi-party deniocracy. There is a large number of Barbadians of worth who have in the course of their political career know what it is to support more than one political party not at the same time but in a sequence and he falls within that pol.tical tradition.
12.10 p.m.

Mt. Deputy Speaker, his effectiveness as a Member of Parliament and his contribution to the development of pocr people in Barbados has properly to be recorded. I want to make two small reflective points arising out of his career. One is that the sooner we have a Heritage Foundation in Barbados the better. There is now before the Attorney General's Chamber recommendations to create a Heritage Foundation with a large number of Barbadians who have made substantial contributions to this country, whose contribution is not well recorded and may be in danger of being lost to the ages if we do not consciously set out to record it. A lot of our old headteachers, people who have not been Prime Ministers but who have been Trojans in their contribution to the development of this soc ety. I would look to the day shortly when we can have a Heritage Foundation that bring all the institutions responsible for the management and the protection of our heritage together but more especially seek not only to record the contribution of these nation builders but find the best way of honouring them.

It is also significant, Mr. Deputy Speaker, that again there seems now to be a characteristic of Mr. Edwards generation of politicians, that Mr. Edwards died in what can be called conditions of genteel poverty. Some people in Barbados unfortunately take a very savage pleasure in being able to laugh at politicians who would have given their all to the building of a country and then die in conditions of genteel poverty. I hope, Sir, that there is now an evolving consensus in this Parliament that we can no longer allow persons to make such a massive contribution to the building of Barbados and then have to resort to the amusement of the general public in their later days. I believe that the opportunity is going'to arise soon for this Parliament to recognize what has happened to a number of us and what is happening to some even now among us who have come to this House and given of their time and talent. I hope that there is an emerging consensus that we have to put wrong things right and that we should not only look to deal with them after they are dead by naming roads after them and roundabouts after them. But we have the responsibility as the guardians of a very rich and effective legacy to stop making our old politicians to have to walk and drag and live under the most debilitating circumstances and also make sure, Mr. Deputy Speaker, that when people are serving as we are serving in this House and certain constituencies - and I want to stress the point that the Barbadian politician among all the developed Caribbean countries is unique in that the Barbadian politician combines local government representation with full national representation and international representation - we have to review sensibly the way in which Members of this Parliament are treated even during their stewardship in the various capacities that the public ask them to contribute.

Mr. Deputy Speaker, I believe at the end of the day the tribute to be made to him in the very best sense and in a genuine sense is that DaCosta Edwards was a man of the people and I believe, Sir, that this country has been the richer for his life and it is now the poorer for his passing. On behalf of the Government and the people of Barbados, Sir, I would like to associate myself with the remarks that have been made and to express the deepest condolences to his sorrowing family.

1 am obliged to you, Sir.

. Mr. DEPUTY SPEAKER: I would like to associate this Honourable Chair with those sentiments so eloquently expressed by those Members who spoke on the life and times of the late Arlington DaCosta "Joy" Edwards. I was at the funeral. I heard the Member for St. Michael West and Reverend Gatherer eulogize the late Member in grand terms and I would just sum up that he was a philanthropist. I would like to say that St. Paul in his letter to Timothy spoke about a crown of righteousness stored up there not for St. Paul alone, but for those who were deserving of it. I am quite sure that our late Member will be the recipient of such crown.

I would like on behalf of my family and myself to express condolences to the family of the late Member. I am sure that these sentiments express and reflect the true feelings of all Honourable Members of this Chamber. I shall also ask that the Deputy Clerk communicate the appropriate condolences to the family of the late member. At this moment I would like us to stand and just offer one minute's silence.

(All Honourable Members stood for one minute of silence.)

SUSPENSION

Hon. D. A. C. SIMMONS: Sir, I beg to move that this House be now suspended until 2 o'clock this afternoon.

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

The question that the House do now suspend until 2.00 p.m. was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER suspended the sitting accordingly.

12.40 p.m.

RESUMPTION

Mr. DEPUTY SPEAKER: The sitting is resumed.

ORAL REPLIES TO QUESTIONS

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I beg to let the House know that Replies to Parliamentary Questions Nos. 38, 39 and 40 are ready.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I give notice that the Reply to Parliamentary Question No. 26, asked by the Honourable Member for St. Lucy, is ready.

PAPERS

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, on behalf of the Prime Minister and Minister of Finance I beg to lay the Duties, Taxes and Other Payments (Exemption) (No. 9) Order, 1996.

GOVERNMENT NOTICES

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, for the benefit of the Opposition, I want to indicate that there is a Supplementary which is required to keep the business of my Department going. It should soon be in circulation. So I give notice of a Resolution to grant the sum of $424 358 from the Consolidated Fund to supplement the Estimates 1996-97, as shown in the Supplementary Estimates 1996-97, No. 2.

ORDERS OF THE DAY
SUSPENSION OF STANDING ORDERS

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I beg to move that the following Standing Orders be suspended for the balance of the day, Sir: 6, 16, 18, 20, 42(5), 43 and 44.

Hon. R. C. EASTMOND: I beg to second that, Sir.

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

GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: Government Business is now the order of the day.

ORDER NO. 4 – THE EDUCATION (AMENDMENT) BILL, 1996

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I rise to move the Second Reading of this amendment to the Education Act which seeks, in essence, to do two things. One, it seeks to give the power of search to teachers for the following matters, provided teachers have reasonable grounds for suspecting or believing that a pupil has in his possession drugs, within the meaning of the Drug Abuse (Prevention and Control) Act, offensive weapons within the meaning of the Offensive Weapons Act, intoxicating liquor, or indeed that any article which has been reported stolen is in the possession of that pupil. That power to search extends not only to the person of the pupil, in other words, a search of the pupil himself or herself, but also to the property of the pupil in relation to the items aforementioned by me.

There are in the Bill a number of provisions, which I will deal with later, which seek to put to rest any concerns that may arise as to the possible abuse of that power of search, and I will deal with those shortly after I refer to some background in relation to this amendment.

The second part of the amendment, Sir, deals with the fact that a pupil who wilfully damages or destroys school property, or the property of a person who is not a trespasser on the school, that is, a teacher, a parent who is visiting on lawful business or a person who has been invited by the school, that that person who wilfully damages such property not only becomes liable to conviction but also the parents of that child will also be so liable for compensation if the court so adjudges.

I want to spend a little time, Sir, giving the background to the fact of this amendment being brought before this Honourable Chamber today. Within recent times our society unfortunately has been plagued – and I speak of the last 10 to 15 years – with changes in behaviour that indeed have left some people in the society shocked at the things that do happen, not generally in the society alone, but indeed in those other agencies or institutions which are part of the society. I speak of a greater propensity to violence, I speak of a greater propensity to deviant behaviour, I speak of a greater indifference to the use of authority whether in institutions or generally in the society. What is significant, Sir – and I have asked the

Royal Barbados Police Force to supply me with some information for the purpose of today's debate – is that if we look at the figures relating to persons charged with various offences over the years we can see that there has been a general problem in the society in coming to grips with a greater level of violence, a greater level of drug abuse and trafficking, and indeed a general disrespect for authoritarian decisions and behaviour.

Sir, in the case of drugs, I am sure that some of us in here may remember where as early as the 80s there was no such thing known popularly as cocaine and crack in use among persons in this country. Indeed, it is significant that as recent as 1980 there was no case ever brought for possession of cocaine in this country, but in 1995 we can have a situation where 84 persons alone are charged with the possession of cocaine, 10 for the importation of cocaine, 41 for trafficking, 8 for offering to supply and 46 for apparatus for use of cocaine. So serious was the problem that the last Government passed a piece of legislation around 1990 known as the Drug Abuse (Prevention and Control) Act which for the first time made it an offence to specifically traffick or be in possession of illicit drugs within the precincts of a school, because it was felt then as far back as five or six years ago thai this was a serious danger point in terms of persons having access to our young people and therefore being able to send them on a path of destruction as they were open to any form of addiction to illicit drugs.

What is also significant, Sir, is that the penalty included in that legislation, the Drug Abuse (Prevention and Control) Act, was in fact a greater penalty for being in possession in the precincts of a school than it was for normal possession, because it was recognised that the security of a school had to remain paramount.

In spite of that legislation, Sir, and in spite of the efforts of the Royal Barbados Police Force, who have been working valiantly in the fight of dangerous drugs, we have still had a situation developing where persons on the school premises can be found with marijuana, to a lesser extent crack cocaine, but illicit drugs nevertheless which are against the laws of this island and which present not only a threat to the person in whose possession they are found, but indeed a threat to the general security of the school.

Equally so, Mr. Deputy Speaker, the situation in relation to violent crimes has been one that is particularly worrisome to all right thinking members of the society. Indeed, Sir, it is significant that we reached a high point in violent crimes in this country in 1990-91 where I think many of us remember the incidence of gangs and violence particularly among the 16 to 20 age group, people still in school, some out of school, where we reached a high point of 718 cases brought against persons in 1991 which by 1994 had dropped back down to 370 but is still substantially more than it was in the early 1980s. Sir, we take no comfort in that reduction since 1991, because we believe that the reduction should be complete and not just halved as it has been. We believe that there has been a greater effort on the part of the police, as well as persons in the society, through successive efforts to ensure that persons who are finding themselves on the verge of committing offences are given opportunities to be able to do something that is noteworthy for themselves and uplifting in respect of their talents. In spite of that, Sir, we have persisted in the development of a number of serious crimes on the premises of our schools as well as the presence of a number of offensive weapons in the schools. Very often, Sir, the presence of these weapons and the presence of drugs is not necessarily even made public. Very often, in fact, Sir, sometimes the Ministry has to solicit information over and over before it receives it from the schools.

2.15 p.m.

We believe Mr. Deputy Speaker, Sir, that this is a matter of grave concern to the integrity not only of the school but to the population within the school. This is not a matter I take any joy in introducing to this Honourable Chamber but it is a reflection of the signs of the times, a time when within one day we can have 2 girls stabbed in a secondary school and within less than 90 minutes two intruders come on to a school premises, armed with collins and other weapons, enter the school hall and go after a youngster whom they allege 2 days before troubled a brother of one of the persons armed with the weapons so that they can seek vengeance against those who they believe affronted their brother. All of this, Sir, takes place in a secondary school in Barbados within the space of 2 hours.

One girl was punctured in the lung, a serious injury, another one stabbed in the stomach with bleeding taking place, and a serious injury, while the offenders who came on in search of the person who had affronted their brother ended up slapping the wrong person with a collins on the person's hand. Now, Mr. Deputy Speaker, these are not things that we enjoy hearing about or having to deal with.

Equally, Sir, we are aware of an incident at school a few years ago where a young girl was actually killed on the premises of the school. We are aware of other incidents within the last few months, in fact, in that same week in which we had a situation with students being found with drugs at over 3 schools that week alone, in an island that has 23 secondary public schools. Sir, we had a situation with one student being disarmed of a gun as well.

Sir, this is a matter which has been of great concern to the teachers and the principals and the caretakers and the ancillary staff of schools across this island and very often teachers have felt – and this has been represented by both teachers' unions and the principals of the public secondary schools through their representatives to us – that in the

past teachers have traditionally searched students for various things but that the law has never really supported it. Because of the nature of our society and the nature of the respect for one's elders and respect for authority no one would even dare, dream of questioning a teacher's right to search a school bag when the teacher says, "Come let me see your school bag now. Let me search it."

In fact, there are Members of this Chamber who have taught and who themselves have admitted that that was their lot as far back as even before we had to deal with the spectacle of drugs and offensive weapons.

We live in a society Sir, that is far more litigious than it was **15-20** years ago and we live in a society where teachers felt increasingly vulnerable in seeking to protect other persons by exercising the right to search and they have been making representation to successive governments that this matter be included in the Education Act so as to give them not only that power but also to deal with the related power to have parents and children liable for damage committed on school property or on the property of persons who are attending the school.

Sir, the significant thing of this is that there have been many incidents in the past reported by teachers of students who want to be spiteful of teachers for actions that teachers have taken, such as taking a nail and running the nail along the car of the teacher. At the end of the day the teacher has absolutely no recourse to seek any form of compensation to repair the damage done to his or her car.

These are mauers, Sir, that have been in the forefront of consultation with the unions and in fact the matter pertaining to damage of school property was raised by the teachers' unions and the principals in my very first meeting in the Ministry of Education in October of **1994** with the aforementioned parties. We therefore felt, Sir, that there had to be the capacity of those in authority to be able to have powers which could seek to minimise the situation.

Now I want to be careful in my language, Sir. We do not expect and cannot expect that we can ever with one single amendment to legislation remove the scourge of drugs from our society or remove the spectacle of violence, mindless as we would have seen it last week resulting in the death of a young girl at the bottom of a well. We do not expect, Sir, that we can remove violence or drugs from this society with a single amendment and a piece of legislation. But we believe, Sir, that where we can seek to increase powers which will lead to a reduction of the occurrence of these events, but equally so, to the greater protection of those who must occupy the school premises, the greater protection of the hundreds of children who by law must attend school, the greater protection of our teachers, the greater protection of our staff who must work on these premises that we, as a government, have a duty to promote public order, to promote public safety, to promote freedom and rights that must be exercised by persons going about their normal everyday duty of attending school to learn, or attending school to teach, or attending school to clean, or to be a lab assistant or whatever form of employment they have there.

Sir, it is in that context therefore, that we have introduced this amendment to the Education Act because we believe in those powers that can be exercised that might find a knife before it finds itself in somebody's body or those powers that might lead to finding drugs before the same drugs are used to encourage two or three people who have never smoked in their lives before to come behind a tree or come behind a building and smoke, or those powers that would seek to say finally in this country that alcohol is as dangerous a drug as marijuana or cocaine and has been responsible for the destruction of more families and individuals than marijuana or cocaine, Sir, this legislation also would lead to being able, simply, to recover items that were stolen, and therefore may have led to some hardship on the part of the student from whom the property was stolen.

2.25 p.m.

Now I want to say Mr. Deputy Speaker, Sir, that is the background within which this legislation is being brought to this Parliament, Sir. We believe that it is important for those in authority to be assertive in respect of a situation that is seeking to take over. I want, Sir, to stress here that a lot of the complaints that are made generally in this society, whether it is through the media, electronic, print or in conversation, largely relate to a recognition of the dilution of certain values and characteristics, Sir, that are necessary for the preservation of people and the preservation of communities and, indeed, this country.

Whether, Sir, it is that disrespect for authority, whether, Sir, it is deviant behaviour, whether it is drug use, whether it is violence at the end of a football match or cricket match, I want to say, Sir, that these things are not within province of young people alone. This country has known violence at the end of games for years. It may not have received the same level of publicity that it receives now, or it may not be in the same intensity as it may be now, but that has not been anything new to the society. What we have witnessed over the years has been a general reduction in what is acceptable behaviour, and what is necessary to inculcate in people honest, decent, characteristics that are necessary for them to move through life.

I want to suggest to this Honourable Chamber, Sir, that it did not get so overnight, and it is not going to change overnight, Sir. There can be no Government anywhere in the world, Sir, that can provide a solution for the changing dynamics that a society is going through,

Sir, largely because the influences that are brought to bear on an individual's development or on a family's development, Sir, are wider than governmental action.

Sir, it goes from as basic as parenting to the whole question of the extended family, to the whole question of a village raising its own, to the whole question, Sir, of community organisations, to the church, to non-governmental organisations, to all forms of institutions that interact with human beings in a social way and on a regular basis, Sir.

I want to suggest, Sir, that what therefore is required is not simply Government's actions alone, in spite of the fact that we are bringing this amendment today, but that there must be a national effort to mobilise people in this country, to recognise that all of us have a vested interest in the inculcation of basic characteristics and values that are necessary, Sir, for our children to advance and to advance in a way that is befitting of their development.

I want to suggest, Sir, that the church has as important a role to play as the Government, that the community clubs, sports clubs and the drama clubs have as important a role to play as the Government and the church, that the family and the parents, whether they be teenage parents, middle-aged parents or old aged parents have, perhaps, the most fundamental role to play. At the end of day, Sir, guidance of children, guiding a child is about developing trust between yourself and that child.

More importantly than anything else, Sir, is for that child to have access to an older person who is capable of guiding it, letting it know from early what is right from wrong, letting it know from early that when you decide to do something you must think first, and you must first ask yourself whether it is right or wrong. Then you must ask yourself, "Am I prepared to accept the consequences of my choice?" That is the true test of maturation, that is the true test of moving into adulthood, Sir. You cannot expect people to exercise those thoughts or questions suddenly when they reach 18, if they have not had a pattern of exercising them before they reach 18.

Therefore, Sir, I say to you that the parent and parenting and mentoring are, perhaps, the most important weapons or tools that we can use in that national mobilisation effort. It is for this reason, Sir, that the Ministry of Education, for the time, has placed over $100 000 in a parent education programme to train over 1 100 parents in the course of 1 year.

We recognise, Sir, that we suffer as a consequence of teenage pregnancies, from the fact that very often there are children who are being asked to raise children. We recognise, Sir, that as a consequence of a greater propensity of dividing households, there are parents who do not interact with their children on a regular basis. We recognise, Sir, that as a consequence of the fact that the way in which we live geographically has changed, that very often you do not have the extended support from family and friends in a community to help supervise your children after 3 o'clock and before 10 o'clock on a night. Very often children are left unsupervised in activities that may lead them into greater trouble.

I want therefore to urge all Barbadians, Sir, all Barbadians who care, Sir, about the development of this country, who feel a strong a sense of commitment to the fact that there must be present among all persons living in this country, a respect for certain characteristics and morals that are necessary, Sir, to carry us forward as a people and as individuals.

I want to urge them, Sir, that it is necessary that they participate in the effort to take care of just one person. I want to issue a singular challenge, that it takes each one to take care of one, that if each and every one of us in this country, Sir, apart from our normal responsibilities, decided to make that additional time to take care of just one more person, just one more person, it would make a significant difference to the lives of numbers of young people and children in this country.

Therefore, Sir, what comes here today as an amendment, is not meant to be a cure all for the problems in this society. It is not meant to be a magic wand to wipe out things, but it is merely an effort, Sir, to increase authority, and in some instances, to legalise what took place before, among those, Sir, who are faced with the everyday battle of facing children, Sir, who refuse to heed the directions of lawful authority and find it more attractive and preferable to engage in activity of illicit drugs and violent activity.

I want to suggest to this Honourable Chamber, Sir, that very often if we can identify some of these children who have the propensity in this manner at an early stage, we can provide the kind of support and rehabilitative network that is needed to bring these children back on stream. That, perhaps, Sir, is the most important aspect of this Bill before this Honourable Chamber, not the punitive aspect it, as one newspaper sought so vulgarly to report today, Sir, by the headline "Blackboard Jail."

Sir, it was their duty as part of the fourth estate, Sir, to bring down efforts by their headline and an irresponsible headline, because the headline bears no relationship to the story that they carried.

Sir, I will leave that to the Honourable Attorney General who has recently been also the victim of irresponsible headlines. Mr. Deputy Speaker, when you

say one thing you must say another. I want to compliment another aspect of the Press, who last night carried in a comprehensive manner, details of this legislation which is coming before the Honourable Chamber. I believe, Sir, it was done by a young reporter who has been on the job for less than 1 year, but who recognises the responsibility which she has to discuss matters at a certain level, Sir, and is not seeking to cause hysterics...

Asides.

Hon. Miss M. A. MOTTLEY: CBC's report last night by Natasha Forde which was excellent.

I was therefore disappointed, Sir, when I saw the headline on the back page of the *Nation* about "Blackboard Jail," because it bears absolutely no relationship to the article that follows.
2.35 p.m.

Anyhow, Mr. Deputy Speaker, the point that I was making is this the most important aspect of this legislation is in fact not the punitive aspects of it but indeed, Sir, we intend to be able to identify persons who are genuinely in need of assistance, who are experiencing behavioural problems or problems of addiction and who need to be treated, not just by the court but as this legislation provides in an approved out of school suspension programme which will be established by the Ministry of Education as a necessary corollary to this amendment.

Ask yourself why, Mr. Deputy Speaker. Right now when a child is suspended from school invariably the child goes home or goes on the block. Nothing happens to seek to rehabilitate that child. Nothing happens to seek to be able to understand why that child behaves in the manner in which he or she behaves. Nothing happens to be able to understand why and how you can correct this wrong and we on average have been having 150 to 200 suspensions a year, suspensions that are given generally to persons who exhibit violent behaviour and disruptive behaviour, suspensions for persons who exhibit persistent indifference to school rules and repeated rude and disrespectful behaviour, suspensions, Sir, for those persons for whom in-school disciplinary action would not appear to k working.

If we simply allow these children, Sir, to go on the block when they are suspended, not to receive counselling or rehabilitative attention, Sir, these are the same children who when they leave school would in fact enter the numbers of these police statistics that I referred to earlier today. These are the same people, Sir, who would continue in the behaviour exhibited in the school and, if anything, that behaviour would worsen. I therefore believe, Sir, that it is Government's responsibility to ensure that there are mechanisms in place not only to seek to identify these children as this legislation provides by allowing for the powers to search but indeed, Sir, an administrative programme established for the first time in this country, an out of school suspension programme which would be mandatory for persons found to be in possession of any of the aforementioned items under this legislation or who are exhibiting violent behaviour, for those persons to attend in the first instance for 15 days, if it is a first offence, for 30 days if it is a second offence. The out of school suspension programme should have the power through its counsellors to say, look we need another 30 days with this youngster in order to complete the programme that we are doing for him or her.

We believe therefore, Sir, that this is a necessary complement to this legislation and I give this Honourable House, Sir, the assurance that the Ministry of Education is making every effort to have such a programme established during the course of the first term of the school year coming up between October and December.

We have in fact, Sir, held extensive discussions on the out of school suspension programme with the unions and with the Barbados Association of Public Secondary Schools whom I must meet with again because they have been the ones who have been calling more particularly for this out of school suspension programme because they simply are at a loss as to how to deal with those children who create severe problems within the school population whilst still trying to deal with the majority of the school population who are behaving well.

Indeed, Sir, the Committee that was established to devise this programme had representatives from the principals, representatives of the teachers who are guidance counsellors and had also representatives from the Ministry of Education. One hundred and fifty to 200 suspensions a year is where we have reached, persons who are not now accommodated or catered to by any programme.

We also seek, Sir, to make sure that when a search does occur it is the duty of the principal to report the findings forthwith to the parent of the child, to the police, to the Chief Education Officer and to the Board or school committee as the case may be depending on whether it is primary or secondary school.

Now I want to make a point here, Sir. There will be administrative guidelines that will be issued by the Ministry which will supplement the legislation. We do not expect, Sir, that in every instance, particularly when a youngster is found perhaps with a small amount of alcohol for the first time or a penknife that that person would be prosecuted. The fact that it must be reported to the police does not require the police to prosecute in this instance in respect of those areas.

We believe, Sir, that in marginal areas of activity such as that, that child should undergo a period of intensive counselling, that the child need not even be suspended but simply undergo a period of intensive counselling for the actions which he or she exhibited. It is only last year, Sir, that we had a headline in this country reflecting the fact that we had an increase in the incidence of alcohol being found among young girls in this country and that is of particular worry to us.

We also believe, Mr. Deputy Speaker, Sir, that it is necessary that discretion be exercised by the teachers and the principals because it is in the exercise of that discretion, Sir, that they will be able to determine what is an instance that is capable of threatening the public order or the public safety of the school and it is those offences, Sir, that we would fully expect to be brought before the court for prosecution.

On a matter of some detail, Mr. Deputy Speaker, this Honourable Chamber should be aware of the fact that the search of a pupil in terms of the pupil's person shall be conducted and must be conducted in the presence of another adult. In other words, in the presence of a person who is not the person conducting the search. So there will always be a third party there who is an adult.

We also believe, Sir, that when you are searching a pupil's property the law should state as it does, that that pupil should be present when you are searching his or her property as well ss another adult who is not the person conducting the search.

We felt, Sir, that a female pupil must be searched by a female teacher and we have, Sir, had some considerable discussion with the Teachers' Unions and the Principals on the requirements for whether a male pupil can only be searched by a male or not. It was felt, Sir, that persons other than the Member for St. Michael West might object to this and it was also felt that the practical reality where over two-thirds of the teaching complement is female would mean that in some schools you simply on a day might not have a male at all present. I applaud the recommendation therefore made by the Barbados Secondary Teachers' Union and the Barbados Union of Teachers that we support this with an administrative direction that wherever possible that the search of a male should be conducted by a male, but where a male is not so present then it may so be conducted by a female.
2.45 p.m.

Aside.

Hon. Miss M. A. MOTTLEY: Now, Sir, the other critical part of this legislation is that it provides that where the search takes place on school premises it really should be done in private and not simply in open glare of any and everyone. Equally, it should seek to deal with what is a fact a real problem that is that very often weapons or drugs are found on persons when they go out on school related activities, to games or cultural events. It allows the teacher to make that search once the school members are out together in relation to school related activities as often happens with games within schools or cultural events at another school and so on.

We believe that there must be a full and proper report forwarded to the principal once the search has been executed by a teacher. We also feel, Sir, very strongly that persons who seek to abuse this power as teachers must be dealt with in the strongest possible way because it is not a power to be abused. Sir, it reminds me of the saying that to whom much is given much is expected. In the same way, Sir, that the law treats in a severe manner, Sir, the abuse of power of constables or other persons who have a fiduciary relationship with other people we believe that any breach or any abuse of power by a person under the authority conferred in this legislation must be dealt with in a severe manner.

At the same time, Sir, we felt that it was necessary once giving these teachers these powers to confer on them the same powers, privileges and immunities as are conferred on a constable by law, so that teachers in the exercise of these will have the same powers, privileges and immunides as are conferred by a constable in law. I believe that it is necessary for us to administer training sessions in this school for us to be able to train teachers as to what is expected of them and to train teachers as to what their powers are before this legislation is fully effective. We will seek to do so starting from September 1996 in conjunction with the Royal Barbados Police Force whb will be able to provide the level of expertise and knowledge that is necessary for imparting to leachers. Sir, there will be times when a teacher will have to make a judgment call and may have to decide that a person's behaviour is so threatening that it is not in their interest to execute the search. No teacher can be faulted for making such a judgment call. What must happen in that circumstance, Sir, is that that teacher must make every effort to alert either the principal or a senior teacher and where appropriate even the police. Nobody is asking anybody to walk icto danger where a person is clearly waving a knife or is likely to use a knife or become hysterical or is likely to have access to a gun that can be used at anytime. Therefore, I want to make it absolutely clear that what we are asking people to do also requires the exercise of discretion and the ability to make a judgment call but not to expose themselves to anymore harm than they might otherwise be exposed to.

The legislation therefore creates an offence of having in your possession the controlled drug, gun and intoxicating liquor or the offensive weapon. Sir, what the legislation does is simply to prescribe what is the maximum sentence available to the person who has committed the offence, that that person is liable to a maximum sentence on

summary conviction once they are under the age of 16 to a fine of $1000 and if they are over the age of 16 to imprisonment of 6 months or a fine of the same $1000. So that no one under 16 is liable to imprisonment at all and persons over 16 are liable to imprisonment of a maximum of 6 months.

Now I want to be very clear here, Sir. This is simply the maximum sentence. The law does not expect and does not usually see a person being brought before it for a first offence or second offence being sentenced to a maximum sentence. In fact, before the magistrate reaches the stage to fine, at all far less imprisoning, the magistrate must consider first the options of reprimand and discharge, the options of convicting, reprimanding and discharging, the option of Community Service Orders as has recently been done by one of our magistrates, and the option of probation before they even get to the point of considering to fine a young person or to send anyone to prison. Those who are honest about the law will be the first to tell you that no magistrate will seek to impose a maximum sentence of any child for a first offence unless the circumstances are so heinous that it has probably led to the death of a person – no reasonable magistrate or no reasonable Court of Appeal.

Aside.

Hon. Miss M. A. MOTTLEY: I would not call them foolish magistrates as the Leader of the Opposition has done in the past. The point is this, Sir. I want to reinforce that point. The legislation must always provide for the maximum but the reality is that the options available to the judiciary and to the magistracy are far wider and are exercised in this country on a daily basis. Any visit to any law court in this counuy will see persons 16 and 17 years everyday almost before the Courts and very often when found guilty for more serious offences are subjected to probation, to CRDs, RDs or Community Service Orders even before the concept of a fine or imprisonment is introduced. But law must always be wide enough to accommodate all circumstances. We expect that a maximum sentence will only be imposed for a second, third or fourth offence depending on the circumstances among other things.

Further, Sir, I want to suggest to you that these offences which we create in the Education Act, specifically as it relates to school premises, are capable of being charged under other pieces of legislation. If a person is to be found in possession of marijuana whether young, old or otherwise, they will be charged now under the Drug Abuse (Prevention and Control) Act and will be liable to $500 000 fine or 7 years imprisonment on summary conviction or both. If there is any indication of the law providing for maximum sentencing, that is the best possible example that can be used for this Honourable Chamber. There are youngsters who are fined $100 and $200 weekly for possession of marijuana in spite of that being the maximum sentence, but we felt that it was important to state the position and to send a strong message to the people of this country that such behaviour on school premises is totally unacceptable, wrong and must be remedied.

2.55 p.m.

Very briefly, Sir, in respect of damage to school property, I have already indicated that we have had situations in the past where persons have damaged the property of teachers, or damaged the property of the school by knocking out louvres deliberately by picking up stones and deliberately throwing the stones to break the glass windows out. When I told this Honourable Chamber last year that the Government of Barbados on primary schools alone faced a bill of over $14 million in rehabilitation, that sum is not only due to lack of maintenance that had taken place over the years, but is also in fact due to a lot of vandalism that takes place not only by students but in some instances unfortunately, Sir, by the community. We had an incident at Lawrence T. Gay School about three months ago where the Government was forced to spend *$22* 000 to clean up after a sick mind had entered the school and defecated upon the walls and broke out windows. They did not even carry away much, or anything, Sir. The same thing happened, perhaps without the defecation, at St. Luke's and every year we can find five or six schools in which vandalism has become part and parcel of the landscape of the schools, more so in respect of secondary schools than primary schools. Unfortunately, particularly near the end of term or when there is a decision that is adjudged to be a harsh decision, it can also happen to the property of teachers or members of the PTA.

We believe that it cannot be fair for a person who seeks only to attend doing his or her lawful duty on his or her job to have to be subjected to a situation where their property is damaged wilfully and for which they can receive no compensation or for which there is no recourse. I believe that this reflects the views of the majority of teachers and principals in this country. What it does is not only to provide a maximum sentence, once again a *$500* fine if under 16, or $500 fine and/or imprisonment for three months if over 16, but it does provide for parents to be liable for the damage for their children. This is not a novel concept, because under the law already in this counuy Magistrates have the power to adjudge compensation orders, and where the persons who are affected are under the age of 18 the parents usually must pay. This is not something that is new to the development of jurisprudence in this country, and we therefore feel that this is the correct move in order to seek to alleviate some of the problems we have been experiencing.

Sir, we do not expect that a child that falls running and happens to cause an accident or knock out some louvres is liable for this. That is why we were very specific with the AG's Chambers in the inclusion of the

word "wilful" and not simply to say without lawful excuse, because we felt that it had to be an offence of specific intent and not simply an offence to which recklessness could be a state of mind. Anyone who is schooled in law will know that it is absolutely vital that that difference and distinction be made, and therefore that it is at the higher level that we pitch this offence, that being an offence of specific intention.

Mr. Deputy Speaker, there are one or two other small points I should like to make before I close. As I said, there are some offences that already exist under our law today, but we believe that this is a scheme we are putting in place which reflects not only legislative amendments but administrative changes, the establishment of an out of school suspension programme as a mandatory condition of attendance for anyone so sentenced, which does not now exist, and indeed the training which is necessary to allow persons to effectively exercise these powers. We believe that it is critical that persons who are given the opportunity to exercise these powers must in fact be exposed to such training beforehand and must also follow the administrative guidelines which must come down from the Ministry before we start the next school term.

I want to say to this Honourable Chamber, Sir: that the Ministry of Education took great care in the discussion of these amendments and in the preparation of these amendments before we brought them to this Honourable Chamber. I want to say to you, Mr. Deputy Speaker, that we went so far as even meeting on the first draft that came from the Honourable Attorney General's Chambers with the Barbados Union of Teachers, the Barbados Secondary Teachers' Union, the Barbados Association of Principals of Public Secondary Schools, the Independent Schools' Association, which represents the independent secondary schools, and the National Council for Parent-Teacher Associations. We met with all of those organisations on Wednesday, July 24, at 9.30 in the morning for over three hours, where we went through this legislation section by section and where those present made an invaluable contribution to what is produced here today. I want to thank them publicly and to salute them, because they have been the ones who have been calling for these amendments over the years, and they took the time not only to just call for the amendments but to come and sit down with us, go through section by section and in fact made a number of major amendments, some of which I can tell you.

They, for example, felt that it should be a power exercisable by the teachers and not just by persons delegated by the Principal in writing. They felt it should relate to school related activities off the school premises, because the real problem does not always occur on the school premises, but in their experience the real problem also occurs when teams go to other schools to play or when children go to other schools to watch dramatic or cultural events. They felt, as I indicated earlier, that the administrative guidelines as to searches by males where males are present and then by females should suffice rather than making it exclusive to males, as I was prepared to do but they pointed out to me the reality of which I would not have been aware, having not taught, that in some schools on a day there is no male presence. They pointed out, because the first draft of this legislation only dealt with damage to school property, that it should be extended to the property of persons who are not trespassers on the school premises.

3.05 p.m.

I want to thank them publicly because it exhibits a level of cooperation, which I believe is necessary in the enforcement of what we are seeking to provide for today. Government can always provide legislation but if there is not the public will to adhere to the legislation or the public will to enforce the legislation, the legislation means absolutely nothing.

I believe, Sir, that I sense from them that the public will is there that, in their words, in one instance, Government in some part is really only legalising what has existed for years and because of the nature of this society has not yet found itself the subject of a lawsuit in court in terms of searches of school bags and searches of persons' pockets. These have been taking place for years. I believe that this is legislation which, as I said, I have absolutely no pleasure in introducing to this Honourable Chamber. I believe that as a government one must do things which are necessary to preserve public order, public safety and public morality.

Sir, the reality is that the times in which we live can show us some of the most heinous events occurring before our very eyes and unless we as a society are prepared to reclaim the temtory which is being taken from us on a daily basib, on a monthly basis and on a yearly basis, we will only have the ashes to protect in another generation. I want to suggest, Sir, that the importance of this legislation relates not to its punitive effect but to the fact that we are prepared to reclaim territory as a government as a school, as a teacher, as all of those things that exhibit authority in this country.

I want to say that it is important because it helps provide a total programme for rehabilitation and counselling of those children who would otherwise be punished under the school rules or the laws today but who might be left languishing at home or on the block simply because there is no position to require them to undergo a period of counselling or to undergo a period of rehabilitation. We cannot be perfect, Mr. Deputy Speaker, Sir. We cannot guarantee the obliteration of the scourge of drugs or the prevalence of violence or the creeping capacity of alcohol to destroy families and individuals. We cannot do that.

What we can do, Sir, is play our part in ensuring that we are not prepared to allow territory to be taken from us as a people, as a country, as a government as a school, as a teacher, that we feel, Sir, that we must control the development of good values and the good characteristicsof this country.

Mr. Deputy Speaker, Sir, I therefore ask and urge as my last statement that this must be a national mobilisation effort on the part of all, on the part of Government, on the part of the church, on the part of political parties, on the part of parents, on the part of those who are in community groups, on the part of those who are in sports groups, on the part of all right thinking Barbadians who care about the future of this country. I, therefore, ask Mr. Deputy Speaker that we not only do so by the commitment in words and through our lips but that we take time that each one should be responsible for one for whom we are not now responsible, that each of us steps outside of our normal circle of responsibility and seek to take care of just one.

Mr. Deputy Speaker, I have therefore a sense of duty in cornmending this amendment to the Education Act to this Honourable Chamber today because it simply is not only just the right thing to do but the only thing we must do. Thank you.

Hon. R. C. EASTMOND: I rise to second this measure, reserving my right to speak.

Mr. F. J. STUART: Mr. Deputy Speaker, I shall not detain the House on this matter. All legislation, Mr. Deputy Speaker, presupposes the existence of an objective reality to which that legislation seeks to respond. I listened with interest to the Honourable Member for St. Michael North East, the Honourable Minister of Education, for the reality with which this legislation is intended to deal. It occurs to me that the social problems in which Barbados is at present engulfed are being laid squarely at the feet of the school children of Barbados. One is getting the sense that the school children of Barbados are responsible for all the problems that at present beset the society and I take serious exception to that view because I do not know of any school child who has ever been a Government Minister. I know of no school child who has been the headteacher of a school or a teacher of a school. I know of no school child who has been the chairman of any board. I know of no school child who has ever been a priest. I know of no school child who has been a parent, speaking in general terms.

The problems that Barbados experience today such as they are have been created by the adults of Barbados and if these problems have now ripened to the point where the society has been plunged into panic it is not the solution to target the school children of Barbados and hold them responsible to make them carry the burden of solving all of the problems that they did not create.

I speak not only as the shadow spokesman for education, I used to be a teacher myself for 12 years of my life. I have always understood the teacher's role to be, in relation to the students, that of a person acting in *loco parentis* when the student is at school. At school, the teacher is the parent away from home and I do not know that a person acting in *loco parentis* needs the kind of powers which this legislation seeks to impose.

I am therefore very concerned about this piece of legislation and I want to signal up front the Democratic Labour Party is prepared to take any fall-out that flows from our voting against this. We are not going to support this. I am refreshed and consoled to hear the Minister say that she spoke to all the stakeholders and they agree. I took the trouble this morning before I left home to speak to 5 teachers and not one knew anything about this. This is not to say that their unions do not know. This is not to say that the headteachers do not know, but I can say, without fear of contradiction, that the teachers to whom I spoke to this morning before leaving home, on this matter, our parliamentary group having discussed it last night, knew nothing about this.

3.15 p.m.

Some expressed terror, some expressed fright at the prospects of having to go into a court of law and give evidence that would secure the conviction of one of their students while the parent sits in the public gallery looking across.

One teacher, in fact, said to me. "I am not going to put myself in any position where anybody is going to come and bum down the house that I worked so hard to get." That was said to me today.

I do not know, Mr. Deputy Speaker, what all of this is about. I do not know where all of this panicking comes from. The school children of Barbados are not responsible for this society's problems. They are the victims of the society's problems, and we should be reaching out to help them to cope with these problems rather than trying to impose additional burdens on them.

Take for example, Mr. Deputy Speaker, a provision in this amendment. It is not an offence in Barbados, as far as I know, for any adult to have an alcoholic beverage in his possession.

That gentleman, popularly referred to as the lyrical master from St. Philip, as long ago as 1985 in a song called "Bim" talked about people at school drinking whisky and removing the label. He was not talking about students. It is not an offence for any adult in Barbados to have an alcoholic beverage in his possession. This legislation now says that what is not an offence to the adult section of the society, that should be setting the example to student, is now going to be a criminal offence for a school child.

The adult is free to have as much alcohol in his possession as he likes, free to drink it and get drunk, but if the student has a bottle of "Twist," which I understand contains some measure of alcohol, he has committed a criminal offence and he can be carried before a magistrate and convicted. He can be carried and convicted for having an alcoholic beverage in his possession.

I am not here intending to say that students should be allowed to have alcoholic beverages in their possession, but what I am saying is that I consider it a gross and unpardonable anomaly for a situation to exist where what is criminal for a child is not criminal for an adult. There is something fundamentally wrong with that, since it is the adult that has to set to example for the child to follow. I do not understand that a Government that professes to care, and boasts all the perspicacity that I have heard coming from that side ever since September 1994, could come to the people of Barbados today with this, an amendment of the Act that says to children, "Do as I say but not as I do." I cannot accept that. Vote against that.

Mr. Deputy Speaker, the criminalisation of a student is not an issue that this House can afford to take lightly. The Education Regulations, Regulation 23, sets out the duties of a teacher, and they read in part as follows:

" A teacher in a public school shall subject to the Act and these Regulations:

(b) Provide the pupils under his care with appropriate instruction and learning experiences during the school day.

(e) Give undivided attention to his duties during school hours.

(f) Maintain proper order and discipline among the pupils under his care.

(g) Be on duty for the school day and take part in playground supervision and other school activities.

(h) Assist in promoting the welfare and well being of the pupils and fostering their social and moral development.

(j) Keep a record of the daily attendance of pupils and enquire into the causes of lateness and report them to the head teacher."

These are some of the listed duties of a teacher as he discharges his responsibility in relation to students.

The education system of Barbados has derived its energy from a working partnership between, on one hand, the teacher and the pupil, and on the other, between the teacher and the parent. That is the dynamic that has driven education in Barbados over the years. That is the dynamic that can explain much of the success and stability of which our education system has been able to boast.

The question is, "Does this amendment seek to reinforce that dynamic or does it seek to undermine it?" How will a student regard a teacher at whom he can look back and accuse of being responsible for his not being able to get a police certificate of character if he wants to go for a job when he leaves school? How will he regard that teacher? Is that a teacher who was assisting in promoting the welfare and well being of that student, and fostering his social and moral development? Or is that a teacher who was more concerned with playing up the foibles and shortcomings of the student and using those shortcomings and foibles to the student's disadvantage?

This amendment means for all of us in this House, that at age 18 when a student comes to you and asks you for a testimonial, you have to ask him if he has any criminal convictions. It means that on an official scale because, as this amendment stands, one can contemplate teachers knocking around the courtyard waiting to give evidence the people for whose moral and social development their are responsible.

I am not aware that is the case on any grand scale, since the Honourable Member for St. Michael North East is saying that this is so big a problem. The problem of alcohol beverages in school, the problem of firearms, the problem of weapons and so on, one can 'contemplate a lot of teaching hours being spent by teachers in the courtyards knocking around waiting to hear their names call to go and give evidence against the students that they are responsible for.

I do not know why all of this is necessary. Nobody is saying that a lookout should not be kept to deal with these problems. A lookout has always been kept to deal with these problems. I left school 26 years ago, and when I left school students were bringing to school sharp edged tools and offensive weapons and that sort of thing. Those problems were dealt with by firm leadership in the schools, and teachers rose to their responsibility in a serious way. All we call for now is a retreat from a situation of panic and a reconciliation with the fact that times may have changed, and teachers have to relate to their students slightly differently.

I am satisfied, Mr. Deputy Speaker, that to the extend that the dynamic of a trusting relationship between teacher and student helped to push our system in times past, this amendment is going to strike at the very root of that relationship, at the very root of the trust which was the cement that held it together and is going to distort the relationship between teacher and student.

I hope I am wrong. I shall be the first person to applaud the Minister if all that I am saying is wrong but I happen to have been a teacher and I know that arming the teacher with this kind of power to overtly make himself or herself responsible for criminalisation of the students cannot imbue that student with any confidence, but can in fact put the student in a position where the distrust and in some cases the hatred could lead to other problems not contemplated by this legislation.

3.25 p.m.

Drugs are a problem in Barbados but again the drug problem has not been created by school children so this is not a problem to be dealt with in an Education Act. This is a social problem which requires the mobilisation of this country's energies, resources and creativity to deal with a problem which once dealt with at a social level cannot affect our schools. Somebody produces drugs, that person produces drugs from a motive of making money. Somebody trafficks drugs and trafficks them for the same motive, to make some money. The person who consumes drugs is consuming them for a completely different reason and I do not see how you can equate all three of those categories of persons and try to deal with the problem in this way.

Students leave adults at home. Students meet adults on the street before they get to school and can come into contact with drugs by those means. School children do not create drugs. The problem has to be dealt with where the drugs are being created and where they are being trafficked. But alas if a student is found with drugs in school, instead of trying to find out what it is that requires a student to be quasi-dependent on drugs a headteacher under this amendment has to report the matter to the police.

The word "shall" is imperative, mandatory. Where upon a search carried out pursuant to subsection (1) the teacher finds any intoxicating liquor, controlled drug, gun, offensive weapon or any article that has been reported stolen on the person or in his possession, the principal shall report forthwith the finding to the parent of the child, the police and any pupil who is found in possession of any intoxicating liquor or controlled drug is guilty of an offence and liable on summary conviction etc.

As the law is now, that same headteacher can exercise discretion and decide, based on what he knows of the child, how he should deal with the problem. By this amendment he now has to report the matter to the police. I think that taking that discretion away from the principal of the school undermines the very objective of teaching which is to assist the student in his social and moral development and try to lead him on the way to a virtuous life rather than to show it how to get a criminal conviction. So I am not satisfied, objective contemplated by the Education Regulations so far as the teacher is concerned. The teacher now becomes a policeman, a constable in addition to being a teacher, somebody on the lookout waiting to report somebody to the police when in fact the Education Regulations and the traditional relationship between teacher and pupil contemplate a different kind of relationship.

Section 1(9) of the amendment, "The teacher who carries out a search under the authority of this section may exercise the same powers, and has the same privileges and immunities as are conferred on a constable by law." This is an additional role for the teacher. He is now a pedagogic gendarme, a policeman, peeping around with a view to getting students in the hands of policemen to secure for them criminal convictions. I do not accept that. We have all gone to school. What happens in a situation, Mr. Deputy Speaker, where for reasons that the child may not even know, one of his fellow students sets him up, puts something in his bag? What becomes of a child in that situation? He is found in possession and defenselessly gets a conviction recorded against his name.

This is all dangerous business, Mr. Deputy Speaker, and I do not think that we are being wise in pressing the panic button and responding to the problems which the Minister identified. The problems that she identified are really not problems that have to do with school at all. If school children are carrying sharp-edged weapons to school it is part of the national belief that if you do not defend yourself there is nobody there to defend you. There is a collective sense of insecurity pervading Barbados at the present time and the resort to violence to settle disputes is out there abroad in the society. It is nothing of which we on this side approve. We in fact deprecate it but to blame the school children and to make them the fall guys in all of this while leaving the social problems untouched is a matter upon which we on this side have to frown.

I am not satisfied, Mr. Deputy Speaker, that the relationship between teacher and pupil will be enhanced or deepened by this amendment. I am not satisfied either that the relationship between teacher and parent will be enhanced or deepened by this amendment. If a teacher acts in *loco parentis* in relation to a child it is permissible to ask what does the natural parent do when he or she discovers that his or her child has intoxicating liquor in his possession, or a controlled drug, or a gun, on his or her person or an offensive weapon or any article on his or her person that has been reported stolen? A parent does not call the police. A parent does not set out to criminalize his or her own child. What the parent does, the good parent and the thoughtful parent, is to try and find out what has gone wrong in his or her child's life and try to see how best he or she can rehabilitate the child and restore the child to a state of confidence that makes him or her no longer want to rely on these kinds of unacceptable social habits. If the normal parent would do that, why is the person being

asked to do something else? Why is the alternative parent, the teacher in the school, being asked to criminalize every mother's son or daughter that he or she finds in possession of the items listed in the subsection?
3.35 p.m.

I do not want to spread any alarm but I want to warn teachers that they must not be surprised if there is an unpleasant backlash from parents who sit and watch them in Court giving evidence against their children, securing convictions for their children while the children of the teachers themselves escape that kind of misfortune. I do not want to spread any alarm but this is Barbados 1996. As the shadow spokesman for Education and as a parent, I feel myself under a moral obligation to let teachers know that it is not simply a question of carrying out a search of a student and then reporting the matter to the principal and calling in the police. It also involves leaving school and going in public onto a witness stand, taking the oath and giving evidence as to what you saw when you searched, and the parent of the child will be sitting in the public gallery and be wimess to all of this. If there is an unpleasant backlash, the Democratic Labour Party will not hold itself responsible for that. I think that too little thought has gone into the preparation of these amendments. I think that it is an over reaction to a reality that is really not a school problem in any fundamental sense. It is a social problem that has been encroaching on life in our schools.

Therefore, Mr. Deputy Speaker, we on this side feel very uncomfortable about these amendments. We do not seek here to impugn the good intention of the Minister. We do not believe that the Minister is ill-intentioned at all. We believe in fact that she means well in all of this, but the way to hell is paved with good intentions. The Member for St. George South would put it this way – easy is the path that leads to destruction. This is dangerous business, Mr. Deputy Speaker, and we are not calling in question the good intentions of the Minister. I believe that the Minister genuinely wants to see a solution to some of the problems that she has described, but this is not the route. These amendments strike at the very root of two sets of relationships upon which our education system has had to depend over a long number of years, a stable and trusting relationship between teacher and student and a stable and trusting relationship between teacher and parent and both are undermined by this. I do not think that Government should be so self-opinionated to believe that it would have lost any face in calling halt to this and going back to the drawing board. I think that a lot more thought has to go into this problem than is reflected in these amendments or can be gleaned from them.

I await with interest the contributions which will come from Members of this House seated on the back bench to hear what they will have to say about all of this. I know that the more enlightened Members who are silting on that back bench and who have a bold and spacious vision of the future cannot be confined by this kind of narrow-minded approach to the solution of education problems. We understand the pressure under which the teachers operate. We understand the pressure under which headteachers operate. We understand that the school today is not the school of yesteryear. But why should it be? The average student in 1996 goes to school armed with more current information than the average student of the year 1966. Students watch the same televisions that their parents and teachers watch. They hear the same news at the same time and watch the same other types of films. Yes, sometimes they are armed with more current information than their teachers or their parents. Necessarily, that alters the relationship between teacher and student and it necessarily alters the relationship between teacher and parent and between student and parent.

Mr. Deputy Speaker, we on this side do not like this amendment at all. As I said, we are sympathetic to the Minister's intentions. We agree that our schools are not as peaceful as they used to be before. We agree that something has to be done about it but we do not believe that the solution is the criminalization of our student population who are redly not responsible for the social problems with which they have to deal from day-to-day. I think that this legislation requires more discussion and wider discussion by the public of Barbados. I do not think that the average parent, whether that parent supports the Barbados Labour Party or the Democratic Labour Patty, is aware of the consequences that will flow from this amendment if it were to pass this House today. I do not think that any parent in Barbados has any vested interest in the criminalization of his or her children and the Honourable Member for St. Michael North East who used to be a practising lawyer knows how parents react how they react to the criminalization of their children even parents of persons over the age of majority,. How much more so is the situation with a child who is still at school. There is no harm, Mr. Deputy Speaker, in the Government calling pause and taking a second look at all of this. I urge the Minister to hear me on this and to take my advice. Take the advice of the Opposition, take the advice of Honourable Members on this side that this amendment will have spinoffs that the Government does not now contemplate.
3.45 p.m.

We are sympathetic. I sat on a school Board for about eight years and I am familiar with the problem of damage to school property. I myself had to advise a Board on which I sat on matters of this kind. The common law is that in circumstances where a student damages property he can be sued by his mother or father, his guardian, and compensation can be recovered. The tragedy of course usually is that the student, and very often the parent, could end up being persons of straw and therefore there is difficulty in recovering. Sometimes the school itself, in

the interest of maintaining good relations, has to use its own funds to settle the damages for teachers whose cars have been damaged, and that kind of thing. I am familiar with that problem. I have had to deal with it on the school Board on which I sat, where persons of straw, persons who have no means, no money, accept that they are responsible for the harm, for the damage caused, but then that acceptance does not put the wronged person any better off. This is an old problem, but this has never been insoluble, and this amendment is not going to make it soluble either. It is just a codification of what already exists.

All in all, Mr. Deputy Speaker, we on this side cannot accept that you should have an offence called having intoxicating liquor in your possession for school children, when adults carry to school, carry to work, have in their homes, some of the homes from which the same children come, have alcohol cupboards and their parents are not committing any crime for having intoxicating liquor in their possession and we do not see why a defenseless student should be criminalised in those circumstances. We further believe that the problems to which the Honourable Member for St. Michael North East has pointed as the justification for this amendment are real problems, but they are problems that do not limit themselves to the schools. They are problems that encroach on the schools from the society. Whatever goes on in the schools is usually a mirror of what is really taking place in the society. But for as long as we have a Barbados, and as long as we have an education system, there has to be a distinction between a pupil and an inmate, and there has to be a distinction between a school and a penitentiary, and we believe that this legislation does not make for the maintenance of that distinction.

I want therefore to urge the Minister finally, before I sit down, to think again about this. This has dangerous implications for the education system we now work and I urge the Government to pause and to think again and perhaps let us get together on this, along with the parents, the teachers and all the other interested parties in Barbados, to come up with a solution in which we are all interested and which at the end of the day we can all defend.

We will not be supporting this, Mr. Deputy Speaker. I am obliged to you for your patience.

Hon. R. C. EASTMOND: Mr. Deputy Speaker, there is a sociologist called Robert Merton who argues that when people deviate those people are never responsible for their own deeds, but instead that the wider society creates their deviance. When I heard the Honourable Member for St. Philip South speak, I said here goes the latest Mertonite. The reason why I said here goes a Mertonite is that in his opening remarks the Honourable Member for St. Philip South said quite clearly that adults are responsible for the ills of society, that those negative influences that permeate the society are created by adults, therefore the children are innocent. That argument is consistent with Merton's position.

Mr. F. J. STUART: On a point of order, Mr. Deputy Speaker. I hate to interrupt the Honourable Member for St. James North. I did not say that students are innocent, I said they are victims of the situations created by adults, that they are victims of it.

Hon. R. C. EASTMOND: Mr. Deputy Speaker, if the students are victims of the doings of the wider society, then they are fully exonerated in the words of the Honourable Member. He also, during the course of his contribution, which he himself, if he had to describe it, would call a pained contribution, uttered words to the effect that we have brought this legislation here through panic, and he said quite clearly that in reference to the use and presence of alcohol in the society adults are permitted to use alcohol and he came perilously close to saying that because adults are permitted to use alcohol, who are we to deal with children who want to use alcohol in the schools. That is the sum total of what he said. That is exactly the effect that he delivered himself of. He was saying that society is benign enough to tolerate drinking of alcohol by adults and that if society is so benign, Mr. Deputy Speaker, as to tolerate the drinking of alcohol by adults, then society is hypocritical if a child tries to do something and adults are doing it. He said so in effect, Sir.

Mr. F. J. STUART: On a point of order, Mr. Deputy Speaker. What I have tried to say is if having alcohol in your possession is wrong, it is wrong for everybody in Barbados, not only children. That is all I intend to say.

Hon. R. C. EASTMOND: Mr. Deputy Speaker, I got the impression and came to the conclusion, based on what he said in reference to alcohol and the use of alcohol by children, that he created an argument that would run like this. Because adults do things, children should be able to follow suit. I raise the question now, if adults do things, does it follow that children should do them? This is where I am coming from.

During the course of his contribution too, the Honourable Member for St. Philip South actually referred to a hypothetical scenario of a child being in inadvertent possession and suffering consequences of such possession. He said that if one child planted something on another child, the child planted on could very well end up being culpable. In a case like that no legislation would punish blameless inadvertence. Those of us familiar with the law – and it seems as though the Honourable Member for St. Philip South has lost his familiarity with it – would tell you that there is a concept of blameless inadvertence and once there is blameless inadvertence there is no wilfulness, there is no intention, there is no mens *rea,* Mr. Deputy Speaker, but the Honourable Member for St. Philip South was heard to say in this Honourable House that if a child

called Sylvan plants an unlawful weapon on a child called Henderson Nathaniel, then Henderson Nathaniel on whom it is planted is a culprit because some other culprit planted it on him. That is what he was saying in effect, and what we are saying is that because of the use of the word "wilful" what the legislation is doing is dealing with wilful conduct. Part of the tone of the Honourable Member for St. Philip South suggested that we brought this legislation with a notion of retribution and it seems based on the tenour and quality of his speech or lack thereof that the Honourable Member for St. Philip South was saying that the philosophy informing this piece of legislation is retribution which is to deal with something viciously and spitefully because of the terms.

3.55 p.m.

I would want to submit, Mr. Deputy Speaker, that we are coming with this legislation as a deterrent. We are seeking to take note, of what is transpiring in schools and we intend to deal with what is happening in school firmly. We are bringing this legislation to deter the foolishness happening in schools. The Honourable Member for St. Philip South said he was a teacher. I did enough research to realise that the Honourable Member for St. Philip South left teaching before the 1980s. He has been out of the classroom for full 15 years and he will never know that the Hendersons in the schools and the Sylvans in the schools of Barbados today are worse when they contemplate criminal activity in school than any Sylvan or Henderson of his specific era when he was a school boy.

Aside.

Hon. R. C. EASTMOND: ... a hypothetical preacher who receives largesse at the hands of particular persons able to pay them for driving their cars.

Mr. Deputy Speaker, what this legislation is doing is first of all taking into account what should be happening in schools. What is a school, Mr. Deputy Speaker? Clearly a school is a place to learn. A school is a place to teach discipline and to inculcate discipline in children. A school is very much a place where authority exists and where such authority must be strengthened to deal with deviants. Beating this in mind, we have to ask ourselves today why this legislation.

The Honourable Member for St. Philip South says that a teacher stands in ***loco parentis.*** I want to tell the Honourable Member for St. Philip South that all the common law cases that speak to this issue of the teacher being in ***loco parentis*** are incomplete and inconclusive in their treatment of problems. All of the common law cases that suggest that a teacher stands in ***loco parentis*** to a child in the place of a parent have only to do with ordinary chastisement. At common law, the line of common law cases suggests that in relation to only chastisement, punishment, that the teacher stands in the same position as the parent.

However, right now in a highly litigious society where people especially under the influence of American TV are quite willing to go to court often to fight for rights which are sometimes nebulous, the Honourable Attorney General will tell you he had one where a headteacher sought to punish and the headteacher ended up in court. Because of this litigant attitude that we have in Barbados, in the absence of this legislation, if teachers conducted searches of property or person and then some clever parent and lawyer calculated that the teacher or the headteacher was acting beyond his or her powers, then litigation will result. Actually, this legislation is filling a gap, Mr. Deputy Speaker.

This legislation is not from some fanciful and whimsical, capricious mind. This legislation does not come under that influence. This legislation comes to be able to empower schools to deal with serious problems. When the Honourable Member for St. Michael East went to school shortly after the Honourable Member for St. Michael West. some 30 or 40 years ago, the type of problems that they saw in school as school children were minor and minuscule compared with people like the Sylvans of this world carrying to school a bag with a hammer, a chisel, a shot-gun, a rachet knife, a penknife.

Now suppose, for example, which can happen and which has come close to happening in Barbados, some deviant child goes into a school with a bag full of weapons, do you not expect the school to be empowered to deal with it? I must also say this, Mr. Deputy Speaker, that notwithstanding the fact that some Honourable Members feel that we are bringing this because of panic and we are virtually beating an ant with a sledge hammer, I want to say this. School teachers for the most part in Barbados represent some of the most humane elements of society. Any school teacher notwithstanding the power given to his principal and the administration by this legislation who is confronted by these things will likely in the administration of this law approach it with humanity and feeling and not cruelty.

Even though it is true, Mr. Deputy Speaker, that some of the punitive aspects of the legislation seem to be extremely serious no school administration will try to set the chain in motion for the more serious punishment in this legislation to be visited on first offenders or offenders who were not that deliberate or person who had some defects.

In addition, as I indicated earlier, this legislation not having been brought by the whim and caprice and fancy of a sick mind clearly contemplates a situation where as a result of the representation made by the stakeholders in education the legislation has become the end product. What I am saying is that this legislation did not just come in

here like this. The principal stakeholders in education were consulted – the Barbados Union of Teachers, the Barbados Secondary Teachers' Union, different interest groups involved in education. And this is what they wanted. This is very much the result of a process of consultation which has finally led to a piece of legislation that applies sternly and that Honourable Members seem afraid to want to defend.

Mr. Deputy Speaker, we have situations in Barbados where some school children have allowed themselves to be used carrying drugs, knowingly so. We have situations in Barbados where school children get their hands on guns and take them to school, knowingly so. We have situations where some school children operating in tandem with drunks will invite the drunks into school illegally and then they come to wreak havoc all through the school.

A lot of the vandalism that has occurred in schools has occurred in consequence of some school children hero worshipping certain drunks out there who have no respect for education, for educators, for teachers, for the Ministry or anybody, not even for themselves, who would come into a school and vandalise it, who would disturb the tone of a school, who would seek to defeat what schools exist for.

Because of these new things happening in this society, a society that can no longer pretend to be innocent, we have to be stern with frightening situations. How pleased can Barbados have been when some years ago at Foundation School a child lost its life because of the entry of a dangerous weapon. How pleased can we feel to know that some principals, afraid of the adverse publicity coming to their schools and afraid of parents, are not prepared to report to the Ministry instances of people bringing weapons to school.

I know of a case where a child was caught in school with a fully loaded gun and that was never reported by the school to the Ministry of Education. I know of an instance like that. How many more of these will we tolerate, Mr. Deputy Speaker? Are we going to permit this? Are we going to behave like Nero, an ancient lunatic emperor, and play the flute and sit back and acquiesce at the society experiencing these stresses?

I am saying that even though certain social courses sometimes militate against the unfortunate, that if a school boy is of full age and sound mind, if a school girl is of full age and sound mind, and they knowingly bring to school drugs, knowingly bring to school weapons, knowingly bring to school alcohol for distribution – and alcohol in the hands of a minor is a weapon, indeed in the hands of some adults today, as we have in here from time to time, you can actually trust my word on it, and as a learned member of the Barbadian society I am saying, Mr. Deputy Speaker, that when you have instances where there are threats to a school's authority, where there are the infringements of a school's rules, I am also saying, Mr. Deputy Speaker, that when you have these particular occurrences taking place in Barbados, you need to deal with them.

4.05 p.m.

Now, Mr. Deputy Speaker, the Honourable Member for St. Philip South said that students are now at risk of not getting police certificates of character if they have broken this piece of legislation in school. Now, how many people can truly say that a majority of persons in any locality or community are at risk of not getting proper police certificates of character?

The reason why I am raising this is, Mr. Deputy Speaker, it is only those people who break the rules that are at risk. We are also saying that we are fairly sure, in any event, Mr. Deputy Speaker, that in the administration of this law, principals, deputy principals, headteachers, senior teachers, boards of management, officers in the Ministry of Education, these people are likely to be humane and understanding in the application of the Act. They are not going to go for the highest and the most severe fine at the start. They are not, Mr. Deputy Speaker, going to seek to blow fairly trivial instances out of proportion.

Therefore, Mr. Deputy Speaker, in the same way that the Honourable Member for St. Philip South can say that he was a teacher and he can adopt a particular stance as a former teacher, I too can say as a former teacher who would very well have taught more recently than he has, and who still continues to teach, that I am aware of the fact that a lot of my teacher friends go to school frightened. They go to school frightened because of the uncertainty of not knowing what is coming to school, in their school, who is coming with it and such like, uncertain, too, Mr. Deputy Speaker, because of those deviants who are not members of the school population who instigate, inspire, counsel and procure minors to commit offences.

Mr. Deputy Speaker, even though I am putting the case for the Government the best way that I can do it, I should still like to say that the Government does not have any intention to turn schools into concentration camps. So, any suggestion of our turning schools into "Blackboard Jails," any suggestion like that is abhorrent, and coming from a very detestable source, wherever it comes from.

Schools will not become concentration camps, but as rules are laid out and legislated, as people become aware of what the rules are, people have a choice, having understood what the rules are, between either observing the rules or breaking the rules. I am sure that all school educators and administrators are going to be circumspect enough to check this legislation when it is passed, to inform all those involved in schools what the legislation entails.

I can see situations of some parent/teachers associations coming to schools, to see precisely what this legislation is all about. I am saying that any community that is told what legislation entails, is a community that knows the legislation. You do not have to express it like a lawyer, you do not have express it like a principal. If a child knows that it is a serious offence to bring to school a gun, and the child really does not intend to be delinquent and to be a deviant, the child should say, " Carrying to school a gun is wrong. I will obey the school rules. I am not carrying to school any gun."

This legislation is not aimed at the vast majority of children in school, Mr. Deputy Speaker. This legislation is aimed at those minority of instances which are large enough to undermine the fabric of a society. Sometimes the majority of the people can suffer at the minority's hand. That. is a fact, Mr. Deputy Speaker. Fifteen or 20 well-organised criminal minds, especially when they have developed criminality from young, can terrorise a country of this size.

What I am saying, Mr. Deputy Speaker, is that this legislation is mindful of what the threats are in schools today. What are these threats? People taking to school drugs and offensive weapons, and allowing their friends whc are not school children to come into schools to break the rules, are threats to other students. Children who bring to school these things are threats to other students. They are threats to the authority of the school, they are threats to law and order, and they are threats to themselves. A fellow picking up a gun, unaware of what a gun does, playing with the gun, could blow up himself easily, a threat to himself indeed, even though he will be the last person to want to perceive himself as a threat to himself.

Mr. Deputy Speaker, while I appreciate the concerns of persons who might feel that we are taking a sledge hammer to deal with an ant, I would also caution, Mr. Deputy Speaker, that any person concerned about this, in my view, can be only concerned because of the relative novelty of it. We have never had anything so firm and so strong. When a society, Mr. Deputy Speaker, deserves to be put under heavy manners, when people have to be put under heavy manners in the name of the word "society" or for their own sake, it is then this humble servant will side with those who are prepared to put manners on the society.

Manners maketh man. It would have been repeated for donkey years in schools. All types of other maxims and aphorisms would have been handed down from teachers to children, and yet there are those who deviate. I am not going to support Merton's position either, that those who deviate are devious because others will make them deviate. Once you are a child of sound mind and full age, you are responsible for your actions. Nor am I going to associate with that body of criminologists who say that because of the dichotomy between teacher and student, or between judge and criminal, or between policeman and criminals, that the distance itself, creates the deviation. I am not going to go down that road.

What I am saying is that from a positive perspective and positivism, the Honourable Member for St. Philip South believes in what the sociologist calls functionalism. Functionalism is what Merton said as I indicated at the start. We are interested in what the criminologist and the sociologist call positivism. You see a problem, deal with it. Do not theorise, "Poor Sylvan brought to school a gun and shot Henderson, a child, because Sylvan's mother did not give him breast milk." That is functionalism. That is looking...

Asides.

Hon. R. C. EASTMOND: Mr. Deputy Speaker, that is looking too much at the diagnostic aspect of things.

There comes a time, Mr. Deputy Speaker, when mere diagnosis is not enough. There comes a time where mere assessing the problem is not enough. There comes a time when you have to prescribe in instances where they diagnose and cannot prescribe and they do not how to prescribe or because there is no cure.

Where this Government can diagnose a problem and can find the prescription, this Government shall not be afraid to prescribe. We are prescribing legislation with a strong deterrent character in it. We are not urging retribution upon the people. We are not saying that because a fellow brought to school a weapon he is a recidivist. Nobody says that. We are not saying that a-one offender is a recidivist. We are not saying that a fellow who even offends twice is a recidivist. We are not taking away from principais that right to investigate.

1 am sure, Mr. Deputy Speaker, that the average principal, the average vice principal, the average education officer, is not going to apply this legislation lightly if such persons can investigate the source of the problem.

So, Mr. Deputy Speaker, as far as I am concerned, this legislation captures the problem in school, it diagnoses the problem and it is prescribing a solution. With such a prescription, Mr. Deputy Speaker, I identify.

Mr. B. M. TAITT: Mr. Deputy Speaker, Sir, the last Honourable Member who sat down, seemed to embrace this legislation as part of his, and therefore feels a very urgent necessity to defend it. There was an urgency in his presentation which suggested that any assault on this legislation is an attack on the manhood of the Government's capacity to solve problems. I am speaking early in this debate because I feel strongly as an individual and I wish at the outset to appeal to the Government to assume that we do not seek any political advantage.

Whether we can get it or not, we are not seeking to oppose the Barbados Labour Party's policies and therefore creating a divide in which you feel that you must put the wagons in a circle and defend this at all costs.
4.15 p.m.

I rise, Mr. Deputy Speaker, to suggest to the Minister and the Government that in this community in which we live we have had education for as long as we can remember, we have had legislation that has governed education in this country and that notwithstanding the legislation one might almost say we have managed to produce a good educational product in this country. The Attorney General will speak from his own perspective and in his own perspective he has his own reasons and his own position. I am noi going to be influenced by his particular perspective on these matters. I am speaking as a person in this society who has been a beneficiary of the educational system and represents a constituency that is almost 98% ordinary bottom of the ladder people who have no particular perspective in Barbados except that they wish their children to participate in the growth and development, they wish their children to have a piece of the cake, they wish their children to become better than they themselves have been and when one examines this legislation one recognises first and foremost that the Government is seeking to solve a problem.

As the leader who spoke for us on this side indicated, we recognise that the Government is seeking to solve a problem. We might not even be able to say to you that this is a solution to the problem but what I wish to say to you is that what you are prescribing requires some further examination before you come here in this final place where, when once it has been passed and supported in the Other Place it becomes the law of the land and we are saying to you we wish you to re-examine this before you decide if it is the law of the land.

We acknowledge and accept that you have the numbers. We know that if we vote no you are still going to pass it but at the end of the day you are not passing it for the people in St. Kitts and Nevis, you are not passing it for the people in Britain. You are passing it for the children in Barbados. We are saying to you, we think reasonably, look there are some aspects of this legislation that appear to require some further thinking. I would like the Honourable Members on that side to take it on face value that we are saying we had this legislation a couple days ago. We have looked at it and on first glance and on second examination there are some aspects of this that are frightening and we are saying to you take another look at this before you put the stamp on it. The Honourable Member says that when they see a problem they are going solve it and this Government shall pass legislation. We acknowledge that you can do that and that you arc that kind of Government. It is your watch but we are saying to you that we are not here discussing putting up a building in Broad Street. We are discussing the structure which will determine for the next 25 years what kind of citizen we will have. We are discussing what kind of framework will be created for those who are going to run this society, to get the formative construction for themselves which we got. We are saying that when we examine this legislation we do not necessarily think, we are not even sure we are right, the Honourable Member over here who spoke and all the Honourable Members over there who speak; we are not certain that we are right. We are not speaking to you as persons who have all the answers, that we are Opposition, we have examined it and therefore we are right and you are wrong. That is not the framework within which we are offering to the Government, this afternoon, to examine this position. We are saying to you that you are discussing a matter of crucial importance to the people of this country and more particularly to the little people, not the small man now, the real little formative, unformcd people of this country.

Let us take just one aspect of this legislation. You are saying in part of this legislation that a person under 16 years old who does something or has something in his bag, cigarettes, I do not think you call them cigarettes, but marijuana, intoxicating liquor, that that person is guilty of an offence and is liable to a fine of $1 000, or imprisonment. That is what you say in the legislation. I am saying to you that a child from my constituency who is found guilty of this is being, if you pardon the expression, Mr. Deputy Speaker, invited to whore to find the fine.

Mr. DEPUTY SPEAKER: The Member, the Member. Now corne off that. You have been a Member af this Chamber for too long.

Mr. B. M. TAITT': I beg your pardon, Sir.

Mr. DEPUTY SPEAKER: You have been a Member in this House for too long.

Mr. B. M. TAITT: That is why I can say that there is nothing wrong with "whore", Sir.

Mr. DEPUTY SPEAKER: That word, Sir.

Mr. B. M. TAITT. I withdraw whore, Sir. Prostitute. There is nothing wrong with whore but if Your Honour says that I will withdraw whore but I am saying that you are requiring a child that is 16 to pay a fine of $1 000. You are passing legislation in Barbados after so many hundreds of years in which you are requiring a child to be guilty, you do not say the parents of the child, you are saying the child. Where is a child under 16 going to get $1 000 from? Tell mc where, Mr. Deputy Speaker. I ask the Government and I ask the Minister to tell me what the Minister intends by this part of the legislation for example. What does the Minister intend when the Minister says that a child under 16 can be found guilty and will have a fine of S1 000

or indeed imprisonment? The Minister does not intend that the Attorney General could not intend that because by definition a child is incapable of raising $1 000 in legal form. If you wish to say that you are going to fine the parents you had better examine the legislation to say that is what you intend.

I use that, Sir, as an example of what frightens me personally, and fortunately for me the Members on my side of this legislation. There is another one, Sir. This legislation says that while a teacher is carrying out a particular function that teacher shall be vested with all of the powers of a police constable. I ask the Attorney General, in his capacity as the chief legal adviser to all of us, to re-examine – I am not saying he is wrong, Sir, I do not know if he is wrong – I am asking him as I have asked him apropos of nothing in the past to examine that concept to see if that is what he really intends. Is that what the Government really wishes to have, that every teacher in Barbados should become a constable for purposes of searching pupils? Is that what we intend, that all teachers shall become constables for purposes of examining students? When we were going to school, children used to bring to school guttaperks, grains, fish hooks, I know Honourable Members think this is something new, but they may have gone to school at a different kind of school but I went to the best elementary school in Barbados – Wesley Hall. All right. Sir, for purposes of this argument, let me say one of the best so that the St. Giles people will not get up and start a fight. This is not one of those days. I accept that St, Giles and Wesley Hall were on par for the purpose of this discussion. But, Sir, the St. Giles people will get up and agree with me that even though we went to the class schcols we had fellows who used to have fish hooks. Fellows used to bring to school blades and sharpen them and put them behind the workshop. We had fellows who usec to sharpen ten-penny nails. They had a fellow who usec to have a guttaperk and rivet. There are people in this country who would know what a rivet is. A rivet was a more dangerous weapon fired from a guttaperk that had accuracy than a person with a gun who cannot shoot.
4.22 p.m.

Mr. Deputy Speaker, these things happened in the schools that we went to. We survived and there were some people who went astray. But the point that I am making is that we had teachers at those schools who were not invested with any more ability than the teachers today. As a matter of fact, the teachers today are better trained than those who were teaching in my day. The teachers today, Mr. Deputy Speaker, have had the benefit of Erdiston Teacher Training, university training, this and that kind of training, the next kind of workshop and they are all supposed to have some facility and capacity to do things that the ones who taught me did not have. What is it that drives us as parliamentarians, that drives us as a Government to be so unsure of the teachers of today that we cannot entrust them with the responsibility for exercising discretion. We are passing legislation now which removes all discretion from the headmaster...

Hon. Miss M. A. MOTTLEY: On a point of order, Mr. Deputy Speaker. The Honourable Member is seeking to mislead this Honourable Chamber. This legislation does not remove all discretion from the headmaster or the teachers. In fact, all that it requires as a mandatory obligation is that it be reported to the parent, to the Ministry through the Chief Education Officer, to the police and to the school board and that further a question of whether something is prosecuted or not is not mandatory by this legislation. Evidence does not have to be offered so the Honourable Member is misleading the House in the most reproachable way that is possible given his length of tenure as a senior person in this society.

Mr. B. M. TAITT: You see this is what I am talking about, Sir. The discretion which I have gathered over the seniority which the Honourable Member gives to me allows me to make allowance for her youthful indiscretion in so describing the thing, and is precisely the point that I am trying to make, in the saiie way that I can make allowance. If the Honourable Member for St. George South had said the exact words to the Honourable Minister, her response would be different. But it is because I understand that the Minister is capable of misunderstanding me because she has not heard me enough over a long period of time that I will allow her that particular indulgence. But, Sir, she is a lawyer and she must know that it says in Section 4:

> "Where upon a search carried out pursuant to subsection (1), the teacher finds any intoxicating liquor, controlled drug, gun, offensive weapon or any article that has been reported stolen on the person or in the possession of a pupil..."

Listen to this, Sir: "The principal shall report forthwith the finding to

(a) the patent of the child;

(b) the police."

If that is not mandatory, I have completely misunderstood this. They must report it to the police and, if they must report it to the police, they must bring the police to the school. Once they report it to the police, the police must come to the school and once the police come to the school the whole environment and the whole ambiance has been changed. It has nothing to do with prosecution. You are too involved in legalism and do not understand that the arrival of a policeman at the school creates an entirely different environment for the children in that school and that you are changing the character of the school. If you cannot understand that, you cannot understand anything that I am saying.

Aside.

Mr. B. M. TAITT: I do not have to threaten any school. Why would you want to suggest that I want to threaten any school? Because you feel that, once you have brought it, it must be necessarily right? Why can you not accept ...

Aside.

Mr. B. M. TAITT. But I started off by saying that it is not wrong.

Mr. DEPUTY SPEAKER: The Member for St. Michael West, please address the Chair.

Mr. B. M. TAITT: Mr. Deputy Speaker, with all great respect, I am having a discussion with somebody who is sitting down.

Mr. DEPUTY SPEAKER: You should not be hearing asides.

Mr. B. M. TAITT: I am hearing, Sir, because that is how I am. I hear.

Mr. DEPUTY SPEAKER: The Member for St. Michael West, you are going to have respect for the Chair and address the Chair.

Mr. B. M. TAITT: I am trying my best to respect the Chair, but if the Chair hears a Member sitting down addressing me I am trying my best...

Mr. DEPUTY SPEAKER: I cannot hear that. Please address the Chair.

Mr. B. M. TAITT: I am addressing the Chair but when I address the Chair I am addressing the Honourable Member for St. Michael North East who is sitting down through the Chair – I do not have a problem with that. The Honourable Member is saying things about me that you can hear, I hope, that I wish to do something. I am trying to persuade the Honourable Member for St. Michael North East not to become so involved with this legislation that she or any other Member would feel that to resile from it for even the slightest moment or even the slightest half inch would be some rejection of man or womanhood. I am trying to persuade the Honourable Member that this legislation is not about territory. This legislation is about where we are going to be. I have no children who are going to be the victims of this. I have no vested interest in this except that I have been sent here by the people of St. Michael West and those are the people who are likely to be victims of this, because they have been the oppressed people in this country for most of their lives. Your children and my children and the children of any other Honourable Member in here or any persons in high society in this country are not going to be the victims of this legislation when it is passed. It will be the ordinary people, some of whom go to school some days without food and with problems that are not identifiable and which are not identified. We are trying to suggest on this side that the legislation needs some further examination. We have not said to the Minister do not bring legislation. We are saying that this legislation was brought within 3 days. Where has this been discussed? Where has this been heard of anywhere in Barbados other than in cloistered aspects of the Minister's Ministry? Where has this been discussed in the newspapers? Where was it proposed that this legislation is going to come? If the Minister gets up and says that this has been the result of massive discussion and as a result we have brought it here, we would have to take our place.

Sir, just the other day we had a discussion on the White Paper on Education Reform. In that was supposed to be rested all of the basic policies that will inform education for the next millennium. I invite anybody with sound mind who is not a Member of the Cabinet to look for pages 122 to 128, and except for two passing references, tell me if they find this legislation manifested in that White Paper. Let them get up and show me where this legislation that has been brought here is manifested in the White Paper. Mr. Deputy Speaker, you and I know that a White Paper is supposed and this particular White Paper was supposed to be informed by massive discussion throughout the country by all and sundry. This particular White Paper had the benefit because it was new – it was the first one ever produced in Barbados come to think of it – and it was so comprehensive and real and in this legislation there are fundamental things that are being proffered for our decision which had not been treated in the White Paper.

Mr. Deputy Speaker, if the Minister can go out in the next few weeks and have a discussion with the people and the people agree that this is what they want, I promise her not only will I support her but I would say nothing ever about her education policies. But I know that when, after our receiving this, we discussed it with ordinary people, there are people in the constituency with children who will be worried about this. Those people worry about what is going to happen to their children.

4.35 p.m.

It is a mistake to believe that only the highly educated are concerned about the growth and development of their children. All of the people in Barbados who have children, even the most wayward, are concerned. Mr. Deputy Speaker, you only have to watch them on mornings. You see a woman with one on her left hand, one in her stomach and her right hand carrying the one that is going to school. Those women have no less interest in their children than my mother or your mother did, and had they the opportunity that we have had they would be participating in the PTAs at an even higher level. This is a matter

that should be discussed at the PTAs. What is so difficult in allowing those ordinary women... I say women not because there are not men, but usually it is the women who are participating and interested in this kind of thing. Why can't the Government just hold this off for a couple of days? What is going to happen if this legislation is deferred for a little while for further discussion? What is it going to do to the Government? As a matter of fact, it would make the Government look even stronger if the Government could listen to the Opposition and say: "Hold this, all right, we are going to go back and have this discussion." Not on the whole thing.

Mr. Deputy Speaker, I would be almost as criminal as they are going to make some of the young people if I said that this entire piece of legislation was defective. It would be wrong, but we are saying there are aspects of this legislation which are frightening. The requirement for the headmaster or headmistress to inform the police is a matter which should raise some questions. The whole question of who should be present when a student is being searched should raise some questions. The question of a teacher under Clause 2(9) having the same privileges and immunities as are conferred on a constable by law has a problem. Clause 2(11):

> "Whenever a search is carried out pursuant to this section by a teacher other than the principal, the principal shall, forthwith after the search, institute an inquiry into the circumstances relating to the search."

It does not say what follows after that. Clause 2(12)(bj:

> "Any pupil who is guilty of an offence and liable on summary conviction, if he is under the age of 16 years, to a fine of $1,000 or if the pupil is 16 years of age or older to such fine or to imprisonment for 6 months or both."

That worries me. And now, Sir, we come to 64C(1) which saps:

> "A pupil who is convicted under section 64A or 64B shall, in addition to any penalty imposed on him or his parent, be ordered to undergo counselling and rehabilitation for such period not exceeding one year as the magistrate considers appropriate."

I want to ask the Minister with whom will this student undergo counselling and rehabilitation? Who in this country is qualified to provide rehabilitation? Let the Honourable Minister get up and tell me the names of two persons, just in case I don't know, which two persons in this country are qualified to carry out this mandatory imposition. We have a country where there is one psychologist in the Ministry of Education. When I was in the Government I raised this question, so it is no point anybody getting up to ask me what I did. We have guidance counsellors in schools; for one guidance counsellor there are 1700 people, and we talk about rehabilitation and counselling and a magistrate should send somebody to counselling. I am saying we do not have them and it is time that we change to the appropriate framework. If we are going to discuss counselling and rehabilitation we have to have the framework within which that is done. You do not pass the legislation saying that the magistrate shall do something when you do not have the facilities that will allow the magistrate to get those things done. We have done that too often. We have copied legislation from places where people have the framework in place and then we have just gone on to the next stage. We cannot have this kind of regime if we do not take steps to allow this regime to be implemented.

I am saying that the Ministry of Education per se does not have the capacity to carry out this legislation which we are about to impose on it and the schools do not have the facilities to do what will be determined by this legislation, according to what I understand and what I read. There is no one, as far as I know, who is qualified to do what is being demanded in this legislation. The question for the Minister and the Government is if you are going to put the wagons in a circle and defend at all costs, when we are not saying to you, unless you perceive it as a political fight, which is your problem, that we are seeing this as a matter of concern to every single Barbadian. It is now of concern to the children, because the vast majority of children do not go to school with any weapons.

The Honourable Member for St. James North raised the question of a child losing its life at a school in Barbados some time ago. It would be instructive if that case instead of being treated as just an ordinary situation is examined to its fullest. The Honourable Member for St. James North I know is capable of a much deeper analysis than what he did today. I know that and I do not have any problems. I know he is capable of that, but that case has ramifications subsequent to the death which have never been made known to the people of Barbados, and perhaps should not be made known. But that is not the first time that a child has been killed. Do you know what I have wondered? If the children who killed twice in Britain over the last few years... Children kill children. Do you realise that if that had happened in Barbados we would have gone stark, staring crazy? We would have knee-jerk reactions as if we are born and made differently from other people all around the world. These problems are not problems that are inherent m the Barbadian psyche, these are problems that are manifesting themselves all around the world. The Barbados Labour Party ought to take counsel from people within the Barbados Labour Party who have had long experience in the teaching field, people who have dealt with all kinds of problems similar to these, and they

should be guided by some of the advice which the people in the Barbados Labour Party who have had experience in this field could give them. They would discover that research has been done and research is being done which will demonstrate that many of these problems go beyond any village or any particular entity or any particular nationality.

There is a phenomenon which is resulting from the globalisation which Barbados might find astounding but which is perfectly – I don't want to say normal and natural – perfectly happenstance, if you will pardon the expression, in the rest of the world and we should look to the solutions that some people are trying. We should pursue these matters in a collective way. These are not Barbados Labour Party problems or Democratic Labour Party problems or National Democratic Party problems, these are problems of development for countries like ours who have been exposed, perhaps prematurely, to galloping developments in the international community and we are victims to a large extent. I am not recommending, far be it from me or any Honourable Member over here, that you put your hands up and don't try to find solutions. But, on the other hand, you do not, as the Honourable Member for St. James North seemed to be suggesting, declare war on the children.
4.45 p.m.

The Honourable Member, when he reads his speech later on, must be concerned that it will appear to right thinking persons that he was declaring war on the students of Barbados. He does not intend that. The Honourable Member is a caring person who has been a teacher. How are you going to have a teacher who treats the people as required in here on the one hand and within another week they are required to be back in school bonding with those children? Do you know what the end result is, that any ***student*** who is caught in this is done, finished? That is the end of that student.

Now, Sir, it is all right for us who never had that problem or who don't have any children who have that problem but if you have to deal with people who have those kinds of problems... Mr. Deputy Speaker, there is a matter which is sub ***Judice*** which I will not mention but recently in the St. Leonard's School there was a problem that is within the ambit of my representation and I have held the hand of the mother. I have held the hand of the child and I have held the hand of the teacher because all three of them agonised. They were in pain, the teacher because he is a genuine good teacher, the mother, because she is a genuine good mother and the child, because the child does not even understand what happened. He cannot explain it.

We talk about these people here as if they are perpetrators. We are discussing pupils in here as if pupils are from the Borstal and not from the regular schools. We cannot intend that. The Government may feel free to get up and demonstrate why they have to do what they have to do. I feel justified in taking the position that has been articulated by my colleague that we cannot support the legislation as it stands. We would rather I suspect not have to vote against it. We would rather the Government accept that this matter needs some further thought. We do not believe that our house is going to burn, any school is going to drop down, any child is going to have any worse thing happen, any teacher is going to be disadvantaged if this matter were further studied.

We wish to recommend once again that the Government examine this but if the Government insists that it must proceed and will win at all costs, I don't know who will be the winner when the Government has won this vote; the question will be who is the winner. If the Government feels that it must win, we feel as a matter of helping the rest of the community to understand that we must say no.

Please understand, Mr. Deputy Speaker, that our saying no is not a no to discipline in schools. None of us who went to school in Barbados could ever not wish to have discipline. None of us who have relatives who are in schools, who are headmasters or teachers could want not to have discipline. None of us who have children or represent children could want not to have discipline, but what we wish is to maintain an environment in the school different from the environment elsewhere. At least for the children who are in school, let them come to feel that Barbados is still their land, that when they say the Pledge and sing the National Anthem that this is theirs.

I wish, Mr. Deputy Speaker, that the Government could hearken unto reason and hear my voice. I am grateful to Your Honour.

Hon. R. N. GREENIDGE: Mr. Deputy Speaker, I speak in this debate not only as a Minister of Government but also as a teacher of some 20 years experience. Indeed, Mr. Deputy Speaker, I must say again that of all the Members who now adorn this Chamber I do believe that I have the longest and the widest teaching experience today. I have taught, as I said, for more than 20 years, I do believe that if I were called upon to support this amendment at the beginning of those 20 years I would have made a speech similar in content to what the Honourable Member for St. Philip South made and perhaps what the Honourable Member for St. Michael West made but, at the end of my 20 years, at the very tail end of my teaching experience if I were asked whether I would support an amendment of this kind I would have to say wholeheartedly.

Mr. Deputy Speaker, having taught in the 60s, 70s and 80s I was able to see then a development which has caused me great pain and great concern. I recall

going through a school at lunchtime in an effort to see if we teachers could collect weapons that we heard were on the premises. Some 4 or 5 teachers got together and went through the entire school only to come up with dozens of knives, and other weapons as well and indeed, there was one pipe gun among them.

Mr. Deputy Speaker, there is no one in here that can tell you what goes on in those schools. I know and I have seen it all. I remember coming into a class just after lunch and seeing what I thought was the quietest girl in the class in a fit and trauma. In my trying to console her and speak to her I was told by her in the crudest and the most vulgar terms that she had in her "so and so Tampi" – that is what she called it – and not to come near to her. Otherwise she would do this and she would do that. In fact, Sir, she did get up and was restrained by one of the school boys.

So, as I said, Mr. Deputy Speaker, I have seen it all. I have come across spliffs in school, as they call them, knives. I have seen collins in school, rum and, as I said, the pipe gun. It doesn't surprise me that we have now reached the stage where this particular amendment is an absolute necessity. I have said on the Floor of this House, Mr. Deputy Speaker, that I consider the law to be like the proverbial eggshell that when the pressure increases from the inside the shell cracks. Then what we have to do is to make a law to seal that crack. This is what is happening to this society and this is why we have brought this bit of legislation to seal that crack which now exists in our laws.

There are students, Mr. Deputy Speaker, and those of us who have taught will know, who come to school and they carry their bags with them wherever they go. They go on the playing field, the bag is there with them. They go in the oilet and they carry their bags. More often than not, when you check that student something is in that bag. Headteachers will tell you this, Only this morning, Mr. Deputy Speaker, I gave the principal of a primary school a ride to town. She was telling me that the problem is not limited to the secondary schools but the problem also exists in the primary schools.

It is shocking to hear, Mr. Deputy Speaker, that we cm say that the problem exists in primary schools as well. 1 feel that all we are saying in this legislation is that a method has to be found to deal with those children who bring the things that I have spoken about earlier to school. We have to take action and we have to take it now. We are saying that where this Government is concerned, we consider this to be the best possible action at this time in our history.

4.55 p.m.

I believe that the United States of America went through a similar situation. I believe that quite a few of the States went through a similar experience. Indeed, right now, Mr. Deputy Speaker, in the United States of America, in many schools, when the school children walk in on mornings they have to pass through metal detectors because they, too, very often have on their person very offensive weapons, So, Mr. Deputy Speaker, the position is that we have to pull this country back. Things are getting out of order. A lot of that is happening within the schools and we have to do whatever is necessary to curb that development.

School children now have a kind of callousness to life that did not exist when I was a school boy. School children now are not afraid to see blood. When you stab nowadays, school children tend to run towards it, while in our day we ran away from it. It is a different type of school child that we are dealing with altogether. I see nothing at all, Mr. Deputy Speaker, with this particular amendment. They are brave, Mr. Deputy Speaker.

I have known where school children who were accused, and it was alleged, were using drugs, argued very strongly with the teachers as to the benefits of drugs. That is good for us, and we would never in our day have dreamt of that type of argument. They argued, for instance things like, that God caused it to grow and if God caused it to grow therefore it is good and we should be using it. Of course God caused the manchineel tree to grow as well. I am just saying that Mr. Deputy Speaker, to let you know the type of thinking that is going on within schools, and to let the Opposition know that we as a Parliament, not necessarily as a BLP administration or a DLP administration, one against the other, we have to do whatever is necessary to pull the country back.

If we do not, Mr. Deputy Speaker, things are going to get worse. If we do not have a bit of legislation like this on the statute book, things are going to get worse. You had a stabbing at a school in the south, you had cases of school children brought before the law courts in the north. All over Barbados, Mr. Deputy Speaker, things are getting out of hand in the schools. All we are saying is that this is our time to act. This is our time to pull the country back. If the Opposition does not feel that way, Mr. Deputy Speaker, let them continue to grandstand.

Mr. Deputy Speaker, you have to see that nowadays children do not consider the school as being the type of institution which should solve their problems either. Children do not consider the school the solution to the problem. Whenever they have a problem nowadays, Mr. Deputy Speaker, and this is the classic example that happened to a school in the central parish, they go and get their group or their little gang to come in to help to solve the problem. They do not go through the school any longer. They use that external force to come running through the school to solve the problem.

You are telling us this afternoon that what we are doing is the worst thing in the world, and that the Opposition, as they say, are not going to support it.

My personal feeling, Mr. Deputy Speaker, is that Government and the Opposition should be united when it comes to questions of lawlessness. When it comes to questions of lawlessness, Government and the Opposition should be united. I feel that a very wrong message is sent, and it can be sent sometimes to the very Floor of this Parliament, when we are bringing a bit of legislation like this and we can have big, responsible Members saying that this is the worst thing in the world, and that the children do not do anything wrong, all the wrong comes from the adults and so on. I think that very often sends the wrong message. It sends the message that the school children are getting some support for the wrongs which they are doing from the responsible Members of the House of Assembly.

I believe that if the Honourable Member for St. Michael South East were here, he would say the words, "too much grandstanding." I believe that if they had the opportunity or the foresight to bring this piece of legislation to the House, it would have been the best piece of legislation for them. If only they had the foresight. Since the last administration did more sleeping than thinking, Mr. Deputy Speaker, then they clearly did not bring this type of legislation before the House.

Asides.

Hon. R. N. GREENIDGE: I said sleeping.

Even when we brought the Vagrancy Act before the House, they did not support it. When we were trying to curb lawlessness on the beaches, they did not support it. I believe, Mr. Deputy Speaker, the Opposition does not really appreciate this important amendment.

I therefore, Mr. Deputy Speaker, want to urge this Government to press on with its work, to press on with its legislation. We cannot, Mr. Deputy Speaker, as a Government when we are bringing legislation of this sort go tiptoeing to bring it, and go looking over our shoulders and wondering what the Opposition is going to say. If we were to do that, Mr. Deputy Speaker, we would never bring legislation to this House. We could forecast what they were going to say. We brought it because we are not afraid to bring a piece of legislation like this. We knew that they were going to say all of the things which they have said.

I believe, Mr. Deputy Speaker, that this country needs to know how this Government is thinking on particular issues. The country knows now how this Government is thinking on the issue of lawlessness in schools.

I recall the Honourable Member for St. Philip South, I think that it was Friday, when he was debating the VAT, said that greatness is judged...

Asides.

Hon. R. N. GREENIDGE: Well I can say it then. It is just a quotation. He said that, "Greatness is judged not by what you achieve but what you have the courage to attempt."

Asides.

Hon R. N. GREENIDGE: His words will hang him. "Not by what you achieve but what you have the courage to attempt." This is exactly what we are doing, and we hope that you will judge us by what we have the courage to attempt.

Mr. Deputy Speaker, at the end of it all, what we are doing is trying to protect the innocent children as well. This amendment is also aimed at protecting the very innocent children. Mr. Deputy Speaker, for all you know it might very well save the life of your child or my child. We want people to know, Mr. Deputy Speaker, that those innocent children have rights too.

Therefore when the Opposition can speak about the rights which those that bring the drugs, weapons and alcohol and so into the school have, we are also thinking about the rights which the innocent ones have. We do not want our children to be at school in an environment where other children have these weapons and s o on on their person.

I believe, Mr. Deputy Speaker, that most right thinking persons will agree with what we have done. I wonder, too, Mr. Deputy Speaker, if the actual speech made by the Honourable Member for St. Michael West and the Honourable Member for St. Philip South, if those two speeches do not really insult the intelligence of the representatives of the Barbados Union of Teachers, the Barbados Secondary Teachers' Union, the Principals of Secondary Schools, the Independent Schools Associations and the National Parent Teachers Association. I would honestly like to know if those people would sit at a meeting and give their support to this amendment and then we can have the Opposition saying that this bit of legislation is a no no.

5.05 p.m.

Mr. Deputy Speaker, all you have to do is to speak to teachers and you would realise that a lot of the teachers will tell you that they are good judges of children and how those children will end up. If the teachers unions have all agreed to it I trust their judgement. Sometimes Mr. Deputy Speaker, the very teachers can tell you the very child that is going to end up in jail. They can look at that child and say, boy if you don't, you will end up in jail. They are very good at it and the forecast is 99% of the time always correct.

Mr. Deputy Speaker, teachers can also tell you about the number of occasions when school children marked

up their cars. I had it done to me. I had a Pinto that was shining and bright. It did not have a thing wrong with it and I might have had to discipline a chap. By the time I got in the car park, a nail all across the bonnet of the car.

Mr. Deputy Speaker, I had a brief case on my desk, having disciplined a chap. By the time I returned after lunch, a razor blade had cut it up. Mr. Deputy Speaker, these are things that we are just trying to curb.

I believe, Mr. Deputy Speaker, that teachers need to carry out these searches without being fearful because what happens now is that some of them are telling you I am a bit scared to ask the fellow to turn out his pocket or skin out his bag because I do not know whether the law is on my side or not. I think what we have done is to put this here to let the teachers know that this law is here now and it is on their side. Nowadays the poorest child can get a lau yer and once the law is there and there is that loophole, the lawyer and the student can take advantage of it and the teacher can be prosecuted. All I am saying, Sir, the crack was there and we are trying to seal the crack.

I believe, Mr. Deputy Speaker, that if in this day and age, as a teacher you cannot tell a child to skin out his pocket or turn out his bag, something is definitely wrong with us and with our educational system. I do not want to take up the time of the House any longer. As I said, the amendment has my fullest support.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, there has been much emotion and little illumination in this debate. There has been an unfortunate resistance to reading the two pieces of legislation before the House so that the debate has become distorted in a way that has surprised me I know that we have been bringing a lot of legislation in the last few weeks and we are all choked by it. You can imagine what I go through having to read some of those thick ones that have come down here. But, Sir, you cannot debate this legislation unless regard is had to the Education (Amendment) Regulations, 1996 which have been laid on the Table. You have to read the Bill and the Regulations together.

We are going to take an amendment which has been disc ussed with both sides in respect to intoxicating liquor and we are going to take an amendment about that. However, the structure of the Bill in subclause 64(a)(4) on page 2, let us go through it and see what will happen in practice. The first thing you have is a power for a search to be carried out if the teacher finds liquor, a drug, a gun, an offensive weapon that has been reported stolen, or in the possession of the pupil. All the principal is asked to do is forthwith to report the fact of what he has found to 4 persons or bodies – parent, police, Chief Education Officer, Board or Committee. Then the rest spells out how the search is to be conducted. So the first thing is a search. If you find something, all the law says, you must report. Let the parent know. Let the police know. Let the education chief and the Board of Management know.

Now, turn to the regulations. Regulation 2(5). Where any pupil in a public school has been found in possession of liquor, drugs, gun or offensive weapon, what happens? The principal now has a discretion: (a) if it is the first time he can suspend for 15 days; if it is the second time he can suspend for a period not exceeding 30 days or he can recommend the expulsion of the pupil.

Mr. B. M. TAITT: On a point of order, Sir. I do not want to interrupt the Honourable Member. The Honourable Member apparently does not wish me to, but you are making a point about the regulation and we are fully seised of the regulation, but this is the Act which you are amending. Mr. Deputy Speaker, all I am saying is, when you read the Act, the principal has no other resort and it is only (b) in the Act so we do not have a big discussion. If he could combine his understanding of what I said to (b) in the Act then we would not have much of a problem.

Hon. D. A. C. SIMMONS: Just let me finish. If it is the third time the principal can recommend to the Board or the Committee the expulsion of the pupil from the school. So that what we have is a search process, a finding and a discretion to suspend for various periods of time depending on whether it is a first, second or third offence.

Now, the Act has to provide for an offence because if'you find a boy with a fully loaded gun or 10 pounds of marijuana...

Aside.

Hon. D. A. C. SIMMONS: The law deals with it in a general way but you have to allow the principal to search. Did you hear Superintendent Johnson publish a few months ago about how much drugs are in school and not reaching the police because the teachers cannot search. This is to help them find and deal with the matter. If a decision is taken to prosecute, subsection 12(b) operates. That is to say if the person is found in possession of the drug, liquor, offensive weapon or gun and if he is prosecuted, he is liable to a fine from S1.00 to $1000 within the magistrate's discretion or imprisonment if you are over 16 years.
5.15 p.m.

Sir, now how do you get to Court? How does the prosecution eventuate? You have reported to 4 people. The principal has a discretion notwithstanding the report to suspend. He may suspend. The Minister has said that there will be administrative guidelines which will help the principals in the administration of this part of the Act. He may decide to suspend. If it is a bad case and I believe that only the bad cases will go to Court, then the police may be advised by the Board, the Chief Education Officer to proceed with prosecution.

Aside.

Hon. D. A. C. SIMMONS: The police will have to act on the direction because you have to preserve the peace and good government in school. There are lots of considerations that you take and the administrative guidelines are going to address those kinds of matters. If I report that somebody broke into my house tonight and stole something, does it mean that even if the man is captured tomorrow that he is going to be fined? I have to go and give evidence. The principal therefore will have to go and give evidence as to what he found. If he says that I will deal with this administratively and use his powers under the regulations, the matter is done. There is no Court. The boy is still punished. The fact of the report however is important because now the police will know that we have "Mr. A" who has the propensity for carrying to school pipe guns or marijuana. To that extent, you have to build up intelligence about what is happening in the school population in a particular area. But I emphasize that prosecution is not automatic and I wish that those who have to inform will inform. Prosecution is not automatic. There are provisions for suspension up to 3 offences and one would think that the prosecution will be the last resort. I am advised by the Minister that the administrative guidelines are being prepared in that way.

Sir, we will deal with the intoxicating liquor and we will take intoxicating liquor out of the Bill as an offence and leave it in the regulations for punishment by suspension. I do not personally agree but I am supporting it.

Aside.

Hon. D. A. C. SIMMONS: People seem to have strong views about intoxicating liquor. I am not going to argue intoxicating liquor whether it is a drug. I have a lot of pressure in the National Council of Substance Abuse to be launching an all out attack on intoxicating liquor. At the moment, we are concentrating on drugs and illegal and narcotic substances. But there are people who feel very strongly about the capacity of intoxicating liquor to do damage to young people. But the Minister will tell you about the amendment at the appropriate time.

Now, Sir, I want it clearly understood that this is not any panic measure. Last year the Minister of Education signalled the intention of this Government to be firm and to instil discipline among the youth of this country so far as administrative procedures would permit, so far as the law will act as a support for the enforcement of values and principles. We have all forgotten in a short year that one of the first things the Minister did was to institute a code of dress to ensure that when children went to school they were dressed properly and looked properly and to restore some of the dignity that has long been associated with school children in Barbados. I heard the Honourable Member for St. Michael West mentioning about when we were at school at Wesley Hall together. My father was the headmaster there and he licked him.

Mr. B. M. TAITT: On a point of order, Sir. It is already on record in this House that during the time of the sojourn of all the headmasters at Wesley Hall this Honourable Member did not suffer any caning.

Hon. D. A. C. SIMMONS: My dead father made one mistake in his life, Sir, not to flog the Honourable Member. Otherwise, you would now be a better person. But I know that I got plenty from him.

Sir, I recall when I went to school and what school was like. I never saw anybody with a gun. We used to have some pen knives but because Lodge school was surrounded by sugar cane and in those days they had a kind of sugar cane called "banana" soft and sweet, we used to burn them as school boys. But I have never known an incident in my 9 years at Lodge School where a boy used a knife on anybody. I never have seen any of these things. When we got big at 18 or so, I went to dancing at YMPC and you would drink a beer but you would never carry it to school. All of that they tell me has changed. The fellows are taking liquor and they are taking the drugs and all of the other illegal substances to school.

I am concerned that if there has been a breakdown in discipline there needs to be an attempt to restore discipline. The law by itself and passing Bills in here will not necessarily tomorrow *ipso facto* lead to the restoration of discipline. But it is a tool backed by other things that have to happen in the society that can be used to show as much as Parliament can do that we think our school population should be disciplined and non-violent as far as possible.

When I went to school, there was not a secondary school boy in Glendairy Prison. Check death row and see how many including one or two from Lodge School are down there condemned to die for murder.

Aside.

Hon. D. A. C. SIMMONS: The ones with the Games murder. But they went to Lodge.

Aside.

Hon. D. A. C. SIMMONS: That is a good ball, Sir. I recognize a good ball when I see one. I am wearing a Gordon Greenidge tie today. I recognize a good ball. I was padding up and he licked down my stumps. But we set up a Task Force to investigate crime in this country and the report is going to be very voluminous but I have been able to get some extracts of the draft report.

Aside.

Hon. D. A. C. SIMMONS: They are going to get it wrong. Do you mean the newspapers? They are going to get it wrong. I am going to deal with them before I sit down this evening. We did a survey of 110 of the prison population and asked them about 130 questions of all sorts. One-third of those who were asked and one-third of those who replied attended 2 specific secondary schools in this island. The prison population has a hard core of young offenders who come principally from two schools in this island. That is a statistic that is telling us that there has to be a lot of collaboration now between the Task Force and the Ministry of Education.
5.25 p.m.

Seventy four percent of the inmates belonged to no club or social organisation at least two years before they went to prison. They did not interact in any organised setting. In fact, the study shows that a lot of them said they used to lime on the block. Ninety percent of them had somt: religious exposure as children, but only a quarter reported any church attendance during the two years prior to incarceration. One-third of the prison population is serving time for breaking and entering and larceny, and 57.5% are in jail for acquisitive crimes, property offences with violence.

Let me show you quickly from the tables what is happeeing. The most vulnerable age group for prison is that group 25 to 29. Many of us, including myself, speaking on political platforms were talking about the group 18 to 23, but 25 to 29 is the age group that is at highest risk, foiiowed by the next group, 20 to 24. I said, Sir, looking at the young offenders ages 16 to 24, the greatest proportion of offences relate to the serious crimes, which include murder, rape. aggravated robbery, burglary and so on, 57.5%, and all of them are serving sentences between five and 20 years. The remaining 42.5% are serving time of three years or less for less serious offences, but offences including drugs. We are probably going to be able to show a correlation, that there is no direct relationship between minor offences and youthfulness, I mean under 18.

We speak of first offenders. This study the Task Force is conducting is telling us that we can no longer speak of first offenders, because the majority have had at least two, and some over three, convictions by the time they get to prison. So even what I am looking at in Carringtons, St. Philip, we will have to call that non-violont, low risk, but we cannot speak in terms of first offenders anymore as a result of what this study is showing up, Sir. It also appears that more than two-thirds of the' samples were confined at the Government Industrial School, so we have to look again at the effectiveness of that institution.

Eleven of 16 teenage admissions to the prison have been involved with criminal offences and not one of them passed through the Juvenile Liaison Scheme, which is a very important consideration. Eighty eight percent have a history of arrests, the highest number of them showing that they were arrested at least twice. Forty four percent of the sample had been arrested three times or more.

So that what we are able to extrapolate from those figures is that early involvement in the criminal justice system, particularly institutionalisation in total institutions such as we have at Dodds and Glendairy, Sir, significantly increases the risk of repeat criminality, what they call recidivism. We have to have a young offenders' institution and take some of the population off Glendairy Prison, but we have to look at the kind of regime that we established up there. Those are just some of the preliminary findings. The report is being written up now and by the time the House comes back we should have it.

Mr. Deputy Speaker, there is a lot of hysteria about crime. There always is in a small society where a couple of incidents outrage public sensibilities, so I understand the emotion that is being poured out on the call-in programmes and the licks I am getting. You are in politics, today for me, tomorrow for the callers. It will not always be so, I promise them. But I want to counsel the Press about their role. It is important to report crime. The reporting of crime may tend to bolster values, may tend to keep the population sensitised, may even act as a general deterrent, but report facts and do not sensationalise. Today's back page of the *Nation,* Blackboard Jail. Foolishness! They have not read the legislation before they wrote that article. Last week Tuesday, headline Warder Walloped and a story that when you read it you would believe that Warder Outram was almost half killed by Prescod. What are the facts? Tell me when I am finished if you could really justify that the warder was walloped. One newspaper and a radio report even said that Outram had a cut with six stitches over his eye. On Tuesday morning, the same day as Ellis' funeral, 9 o'clock I called the Superintendent. Outram was there with her. I spoke to Outram. Outram, the man they said was walloped, reported for work. He comes to the funeral and, to make the point, when we were by the graveside I told Outram to take off his hat and let the public see where the cut is. Not a mark on him.

Do you know what happened? Outram took the man to the hospital in chains and handcuffs. Outram is taller and bigger than Prescod. When he took off the handcuffs, Prescod made a grab for him at his throat. Outram locked his neck and his hands, and the only thing that Prescod could do, since he had his club at the side, Prescod held the club, he could not get the leverage to wallop him because his hands were locked off, and Prescod is there tapping Outram. And they say warder walloped. Why?

Mr. Deputy Speaker, we have a serious social problem in Barbados. Let us face it. I have given the figures in here, Sir, on a previous occasion, and I am

going to repeat them, because we don't seem to understand what we are dealing with.
5.35 p.m.

We had 811 prisoners in Glendairy yesterday. In 1985, we had 330, in 1986 – 355, in 1987 – 385, in 1988 – 420 and by 1994 when the Government changed – 716. From 385 in 1987 to 716 in 1994. Nolhing was done. I heard nobody then sitting on that side enunciating any policy for change in the penal system. The Honourable Member knows that I used to talk. We are trying to deal with that situation. That situation cannot remain. Some have to come out. That happened and nothing was done.

Aside.

Hon. D. A. C. SIMMONS: I gave the figures just now. You are afflicted with a kind of deafness. I gave 1996. It only proves that a jawbone is a dangerous weapon as it was in Samson's time.

Now, Sir, you see this Report of a Commission of Enquiry on the Escape from Glendairy Prison, the Frederick Smith Report, February 1992, a whole heap of recommendations and only one that you could recognise as having been implemented. You had two years to expend and you implemented one. He himself told the ***Nation*** on Friday that they didn't pay him any mind. They implemented one or two of them. The one they implemented was to improve the qualifications for joining the prison service, which is to have 3 CXCs or pass an exam. All of the other security measures that were in the Report in here were not implemented. All that will be taken care of in due season.

Aside.

Hon. D. A. C. SIMMONS: You had an Attorney General and a Minister of Home Affairs, Mr. King and Mr. Simmons, and then you had Mr. King and Mr. Greaves. You had two. Sparrow alone is the man. It is me alone. There seemed to be an attitude in the Democratic Labour Party that things must just go along. Don't worry, *laissez faire*. Nothing is going to happen. What are you worried about? Why didn't they do anything about this? Why didn't you do anything when the prison population doubled under you? Build a new juvenile offenders' institution? Why didn't you set up a task force and crime prevention to examine the causes to see the correlations?

Aside.

Hon. D. A. C. SIMMONS: ... You knew I was coming. And that is the greatest compliment ever paid to me. Thank you very much, Sir.

This Government has a different attitude.

Mr. B. M. TAITT: On a point of order, Sir. I thought we were discussing education. Why is it that just like how George Fergusson can carry everything to the sea the Honourable Member puts everything in prison?

Hon. D. A. C. SIMMONS: Sir, we have to do a number of things. There is evidence that unemployment – business study interviews were conducted last year – is a contributing factor. There is evidence that poor socialisation is a contributing factor. There is evidence that there is a weakness in the attitude to religious instruction. There is evidence that maternal deprivation could predispose to criminality, all of these. Govemment therefore has a responsibility in the interest of providing security and developing a better society to make sure that these problems are tackled on many fronts and the *legislative* front is one.

The Honourable Minister of Education is trying her best with some of the youth in Harrisons in St. Lucy to provide a different environment. It means also that when we create the new penal system, we have to pay attention to the high level of illiteracy that is in the prison population, hence I have been saying that we must have attendance centres. An attendance centre will function twice a week. The magistrate will say that you must attend at a particular place and we intend to use the school property after 4 o'clock where a youngster who has transgressed will have to go as part of the court order and he will be given instruction by for example – I am not saying that it is cast in stone – a retired teacher or a retired senior policeman so that they will get discipline and training at an attendance centre. No jail. We will use a school building. You have to attend. If you don't attend it is a breach of the order and you will be dealt with. That kind of thing.

We have to provide opportunities to give them a chance. The Minister has spoken about 60% leaving secondary school uncertificated. As far as the prison population is concerned the figure I am told is even higher. It is not here but I met with the lady this afternoon and she tells me it is even higher. So we have to educate them, train them and give them discipline. You cannot wait until they get to prison to train, educate and discipline.

We have to make sure that the environment in which they are king taught is safe for them and who is teaching them. Hence this legislation. We have to tell them from early it is an offence to have a gun or weapon at school, it is an offence to bring marijuana or cocaine, So the Govemment is trying through the legislative process to hold values which all of us in here hold dear, to reinforce values which we and our families and the society of the 40s, 50s and 60s grew up with. You will always have criminal elements. Even in Russia when they had a communist regime they had bare crime. Our responsibility is to reduce the incidence of crime as far as possible and create the atmosphere that will conduce to that reduction

in crime. We are trying, Sir, in this legislation as a result of hard evidence – I don't know if the Minister discussed the Report on St. George's Secondary School. It would blow your mind. It cannot continue, Sir.
5.45 p.m.

So let me just finish by saying that we accept the concerns and as a concession to the strong feelings of Honourable Members on the "intoxicating", Sir, we are prepared to take that out of the Bill and let it find its own level in the Regulations.

We do not believe, Sir, that these are days in which we can be soft about crime. The youngsters out there are telling you "they cannot hang me, I am 17", and we have evidence, believe me. We have evidence that kind of age group is being used...

Asides.

Hon. D. A. C. SIMMONS: That age group, Sir, is being used by persons involved in drugs to commit violent crimes. From the time that Party changed the Law in 1989 we have had 26 under eighteens charged for murder. In the previous 7 years, 1982-1989, you had 4. You will tell me that we must ignore that statistic...

Asides.

Hon. D. A. C. SIMMONS: Statistics do not matter? When the Bill comes here later on this year to restore the law the way it was, we are going on television and let the public see where you stand.

Mr. B. M. TAITT: On a point of order, Sir. He does not have to wait until the Bill comes, Sir, now that we will be opposing it.

Hon. D. A. C. SIMMONS: You, not Mr. Sandiford.

Mr. B. M. TAITT: We will oppose him too.

Hon. D. A. C. SIMMONS: Well, well, well. I am going to make a note at 6.47 p.m. what you said. He is down in Malaysia and let him deal with you.

SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Sir, on that note, Sir, I beg to move, Sir, that this House be suspended for 15 minutes.

The question was put and resolved in the affirmative without division and Mr. ***DEPUTY*** *SPEAKER suspended he House accordingly.*
48 p.m.

RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is resumed. The Honourable Member for St. Joseph.

Dr. R. L. CHELTENHAM: Mr. Deputy Speaker, this is an important debate. Focusing has begun not only on aspects of our educational system but also on many of the problems faced by modem Barbadian society, and I am glad that the House has treated it as such.

As I understand it, the amendments before the House, the amendments to the Education Act, have been informed by real problems which we are encountering in the schools. The Honourable Minister in her opening presentation identified some of those problems.

There are the problems of drugs, a high incidence of drugs found on school premises almost on a weekly basis, a high incidence of instruments of violence found on the person of pupils on school premises, actual instances of violence meted out to fellow students and others operating within the school premises. We have had increases and a high incidence of the use of alcohol by students on school premises, and we have had a high incidence of assault on the authority of the teachers and the heads. I think, finally, she mentioned the problem of violence to school property at the hands of the students.

Now these are real problems which have had the effect of making the school environment unsafe. In fact, in some instances, some school environments have become like war zones. The Minister and the Government have a responsibility to ensure that as much as it falls within their competence, they take initiatives to make sure that the school environment, the premises of the school are made safe and secure for those who live within those premises and who have to operate within those boundaries.

I think that you will agree with me, Mr. Deputy Speaker, that those problems are not Democratic Labour Party problems or Barbados Labour Party problems, and to that extent it is a matter of deep regret, that the Opposition has decided not to support these initiatives.

In part I think it is a reflection of the fact that our system has not allowed this matter to come before the House, as a result of the give and take between both sides through, for example a committee system, such as would operate in the United States Congress, whereby the matter would have been introduced, hammered out between the parties, and a consensus position arrived at on a matter like this which has the support of all sides.

I fear that because of the position which they are taking, the wrong signals may go out to teachers across the country that somehow Government has taken an initiative which has no support of the Opposition, and should

there be a change of Government, you could expect that it is going to be taken off the statute books or anything of the sort. It is a problem, the one that I have identified, that has been identified by the Minister, that calls for the united support of all of us. That is why I say it is a matter of some regret that we could not be united in the House this evening with respect to the initiative which is being taken.

To some extent I think that the timing of the initiative is unfortunate, because it comes at a time when there are voices, all too frequently heard on our air waves now, calling for judicial savagery, lock up almost everybody now for life, hang everyone, particularly those who have committed crimes of murder, who are 13 , 14, or 15, and that generally, the voices for toughness in our laws seem to be the voices that we are hearing now more than ever.

It is understandable that in a small society, we will respond , as we have been responding recently in terms of those voices, to brutal incidents of violence and of murder. In a small society so many of us know the victims of crimes, heinous crimes, that we almost feel as though a member of own family has been affected. It explains in part why we respond from time to time the way we are doing now.

At the end of the day, the Government has the responsibility to provide firm and valiant leadership, informed by a sense of enlightenment. Extreme positions may appear to be popular but they may not necessarily be wise and enlightened positions, but that is by the way.

When I first saw these measures, it occurred to me that they might not even have been necessary, because when I reflected on my own time at school, the Headmaster had large authority, He could certainly search a boy, call him to his office and cane him and do a lot of the things that we are attempting to empower Headmasters and teachers to do.

6.10 p.m.

I think that to a large extent the admirable speech made by the Honourable Member for St. Philip South proceeded on the premises of yesterday. He assumed as I did the values of yesterday when there was a certain atmosphere reigning in the schools and he madc his speech on that premiss. It was a good speech for bygone days but I do not think that it sufficiently came to grips with the reality of what is happening in our schools today.

Now, what Mr. Deputy Speaker, are among the things that have changed? I have referred already to the high incidence of violence, the use of drugs and all the other problems identified by the Minister in her opening presentation. But there is no single explanation for what is happening in our schools today. It is a spill over from problems in the general society as has been madc so pellucidly clear by the Honourable Member for St. Philip South. But there are some things that are particularly relevant to the educational system over the last 25 years that I think deserve particular comment. The first that I want to talk about, Mr. Deputy Speaker, is the loss of the sense of community in our schools. I went to school at a time when the wisdom of that era suggested that a school should be no more than perhaps 400 students. Five hundred students would be the outer limit and there was great wisdom in that because that sense of community that should be central to a school existed. The headmaster knew his teachers and he knew his pupils. The pupils knew the teachers and the teachers knew the pupils.

We have had a lot of fads in Barbadian education over the last 30 years. Something happened in England, a new trend, it was copied here. Something happened in the Harvard School, they came up with some idea and it was copied here. We have had too much of that Mr. Deputy Speaker, and I believe that generally speaking the idea of schools of 2 000 students, 1 500, 1 800, where that sense of community has been destroyed, has been a mistake.

The same things that we have achieved in terms of having one head rather than two schools with two heads and so on is a small price that we would have been paying for maintaining that sense of community which, in my view, is at the heart of a well functioning school system.

Now, the second point that I wish to make with respect to what has happened in the last 20 to 25 years in this country at the school level has to do with the sense of specialisation and the narrowness of focus which a iot of teachers bring to their work. When I was at school it mattered not that a particular teacher taught Spanish or Scripture or Chemistry or Literature and Language as the case may be. They had a broader concern to the total development of the pupils. They were guidance counsellors, they were concerned with problems of every nature that the child had. Today I talk to a lot of teachers. I am not saying that all of them take this very narrow view but they say, I teach biology. I am not concerned with that particular problem. That is for the guidance counsellor. We need to get back to a situation where our teachers, regardless of the particular discipline they teach, are concerned with the total development of their charges, whereby regardless of whether they are biology teachers or Spanish teachers they are also guidance counsellors, they are also advisers on the direction in which they should go after school. They are concerned with any problems that they may be having at home and so on. Much of that is lost and in that respect too the school is not the place that it used to be about 25 years ago, 30 or 40 years ago when many of us were at school.

Now, I think that in 1981 or thereabouts the Education Act was the source of a major mistake when Headmasters lost their authority in the school and most

of that power was concentrated in the Ministry of Education. I think that the genesis of a lot of our problems in school where teachers think they have no authority and headmasters have developed a hands-off approach to the discipline of the children, resulted from the fact that we passed an Act in this country 15 years or so ago which said in effect, you are now robbed as heads of that wide authority and discretion which you exercised in the past and that now is to be exercised by a Ministry of Education. Only to say that is really to indicate how fundamentally wrong that could be. A school plant is a highly sophisticated plant like any sophisticated manufacturing facility anywhere. How could the leadership of that facility be located elsewhere than in the plant? Only to say is to indicate how fundamentally wrong it was. Many headmasters over the years have developed a hands-off approach. The powers that be say that we are not supposed to have the authority and the discretion with respect to discipline and management of our school that we had in the past and let matters take the course that they will. That is what the legislators and the big wigs in education in the Ministry of Education say it should be, how it should be and that is how it will be. That too was a very unfortunate development that took place in this country about 15 years ago.

I believe that we must restore leadership and authority and large discretion to the schools, to the heads and to the teachers. The Ministry of Education - we can fashion a different role for them, but when you are in charge of a plant of 500 or 1000 or 1500 you must be clothed with large authority as a master and as teachers to deal with problems that are already there from day-to-day. Now once you Rave been robbed on that you weaken the fabric of the educational system and you destroy the discipline that should be existing at those schools.

6.20 p.m.

Sir, but there is another problem too. Children of every generation need guidance and moral leadership. When I was at school, you had to go to prayers every morning particularly at the secondary schools. My headmaster of blessed memory, Lee Harford Skeete, spent a great deal of time, I5 minutes every morning - some teachers used to be annoyed - telling the students of that generation some of the do's and don'ts about school life and life generally and many of us still remember those do's and don ts. I am told in large measure now that prayers are a thing of the past and certainly there is little or no room for that moral instruction which used to be a vital part of school life in my time. These are some of the basics that we need to get back to. There is no question about that.

Mr. Deputy Speaker, I think that the Government in the light of the problems that I have indicated, their severity and high incidence, had to take an initiative. As I said before and I say again, it is a matter of deep regret that it could not be a consensus approach. But we must not fool ourselves and the Attorney General was very clear on this that the amendments by themselves will produce the desired results. The problems are the problems of the wider society and we must be careful not to be dealing with symptoms only or to believe as sometimes lawyers do that legislation or amendments to legislation is the answer. It is a simplistic approach which narrow lawyers, those who are not widely read beyond the law, seem to think constitute the answer to a lot of problems. It is not. We have to tackle the problems existing in the wider society.

Now there is a particular aspect that I want to deal with because from day-to-day I would hear in the course of duty that drugs are being taken on to school premises. People know those things. There are people who are outside the premises of the schools pushing drugs at particular schools. That is known. It is a talking point in the society. There are some people who are selling on the premises who under the guise of selling food also sell these things. That is known. There are some drug people who have premises for selling drugs nearby some schools. We all know that. It is talked about in the fish market. It is talked about in the vegetable market. It is talked about in the homes. But the only body who does not know about it happens to bc the police. Now something is fundamentally wrong when that is happening and increasingly the police bring themselves under suspicion when these things can be happening under their noses and nothing is happening.

Now I will appeal to them to make sure that school premises become one of the focuses of their attention hereafter. If everybody knows that drugs are getting into the school and the channels through which'they are getting into the schools, why is it that we are adding to the Force all of the time and the policemen themselves do not know anything about it? There are people in this society who are living well by pushing drugs and pushing them among the weak and the vulnerable and the young. I hear the names of these people in the course of duty. The police must hear their names too and know where they live and how they live. They are driving big cars and they are doing well in the society seemingly, but yet you never hear that their premises or that they are under 24 hours surveillance by the police or that they are being trailed or anything of the sort. But small people who may be asked to get rid of 4 ounces or so are from time to time arrested and have to appear before the Court. Now what happens to these so called "drug lords"? Why is it that you know their names and I know them too and the police do not know? That is a very serious matter indeed.

I think that some of the heat which this debate generated might have been absent if the Honourable Minister of Education was able to have the regulations available because...

Aside.

Dr. R. L. CHELTENHAM: I myself did not get a copy. I am sorry about that. But in the Bill itself it was mentioned that these breaches at school must be reported to 4 institutions – the police, the Board, parents and the Chief Education Officer. Without the Bill itself, and I regret that I did not see those regulations, it appears as though there was no discretion for the management of the school and for the Head and that however small the breach and whatever view he takes of it, he has to report it. In fact, I think that we must be very careful about that area. A lot of the leaders of today and the leaders of yesterday, and I have no doubt the leaders of tomorrow, were naughty boys and girls at school. They were able to realize their talents and to give to their society because they benefitted from enlightened and humane headmasters and headmistresses who scolded them yes and reprimanded them but who forgave them and appreciated that people at a certain stage of their development can indulge in pranks and can try things including take a puff or spliff, whatever it is called, and to drink a liquor too. All is part of the experimentation that goes with adolescence and growing up. A lot of our leaders in different fields today to my certain knowledge drank at school. I am not saying that that is the ideal thing. But wise heads kept their eyes on it to make sure that it did not get out of hand. Those boys and I know less about the girls in that respect who have gone on and done very well at school and also done well in terms of their contribution to their society.

So that it is going to be very important that the Bill be administered in such a way as not to interfere with those delicate relationships of teacher and pupil and teacher and parent which the Honourable Member for St. Philip South referred to as constituting the dynamic of our educational system over the years. I thought that was a valid point and it is going to be very important that the management of these amendments be such that those relationships are not seriously disturbed. On the other hand, it was necessary to take the risk that in some modest way they could be disturbed on some occasions because the problem is large and is getting out of hand, and to some extent the risks might be worth it in trying to deal with the problem that we have before us.

I feel, however, if I know my Barbados, Mr. Deputy Speaker, that this Bill will be honoured in the breach in large measure. There are not many teachers who are familiar, and it is a small society, with the parents of the children who would want, except in extreme circumstances where they have virtually no choice, to be taking steps that could possibly lead to the criminalization of the child of John Brown up the road whose mother was so helpful to my aunt and to my sister and with whom I went to school. They would much prefer to close an eye if necessary but to go after school and say: "Come on, John. We have to talk. Young Peter put me in a desperate situation today and a very difficult spot. I think you have to give him a flogging here and now and preferably before my eyes." But they will do that rather than take some of the steps indicated in the amendments and perhaps in the regulations, because you have to be concerned about it and except in extreme cases no one wants to put a young child in a bad light in the community. By the time that you have reported to 4 institutions it has been broadcast and it is public knowledge. Even though it might have been a serious thing he has done, a lot of us in the course of our growing up in school did serious things, but nobody tried to put us before the courts, nobody tried to broadcast that X's child is a little vagabond and so on, because it does not necessarily mean that. With a little scolding and a little discipline and proper guidance many of us have grown out of difficult stages and have gone on, as I said, to make our contributions to our society and to be good and proper citizens, so that we must be very careful.

6.30 p.m.

A lot of other measures obviously are necessary if we are going to tackle the problem at root. I have indicated some of the things I would like to see done, and obviously other things have got to be done. I think that the problem has reached the point where consultancy guidance services need to be available in a lot of the schools. A lot of people need help, but that is a different approach from the approach of bringing the heavy hand of the law. I would hope that the Minister would from time to time be advising us of some of the other steps outside of the law which the Ministry will be taking to ensure that people with problems are helped.

On balance this measure has my support, Mr. Deputy Speaker. I think that we, who look at it with some objectivity, will all agree that it has not been an easy measure and we can see that it can create some difficulties along the way, but I think that the Government had no choice but to act. We are not arguing that the step is necessarily an ideal step, but in these circumstances it is perhaps no ideal, but the Government would certainly attract considerable condemnation, and the Minister herself were she not to act, and to that extent she must be commended for acting and we can only hope that the measures are implemented in such a way that some of the worst consequences feared by the Opposition will never be realised.

I am much obliged to you, Mr. Deputy Speaker.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, when one listened to the Honourable Member for St. Thomas one got the impression that prior to 1994 we had a serious crime problem in Barbados and that the numbers have now decreased. I have the statistics, Sir, and these statistics...

Aside.

Mr. D. St. E. KELLMAN: ...for the inmates, the number of people in prison.

Aside.

Mr. D. St. E. KELLMAN: You gave the statistics and the impression when you were giving the statistics was that under the DLP the prison population increased, but under the Barbados Labour Party it decreased.

Mr. Deputy Speaker, I wish to repeat the figures. The Honourable Member for St. Thomas said that in 1987 there were 385 and that by 1994 they increased to 716. If one were to take those figures and take the 385 from the 716, one would get a figure of 331 more inmates. If one were to divide that figure by 7, one would get 47 per year. That is why the Honourable Member attacked me the way he did, because he knew that once I got figures in my hand I would have been able to prove him wrong. By 1996 the figure increased to 811 from 716 in 1994, giving a total of 95 in two years. As you are aware, Sir, we have not completed two years as yet, but we had an increase. When one divides 95 by 2 one gets 47.5, Mr. Deputy Speaker. So why are we patting ourselves on our shoulders giving the impression that something is wrong with the jawbone of the MP for St. Lucy? Leave me alone.

Mr. Deputy Speaker, let us get to the meat of the debate. I am a bit worried. I have no problem with people searching students. I have a son and I feel the teacher has a right to search my child's bag, but I have a problem that if you search my son's bag automatically you assume that what was in his bag when he left it in the school room is what he brought to school. We as politicians have to be very careful especially when we have young children. We get in this Assembly and talk about the wrongs of people, but things can be planted to embarrass us. You, Mr. Deputy Speaker, are in the same position as myself, you have a young child too, and we must make sure that we do not pass...

Aside.

Mr. D. St. E. KELLMAN: There is nothing wrong with having young children. It is no crime. There is no crime in us having young children, but at the same time we must make sure that when we pass legislation in this Assembly this legislation is not used, as the Honourable Attorney General said, that my friend who is a good policeman – and I have no reason to doubt his statistics for the north, and I want to clear something here, because when one hears about the north one gets the impression that the north is St. Lucy, but when the Police Force is talking about the north they are not talking about St. Lucy, and I wish the Attorney General would explain that – I do not want the impression given that when the Senior Superintendent speaks he is talking about St. Lucy. Let there be no shadow of doubt. It is not St. Lucy he is talking about, he is talking about the north, and that is what the police constitute as the north and not the north as I would know it. I want that matter to be clear.

Getting back to this legislation, Sir, it will show that the Minister has some doubts on this legislation also. In Section 2(5) there is (a), (b) and (c), which tells me that after (a) there is a possibility it will happen again, and after (b) it will happen again, so it is telling me that the legislation is not really correcting the problem. I am saying this, Sir. I do not know of a child who can afford to work to get money to buy a gun. He has to be getting money from some senior person. The drugs that the children are taking to school I want also to know who they are getting them from. I am saying to this Assembly that our target is wrong. It is not the school children we want to target, it is the big people in society who are giving the school children guns and drugs and making sure that they give them guns and drugs to protect territory. Are you going to tell me little children will think about carrying to school guns and drugs just because they want to carry to school guns and drugs?

Hon. D. A. C. SIMMONS: On a point of order, Mr. Deputy Speaker. I will just remind my friend, so that he can intersperse it in his speech, that there is already legislation that deals with the big people. The Drugs Misuse Act, the Proceeds of Crime Act and the Firearms Act.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, I want to thank the Attorney General again, but it is clear to me that the same legislation hc is talking about cannot be working, because if it was working we would not be here today discussing this, we would have had those people in check and they would not bc interfering with our kids, giving them guns and drugs to take to school. So it is proven in this Assembly that legislation is not the solver of these problems and we need to take another step. I am sorry that the Honourable Member for St. Joseph spoke early because if he had spoken after he could not have made that speech. He is praising legislation like this when we would understand that the legislation is not solving the problem. We had a Vagrancy Act to stop people from putting chains around white people's neck and every day in the streets of Barbados they are still doing it. So what are you saying to me? We need to get to basics.
6.40 p.m.

We need to get back to the grandparents of the children, the mothers and the godmothers and the next door neighbours who used to look after you and me. These days now we have people who divide the room and nobody cares about one another. We need to get back to the good old habits and once we get back to the good old habits then we will be doing something. Anybody who sees my son doing something wrong can flog him, because I still belong to that old school. As I said at St. Clement's School, we are bringing a lot of policies in place that are not helping our school children. I was very grateful to the Honourable Member for St. Joscph whcn he said that the headmasters' hands wcrc tied.

Yes, they were tied because of the 1981 Education Act. If you feel they were tied then, do you feel they will administer this? They are going to tell you straight that when they wanted power they were starved for 15 years and they are dealing with a different group of people now. In 1981, they were dealing with saints, and if you are telling me from the information you are giving now about guns and drugs, do you think they will want to deal with those children now? Do you feel you can get the cooperation of the headmasters? We have to be very careful. We are slowly creating a police state in this country because even the teacher now is a policeman. We have to be very careful because there was a time in the 90s when a big ad was placed in Barbados giving the impression that we were under a police state and at that time the teachers were not regarded as constables. Now they are regarded as constables.

Let me tell you something. I am under the impression that any of my constituents who are hooked by this legislation – I am not looking to the lawyers on this side – I know of at least 3 lawyers on the back bench who will go to court and argue successfully that this is unconstitutional. So that is my problem, too. This is unconstitutional. So even though the ones who are here believe it, I would add the 3 behind there and get 6 lawyers who know that it is unconstitutional. There are some on the front bench too, but they have to toe the line.

You see, Mr. Deputy Speaker, everyone matters. That bad child that you regard as a bad child might be bad today but tomorrow he can be a good student. We have to be very careful how we deal with these kids. I am telling you, Mr. Deputy Speaker, there were a lot of children in this country who were regarded as bad boys and now today they are some of the most important people in this country. They are some of the people to whom people look up and they are some of the people who are making sure that the bad boys are put in check.

We must ask ourselves if we can afford to pass legislation in this Assembly which says that you must not forgive and forget. As this legislstion stands, it is saying that you must not forgive. We must have a clean heart. I am saying that I understand exactly the problem the Minister has and I understand and I know that she cares about young people and that is why it worries me, Sir. I nearly ran a bet. I am convinced that the Minister will have to have second thoughts on this. It is an amendment under the Ministry of Education, but it seems to me that this cannot be an education bill. Something is telling me that even though it is under the Ministry of Education it was not formulated in the Ministry of Education and I rest my case there, Sir.

Mr. W. C. C. CALLENDER: Mr. Deputy Speaker, Sir, I feel constrained to rise to address this amendment which comes before the House today. Sir, there are sections of this Bill which I find great favour with. Those members who have been following the news back in the early 1990s would recall that in my capacity as President of the National Council of PTAs, in voicing the sentiments of the members of the National Council of PTAs, after canvassing their views throughout Barbados, I had publicly expressed concern for the safety of pupils within the school environment. At that time, Sir, I had said that dangerous weapons should be kept out of the domain of the school. At that time, Sir, the suggestion was made, coming out of a series of meetings of the PTAs of Barbados, that an arrangement should be made to detect dangerous weapons. At that time, Sir, we proposed that metal detectors be used in schools. We did not mean metal detectors such as you get at the airport – that is a central metal detector system – but in 1992, we were speaking of hand held metal detectors which could be used in cases where the principal or the teachers felt that there was someone in the class with a dangerous weapon.

I remember quite clearly, Sir, at that time the principals' association went public and said they saw no need for it. I know that, privately, members of the BUT did not support their view. However, times have changed and it appears as if far from just having a metal detector which would just roam around your bag and your pocket and so on from what I have heard today they are inclined to go further where they will not just pass a metal detector around your pocket but would now suggest that a teacher should place his hand beyond your pocket.

Sir, I am still of the view that metal detectors would be a clean way of detecting dangerous weapons and I still hold the view and I am happy to see that the principals' association and the BUT have now come around to the fact that a system has to be put in place to detect dangerous weapons.

6.50 p.m.

If the prevailing view is, Sir, that children should be searched in primitive ways, I would not want to stand in the face of the knowledge and the wisdom of those who would decide on that. We are speaking in the same spirit when we are saying that dangerous weapons have no place within the school environment and we have to detect them, and we have to prevent students from bringing these weapons into school.

Sir, at that time we had instance, in the early days a child being killed in a school, we knew of cases where children were being run down by others with knives, we knew some had guns, but we also had situations where sometimes the guns and the weapons were being kept outside of the school property. We are also aware that students, this is after we conducted... research, that felt, in cases, that they needed to be armed to protect themselves.

What this speaks to, Sir, is a need for our looking at security in total, not only in the school itself but around the school environment. I remember at that time, Sir, that it was said that more security should be placed around schools. I therefore have no difficulty with any reasonable position put forward to detect dangerous weapons on the school grounds.

When it comes to controlled drugs, Sir, we also have a difficulty that the children of parents of whom we may have thought otherwise will enter a school and there will be other students who would be encouraging them to get involved with controlled drugs. That matter needs to be addressed. Sir, this requires the vigilance of the teacher within the school. It requires the vigilances of the principals within the schools.

I would believe, Sir, that trying to keep these controlled drugs out of the schools would be the top priority. At the same time we have to ask how these drugs get into the school in the first place. I recall that an Act was passed to try to prevent drugs around the school property. I do not know how it had been dealt with. I do not know if anyone had been found guilty, anyone had been caught. Most of the time in the implementation, the administration of the system detection is what falls down.

It is easy to detect a child in a school because you are into a close environment. What about those outside who are feeding the children with these drugs? What this therefore means, Sir, is that we have to look at methods of preventing people from filtering drugs into the schools via the children.

So this hits at a deeper societal problem which I am sure the Attorney General and others would be working vigorously on, I believe that once we do that, we can protect the school and the children against the use of dangerous drugs.

It also starts within the community itself, which therefore now speaks to the involvement of other community agencies, the home, the church, it also speaks about liaison agencies like the community development in dealing with these matters. What role are these agencies playing in our community, Sir?

On this point I just want to mention briefly that I am concerned, Sir, about the role being played by the community development agency in tackling the community problems that we have. My concern is about how the community development agencies are playing their role in tackling these difficulties that we have.

Sir, what would happen is that once we passed a law and we do not have protective mechanisms in place within the community itself what will happen is that children will still be subject to the same kind of things, and that they would be prime subjects for fines and imprisonment.

I do not believe that the imprisonment in this case here would necessarily mean imprisonment in Glendairy. I believe that in time imprisonment would probably mean a situation where the child can receive some kind of moral regulation. I would hope that the people who will be in charge of such arrangements will be the kinds of persons who are appropriately trained to deal with such matters. Otherwise you are facing a situation, where the situation will become endemic because then there will be a culture in which the students will educate each other in the various machinations of the underworld. We therefore have to look at addressing that matter.

I believe that in the aftermath of this legislation a number of social policies will be strenuously put in place to reinforce the efforts that are being made here by the Ministry of Education. So, while I do understand what is being done, I am saying that immediately we need to have other methods and other arrangements put in place to make sure that we tackle most of these problems at the root cause in the community itself.

Sir, in the case of damaging school property. I believe that we want to discourage children from wilfully damaging school property, and I believe we need to address it There is a lot of cost in this. At the same time I will believe that principals would use their discretion in this, because we all know that on some occasions at the end of term a group of boys together can do things which they otherwise should not do. I would hope that discretion will prevail given the circumstances.

As unlike a fellow who gets vex with tne head-teacher and damages the school, this is something that will be clearly wilful and in very poor taste. I believe that you could be left with situations like his, but you know of things where school hoys are lawless and they might do something. I believe that discretion will prevail and that most headteachers would be guided accordingly.

On the matter of alcohol, intoxicating liquor we are talking about, it is withdrawn, and I must say that on this matter I am very pleased because we need to address the whole issue of alcoholic beverages and so on separately. I am glad to see that has been withdrawn.

Sir, I therefore do understand the reason for this Bill. I have made it clear that I have been one of those persons who have been asking that some methods or some mechanism be put in place to address dangerous weapons within the school system. I believe that we can look at it even more, and I believe, Sir, that this matter will be under consideration, will be under review so that with time we can get it to bring about the result that all of us want.

I know that all of us want to make sure that our children grow up in peaceful conditions. We want to make sure that our children, when they go to school, do not have to be fearful of some guy shooting at them or stabbing them, and those kind of things. I know that we want to make sure that when our children go to school they are not going to be given controlled drugs. We want to make sure that this does not happen.

I therefore do think that the Bill is brought in good spirit. I also take into account the views on the Other Side. I believe that in the fulness of time we will all get there, and that this therefore speaks to a consideration of the problem, a concern for the problem, and a willingness to address it, which I hope will be carried further by the other Ministries which have responsibilities for things like community development, the Ministries that have responsibilities for things like police and the detection of crime and all that. Once we get a concerted effort made, and once there is a harmonious approach to this problem, I believe that we will be well on our way. At the end of the day, I am hoping that no single group would be disadvantaged by this Bill and that the people who would administer it would be just in what they are doing. If we ever see that justice does not prevail, I am hoping that people in the society would speak out loudly to make sure that there is justice for all in recognition of the fact that each one matters.

7.00 p.m.

Mr. J. O. **TUDOR:** Mr. Deputy Speaker, I am very grateful that the last speaker ended on the note of each one matters because some time last year or earlier this year when the White Paper was introduced it was our understanding on this side of the House that there was the intention of this new administration, through the Minister, to indicate to the entire community, that is, of school children, etc., that each one matters.

The legislation before us today puts that into question and I am not sure if the slogan will hold water because it seems that there is an attempt to separate to some extent those who are perceived to be the main offenders rather than take the concept that each one matters and seek to address the problem that is associated with their behaviour.

The Opposition has a very clear message for the Government and the public of Barbados will understand that we understand on this side that there are problems in the society but the last two speakers on the Government side, from their back bench, provided more common sense to the entire debate than any other contributor on the Government side, It is clear that the debate developed to an extent that it has become very clear to all of us in this House that this legislation today is irrelevant and totally unnecessary. It is an exercise that is wasted. The time that has been spent on this Bill is time that could have been spent in a more productive manner on areas that will deal with the cause of the problem that we are confronted with in this country. I will deal with that very clearly.

The Member for St. Joseph indicated before, and I will get back to the Minister's presentation, that amendments to the legislation will not solve the problems that we have in this society and that is true and he said there are some lawyers who believe that that is a sophisticated approach that one can adopt but it just simply does not work.

The Honourable Member for St. Lucy indicated that legislation was passed with regard to the Vagrancy Act. That did not work. There are all kinds of legislation on the statute book and people still commit murder, people still steal, people still do all kinds of things. We understand on this side of the House that there are problems. The Honourable Attorney General pointed out the statistics, indicated yes there is a problem. All of us know there is a problem. The whole world is changing. What we have to understand is that it is a mauer of approach on how you sell yourself, as an administration, to the public and how you are going to deal with the cause of the problem. But what do we have? We have an administration who comes in with a big yardstick. When we get into office hanging starting now. That was the impression that was given, that once the Democratic Labour Party came out of office hanging would resume in Barbados right away. *We have a* belief in this country that once the Barbados Labour Party came into office all the social problems would change and overnight we would have a return to hanging...

Hon. D. A. C. SIMMONS: On a point of order. I do not know who gave the impression that hanging would resume immediately, Sir. I believe that the words that were used consistently were that after a person has exhausted his appeals and it is a very bad one, certainly I would vote for him to go down. That is still the position. Talk, I *am* going to laugh at you soon.

Mr. J. O. **TUDOR:** Mr. Deputy Speaker, I am making the point that the impression was conveyed that once the Government had been changed, that the Democratic Labour Party administration who were so soft on crime, that once they were removed from office we will be coming in.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, on a point of order. In the cases of Bradshaw and Roberts the Privy Council has held that the former Attorney General for 22 months did not reply. Read the decision. Did not reply to a letter from Shepherd and that helped to let them go.

Mr. J. O. TUDOR: Mr. Deputy Speaker, the point that I want to convey is that the perception should not go out that there was any matter of being soft on crime. The facts remain that the world has changed and

changed significantly and it is a matter of taking a human approach and how you deal with people in a free world. The world is no longer tolerating that anybody is going to discipline them in the old colonial form with a big slave whip and whipping you. The world has changed where communication has become an important key in terms of correcting the wrongs of a society. This society abhors the big stick of lick and lock up. Lick and lock up done with. This society does not respond to it anymore. But the Barbados Labour Party are consistent because since 1961 they brought legislation to this House to amend the Prisons Act, to put people under house arrest in this country. This Barbados Labour Party brought legislation in 1961 by the Hon. F. E. Miller to put people under house arrest. The Barbados Labour Party, during the late fifties when they were failing the people, the people were agitating, the masses of people were getting uneasy, there was disruption in the social environment in this country and they brought an amendment to the Prisons Act.

Mr. DEPUTY SPEAKER: The Honourable Member, could you stick to what is going on in here today, the Education Act?

Mr. J. O. TUDOR: Mr. Deputy Speaker, this is talking about lacking up people and I am talking about the Prisons Act. The Barbados Labour Party brought legislation in this House to amend the Prisons Act which would have placed people under house arrest. The Democratic Labour Party took office in 1961. We did not deal with the amendment to the Prisons Act at all. What we did was to put a social programme in place that saw 15 years of sustained development which alleviated a lot of the frus ration and the masses of people were able to live in a social environment without having to be locked up or put under house arrest. Let us understand it.

This problem today is not a problem that you are going to come with any heavy hand and say that you are dealing with the people out there because they are uncontrollable at a time when you are introducing concessions to certain sections in this community, at a time when you are introducing legislation in this country giving and granting concessions to certain groups of privileged people in this society and at the same time...

Mr. DEPUTY SPEAKER: The Member for St. Michael East. What does granting concessions to people have to do with the legislation before the House? Please stick to what we are debating now.

Mr. J. O. TUDOR: Mr. Deputy Speaker, I am speaking about the environment in which we are debating this Bill. If that is not relevant then I will sit down.
7.10 p.m.

Mr. DEPUTY SPEAKER: Well, if you have concluded your speech, then you are free to sit down.

Mr. J. O. TUDOR: I am still standing. If the Honourable Member sees me sit, then he will conclude that I have finished my speech. But I would understand why the Barbados Labour Party would not want me to speak as they usually do not want me to do because I talk straight from my heart. I do not deal with any frivolous behaviour. We have a problem and the problem that we have in this country is that we must not come with these high-handed measures trying to see if we can put the fear of God in your heart and you must conform or else. This is creating a dangerous precedent in this country and it is going to change the whole landscape of schools in this country. I do not subscribe to a *Blackboard* Jail. I am not dealing with that. That is not relevant now.

The environment of the schools, Mr. Deputy Speaker, is going to change significantly. This society is a wizzy-wizzy society. This society is one where if you are having drug pushers or these kinds of people pushing drugs in schools the children are terrified that if they open their mouths something can happen. There is a lot of fear already existing among children in the schools. When you make criminals out of them, when you involve the teachers and parents, what are you sending the children to school for?

The Honourable Member for Christ Church East and myself sat on committees that looked at ways and means as to how we could look at some of the cures for getting rid of some of these problems. I endorse his position where he said that we need to focus on dealing with the problems rather than using a thick heavy weapon saying we are going to lock you up as far as that is concerned. The Honourable Member must have difficulty in understanding that, yes, there is a problem but it is how you go about solving that problem.

The Honourable Minister in her introduction acknowledged that the children of today defy authority. In spite of legislation and in spite of efforts by the Police Force that there was still deviant behaviour and that this whole question of bad behaviour has continued. Now the Minister by her own words said that she has no pleasure in introducing this Bill. That tells me that there is something fundamentally difficult with this. If the Minister had pain in introducing this, this cannot be pleasant. If the Minister does not want to introduce it, it is not pleasant because we are in the game of politics and that means there is something unpleasant about this. That is an admission, Mr. Deputy Speaker, that this administration has failed this country in a very short time. If they are now saying that they have to resort to this, it tells me that they project into the future, a problem, this administration that was going to create 30 000 jobs, this adminisuation that was going to change the social climate of the country, by this they

are admitting that they have failed the society and they expect problems and that they have got to use the heavy hand to prepare because they are not able to control the society the way it has to be controlled. Their social programme is zero and the only way we are going to solve this problem is by honest social programmes that seek to eradicate the problems as was enunciated by the Honourable Member for St. Joseph and the Honourable Member for Christ Church East. I expect both of those gentlemen to change their views and tell the Minister to send this back from the House of Assembly tonight. Do not put this to a vote. Send it out. Have the courage to stand up in here.

Aside.

Mr. J. O. **TUDOR:** I almost said that but I looked up and I realized that I could not say that. But you must have the courage tonight to stand up and stand by your words not by your collective responsibility with the Barbados Labour Party. There are times that you have to divide and tonight is the night that you have to divide because we understand the problems that the Minister is confronted with. What we are saying clearly on this side that, yes, we have a problem but we are not going to solve it this way. In the same way that we can provide concessions and give incentives for people to perform in the society, then we must find a mechanism. You are the Government of change. You are the Government that said that you had the answers and you have acknowledged that by bringing this legislation that you are incapable of solving the social problems in this country. By that alone, you should quickly remove it rather than be stained forever with having to introduce this and as the Minister to go down in history as the Minister who brought legislation to lock up school children. In the same way as the Honourable Member for the City is known as the Minister who wants to send to school the children on Saturdays, this present Minister will be known as the Minister who wanted to lock up school children.

My advice is to take heed of the experience and the quality of the speeches that were delivered on this side of the House in good intention including the Honourable Member for St. Lucy and do not be presumptuous as you have been over the last couple of months. Listen to good advice. Remove this Bill tonight. Do not put it to a vote. Let common sense prevail. Let us have a further look at this document and let us do it collectively. We are all in the same boat and I think that it would be very irresponsible for us on this side to say that we do not understand that there is a problem out there and you do not have to do something about it. We are saying that you cannot do it this way. This is going to create problems out there in the society. This is going to send the wrong message. If children out there are of the view that somebody wants to run a heavy hand on them, they will not tolerate it. As I said earlier, people are not responding to that old colonial approach of lick and lock up because as far as we are concerned that is done with and we must find a more structured way. There is a lot of talent within this Parliament on that side and on this side that has the capacity to wait it out rather than for a quick fix. History has proven that rather than take a child who has come home to you on an evening who has done something wrong and you give it one lash, bruggadung, you get better results if you take your time and you sit with that child, talk to it, explain to it over and over again rather than one sudden bruggadung which builds up all kinds of resentment in that child. I was lashed by my father Joseph Onesimus Tudor. I will never forget because he hit me unfairly and made me talk and every time I talked he gave me a lash. He was totally wrong. I objected to that treatment. I objected to those sudden bruggadung lashes and that is not responsible for why I have no hair, but I remember those lashes and he was wrong. If he had taken the time to talk to me as my mother did and my aunt did and many members of my family did, I would have responded to him. I never responded to this sudden bruggadung and all that kind of foolishness.

So we must not take the short cut home. This is a lot of work to do in this society. This is a quick fix to a problem. The problem lies at the heart of the social contract that we signed with the people of this country. From time to time this country has come under structural adjustment, IMF and so on under both administrations. Let us not blame each other. Let us understand that we have social problems in this country and whoever comes up with the best social programmes to alleviate the problem of the masses of this country are the ones who deserve to be the Government. I am totally satisfied from what I have seen within the ranks of my colleagues that the Democratic Labour Party hopefully will be able to form the next Government in the shortest possible time because this Government has admitted tonight that it has failed. Thank you very much.

7.20 p.m.

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I rise to wind up this debate and to thank all Honourable Members on this side who have spoken and on that side, even though they were misled at points in terms of their understanding of what was before this Honourable Chamber, and indeed in some of their remarks, which were most unfortunate, in seeking to create divisions within the society and to create a view that this is a Bill to lock up children in the society.

I would only say to the Honourable Member for St. Michael East that I would far prefer to have any sort of referral to me that relates to school children, whether it is to lock up or otherwise – and I do not accept that – than to be referred to as the Minister who gave away licences for profit.

Aside.

Hon. Miss M. A. MOTTLEY: I have not accused anybody of anything. I said I would prefer to be referred that way rather than any other way.

Mr. J. O. TUDOR: Mr. Deputy Speaker, I really do not understand the comment that was made by the Honourable Minister. The Minister knows better than that and the Minister had better take it out of the record. It is dishonest and it is wicked of this administration to try any kind of comment like that. I am going to wait on any of you that tries any of that foolishness. That is wicked. Deal with the problems in this country and stop dealing with lies. I was going outside, because I am an asthmatic and I was going to have a drink, but I am not going out until you... I would prefer to get asthma waiting on you all. Wicked people, man.

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, if the Honourable Member has found it necessary, without reference to my calling his name, to stand up and defend himself in a way that causes him to call me dishonest and wicked, he must know why he doth protest too much. He can't take licks. If a person is capable of giving lashes, Sir, they must be prepared to take them.

Mr. Deputy Speaker, in relation to the matter which is before the Honourable Chamber, I want to stress that what is before this Honourable Chamber is not something that is meant to deal with wicked children, it is not something that is meant to deal with children who are bad, but it is intended to deal with children who have committed criminal acts for which there is already in many instances provision under the law. They who will be affected by this legislation are an extremely small minority. Very few people will be affected by this legislation, but the actions of those few people are such that they can destabilise a school environment, they can prevent teachers from wanting to come to school and teach, they can cause the lives of persons to be lost or persons to be injured and I ward, therefore, very simply to reinforce that point. This is not about bad or wicked children or naughty children, this is about children who are prepared to commit a criminal act of carrying a gun on school premises, of carrying marijuana on school premises, of carrying an offensive weapon on school premises, of dealing with stolen property, and we have said from the beginning that this is for the very few.

I want to deal with the other point made by the Honourable Member for St. Michael East, and alluded to by others, that this legislation is irrelevant because it creates offences that already exist. Yes, it does in some instances, but this legislation does one unique thing that the laws of Barbados to date do not allow. This legislation gives the power to search as a legal right and identifies the manner in which that search should be carried out, and therefore there can be no valid assertion that this legislation is irrelevant, because it lays out for the very first time and provides legislative protection for people who have been for years searching people and property in school, as clearly articulated by the Honourable Member for St. Joseph, who indicated that even when he was at school the plight of persons being searched by teachers was not an uncommon occurrence. But there has never been any legislative protection for teachers when they sought to exercise that power, if only just to preserve good order in the classroom, and this legislation provides that, Mr. Deputy Speaker. You cannot give powers to people without protecting them. We have not only given them the power to search, but we have said that they must have the same immunities and privileges as constables, because they have to be protected once given that power.

Mr. Deputy Speaker, I have also listened to this about the question being unconstitutional. The Attorney General of Barbados has certified that it is constitutional, that there is the provision of section 17(2) of the Constitution which allows us to bring an amendment to search once it is being done for public safety, public order and public morals, and in each instance these measures are covered by section 17(2) of the Constitution.

I want also to say too, Mr. Deputy Speaker, that this is a matter that seeks to ensure that each one matters. This is a matter before this Honourable Chamber that seeks to give protection to schools and to the vast majority of people who are law abiding. We do not expect this to be applied whimsically and arbitrarily, and that is the point, that discretion has always been exercised, will continue to be exercised, and the Regulations which are to be laid to this legislation clearly reflect and give the Principal the option of whether to suspend or not and whether to recommend expulsion or not.

I want to say, too, Mr. Deputy Speaker, that I have listened to all sides and I have consulted with the Attorney General and we have agreed that we will move an amendment to remove the creating of an offence for the possession of intoxicating liquor as a criminal offence. The teacher will still have the power to search for intoxicating liquor, the teacher must still report the finding of intoxicating liquor and the teacher may suspend but does not have to suspend for the possession of intoxicating liquor. I do not personally agree with it, Mr. Deputy Speaker, but if that is the consensus I am prepared to move with it,

Aside.

Hon. Miss M. A. MOTTLEY: I want to reinforce why I do not agree with it, Sir, because I believe that alcohol still remains the most debilitating drug in this society.

Mr. B. M. TAITT: On a point of order, Sir. The Honourable Member by the position which she is taking is seeking to suggest that someone is advocating the use of alcohol, which is entirely removed from the arguments which were made on this side. What we have said is that you cannot criminalise juniors where the seniors do not themselves have the same legal disability. The Honourable Member understands that, I know she understands that, and therefore for her to persist in that line of argument which she is putting will be to cast a shadow in the wrong way on what we have said.

Mr. DEPUTY SPEAKER: Continue.

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I am expressing my personal views. I have said that we are moving the amendment as a Government and I continue to hold my views.

Mr. B. M. TAITT: On a point of order. I am trying to help her not make that error which she is making. She does not wish to go in the record as saying that she, the Minister, does not agree but she is doing it for the Government. There is no such entity as the Government in here, there is only one Minister. There is no entity called the Government when it comes to this particular thing. Please be guided. I am trying to help the Honourable Member from making that error.

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, I do not need the assistance of the Honourable Member in this instance, and I stick by what I have said, because I believe fervently in what I have said.

Mr. Deputy Speaker, let me also tell you this. The Honourable Member for St. Michael East said that we must take time and wait, and he was correct in describing the attitude of the Democratic Labour Party in relation to problems in the schools in this country.
7.30 p.m.

Mr. Deputy Speaker, they took time and waited in relation to the incident at St. George Secondary School so much so that what has come out is that there was never any concern on the part of the Ministry or the Minister in respect of what went on up there. They never met with them. They took time and waited in relation to problems that were brewing at Coleridge and Parry in 1990 when their Chairman of the Board could not get on with the principal at that time. They did nothing and that came to explode in 1995.

Mr. B. M. TAITT: The Honourable Member is misleading the House. The Honourable Member must know that the jurisdiction of a school lies entirely within the province of the Board. The Honourable Member must know that. If the Honourable Member has found a new way to administer Boards, she must tell us about it. But to get in here and say they did nothing about it! We had no duty to do anything about a school where there is a Board. If the Honourable Member understands the statutory instruments she would know that until the Board reported to the Minister they had no authority to interfere. Don't get in here misleading the House!

Hon. Miss M. A. MOTTLEY: Mr. Deputy Speaker, the Honourable Member once again wants things to remain beyond enquiry into like the St. Joseph Hospital. Let me tell you Mr. Deputy Speaker, the Minister of Education...

Mr. B. M. TAITT: On a point of order. I do not wish things to remain like the St. Joseph Hospital, otherwise we would have proper health care in this country instead of the rat mess that we have going on in this country at the moment. Don't let us bring St. Joseph Hospital in here.

Mr. DEPUTY SPEAKER rose.

Hon. Miss M. A. MOTTLEY: The point I am making, Mr. Deputy Speaker, is that they had power under the Education Act to deal with the incident at St. George Secondary School and perhaps if the Honourable Member for St. Michael West was familiar with the Education Act he would not make that statement. It is not simply the Board that has jurisdiction with dealing with matters, Sir, the Minister of Education has powers under the Act to deal with certain situations and I am certain that the attitude of the Democratic Labour Party was to take time and wait and see to the extent that nothing was done in education for 8 years in this country. Nothing was done in spite of the pleas. You heard the Honourable Member for Christ Church East get up in here today and say they made pleas as far back as 1992 for metal detectors because the problems were so severe that the life of a person had already been taken on a school's premises.

What was the response of the Democratic Labour Party then? Not only did they do nothing, Sir, but we ended up with a situation where other people are stabbed on school premises, where other people are run after with collinses, where other people are attacked with desks because the week after the incident with the collins there was an incident at the same St. George with a person being attacked with a desk and a chair.

I want to say, Mr. Deputy Speaker, that this is about seeking to ensure that those few children who are prepared to commit criminal acts – I don't accept that they commit criminal acts because they are victims of the society who do not know what they are doing. These are some of the same people who come before the law courts for committing other criminal acts off the school premises.

Aside.

Hon. Miss M. A. MOTTLEY: At least I did my Bar exams. You keep quiet.

Mr. Deputy Speaker, I want and urge that this really is meant to deal with the select few people who refuse to abide by the laws of this country, to protect the interests of the majority, to protect the interests of teachers who deserve to be protected, to protect the interests of children. A parent must know when he takes his child to school in the morning that that child is safe and not going to be liable to arbitrary acts of violence or being corrupted into being addicted to substances that are unwholesome.

I want to say, Mr. Deputy Speaker, that we don't believe that this is a cure-all. We don't believe that the single amendment is going to change things in Barbados tomorrow but, as I said in my introductory remarks, it is absolutely necessary for the Government to legalise a situation that has existed in Barbados for years against the law, that is, teachers searching students and their property anti to make people feel that the offences in this Bill will not be acceptable behaviour. The Honourable Member for St. James North spoke extremely well today of the value of this legislation as a deterrent. People must know beforehand that this is not acceptable behaviour.

We have agreed to remove the offence of possession of intoxicating liquor and that will be dealt with in the Committee Stage. I want to end by urging all persons again this is not the matter of a Government fighting alone. This has to be a matter of national effort and that is why it hurts me to listen to the position taken by the Opposition because it didn't happen overnight and it won't be cured overnight. It didn't happen as a result of Government policies and it can not be cured by Government policies alone. It requires the effort of each and every person in this country and I renew the call that I made earlier today that the thrust that is necessary to bring along young people, that the most humane thing to develop young people is that each of us should accept responsibility and try to take care of one person who is not within our immediate circle of responsibility, that each of us take time and take care of one.

I want to leave this debate, Sir, with those words and make a pledge to this Honourable Chamber that this Bill is being introduced with the best will in the world to solve a problem or to seek to assist solving a problem that is endemic in this society and is of national proportion. I want to say, Sir, and to pledge to this Honourable Chamber that the administrative guidelines, the training, will all be done during the course of the next term and the out of school suspension programme will also be put in place to make sure that persons suspended receive proper counselling and access to rehabilitative care which does not presently exist today.

Finally, I say, Sir, that if this legislation presents problems that are inimical to the development of the welfare of school children in this country I will be the first one to seek to come and repeal this legislation, because that is not the intention. It is not to deal with bad children, wicked children or naughty children but it is to deal with young people who want to commit criminal offences under the laws of this country. I rest my case and ask the Honourable House, Sir, that this Bill be read a second time.

Hon. Miss H. E. THOMPSON: I beg to second that. 7.40 p.m.

DIVISION

The question was put and resolved in the affirmative, the House dividing as follows:

Ayes: Rt. Hon. O. S. ARTHUR, Hon. D. A. C. SIMMONS, Hon. G. W. PAYNE, Hon. R. C. EASTMOND, Hon. R. N. GREENIDGE, Hon. Miss H. E. THOMPSON, Hon. Miss M. A. MOTTLEY, Hon. R. St. C. TOPPIN, Mr. W. C. C. CALLENDER, Mr. J. M. EDGHILL, Mr. D. CARTER, Mr. H. deB. FORDE, Mr. G. A. CLARKE, Dr. R. L. CHELTENHAM - 14.

Noes: Mr. *F. J.* STUART, Mr. B. M. TAITT, Mr. J. O. TUDOR, Mr. D. St. E. KELLMAN - 4.

On the motion of Hon. Miss M. A. MOTTLEY seconded by Hon. D. A. C. SIMMONS, His Honour, the DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE

Mr. CHAIRMAN: This House is now in Committee.

Clause 1 was called and passed.

Clause 2 *was called.*

Hon. Miss M. A. MOTTLEY: Mr. Chairman, before I move that Clause 2 stand part, I would seek to move an amendment to delete the words in what would be renumbered section 64A, subsection 12 (b), to remove the words "intoxicating liquor," from that clause.

I beg to move, therefore, that Clause 2 stand part as amended.

Hon. D. A. C. SIMMONS: I beg to second that, Sir.

Mr. B. M. TAITT: Mr. Chairman, Sir, Clause 2, the new 64A(1) for the purposes of subsection (2) says "This section applies to all schools." Mr. Chairman, in the course of my second reading speech I asked the Minister if she

would care to define this matter because the question arises, the school has the meaning of "college and university." Is it intended that all institutions of tertiary learning in Barbados will fall under the ambit of this legislation?

My understanding is, for example, the school under this Act means "an institution that provides primary or secondary education." The Community College is deemed to provide tertiary education, the Samuel Jackman Prescod Polytechnic provides tertiary education, and a number of other institutions under the aegis of the Ministry of Education provide tertiary education.

It means, therefore, that when this legislation becomes effective, we will have two separate regimes for what are essentially children going to school under the broad aegis of the Ministry of Education. Perhaps, that is the intention, but I draw it to the Minister's attention for what it is worth.

Some of the children going to Samuel Jackman Prescod Polytechnic are 16 years old and in the vicinity of 16 years old. It would seem to me that they too would be in need of that kind of jurisdiction.

So, if the Minister could give us some idea so that we know for certain, when we speak about this, not to mislead anybody when you say to whom it applies. As it stands now, it does not apply to the Community College, the Samuel Jackman Prescod Polytechnic, Barbados Youth Service, to the other agencies within the evening institutes. It certainly could not apply to any of the O'level institutes and those kinds of institutions which provide education for both secondary and tertiary students. I wonder if the Minister could respond to that before I ask the other queries.

Hon. Miss M. **A.** MOTTLEY: The Honourable Member has asked as it relates to the secondary institutions. It would be extremely difficult to do so with tertiary institutions where persons do not wear uniform, and where persons are not subject to the same levels of control as in primary and secondary institutions.

I beg to move that clause 2 stand part as amended.

Mr. B. M. TAITT: The Honourable Member said that it only applies then to primary and secondary schools. The question might legitimately be asked, "What about these other institutions? What provisions will be made? Will we expect a different regime to cover similar sins committed in these institutions?" It is felt after a survey of what is happening in the various institutions, that the problem as it applies to these institutions is not nearly as difficult as it applies to say, the primary and pre-primary schools that it is going to apply to? I wonder if the Minister could speak to that.

Hon. Miss M. A. MOTTLEY: It would be extremely difficult to implement anymore legislation on institutions such as the Community, College which operates like a university, where there is freedom of movement, and where there is less control in respect of the movement of children.

We are not dealing with children, we are dealing with adults. The laws will then have to operate in its normal form in relation to them. If persons suspect that there is something being kept in a classroom, they can go and apply for a warrant. The police can apply for a warrant and execute a search. So the ordinary laws would continue to apply to institutions which adults attend in its full and normal course of things.

What we are seeking to deal with here, is a problem that is localised within schools, that is localised within school related activities.

I beg to move, Sir, that Clause 2 stand part as amended.

Mr. B. M. TAITT: I hear that. We accept that is what the Minister said. I hope that is her policy and not the policy that is imposed upon her by a consensus.

There is an amendment which removes "intoxicating liquor" from a section of the Act. It is 12B, but it is not removed in 4. Nor has it been removed in 3. Is it intended, therefore, to leave them where they are? It was intended, I suspect, that wherever the phase appears...

Asides.

Mr. B. M. TAITT: It is not intended? Okay.

Here is what it reads now, Sir,

"Where a teacher of a school has reasonable grounds to believe that a ,pupil has in his possession any intoxicating liquor"***... et cetera et cetera.***

"Where upon a search carried out on persons, the teacher finds any intoxicating liquor."

It continues, under 4 "the principal shall report forthwith the finding to the parent, the police" ***et cetera.*** So, if they search and they find the intoxicating liquor, they shall call the police.

Asides.

Mr. B. M. TAITT: My question would be, if you remove it from the other section, what is the point of reporting to the police that you have found intoxicating liquor? We are passing legislation which says that if you search and find intoxicating liquor you shall tell the police.

Is that what you intend to do? Tell the police that you have found intoxicating liquor in the clothes of a student? Surely that is not what is intended.

Hon. Miss M. A. MOTTLEY: That is intended.

Mr. B. M. TAITT: Well then I think it is silly. If that is what is intended, it is making mockery of the legislation. The Minister has clearly removed intoxicating from the operative paragraph in **12** because she feels compelled to to do so because there is a consensus on the part of her colleagues. The Minister is adamant that she wishes the people who are found with intoxicating liquor in their pockets to be identified by the authorities, and the police shall be notified. First of all I will have to vote against this but I want to record that it is silly and I really do not wish to be a part of passing legislation that is puerile because there is a puerility which that particular amendment does to the legislation which is unworthy of a House of which I have the honour to be a Member. So I will be voting against it, Sir.
7.50 p.m.

Hon. D. A. C. SIMMONS: Mr. Chairman, Sir, I am glad to hear that the Honourable Member will vote against it. The position is now with the amendment that there is now power in the principal to search and if he finds intoxicating liquor to report to 4 people. What is wrong with that? We have decriminalised this by deleting it from clause **12** and the regulations will deal with it, that is to say, a person found with intoxicating liquor is now subject to suspension, not criminal penalty. What is wrong with that? Suppose it was a man that stole a bottle of whisky and brought it to school, Do not report it to the police. We arc not saying that any criminal offence is going to be charged. **A** report will be made.

Mr. B. M. TAITT: The Attorney General must not feel comfortable in his mind taking the position he is taking on this. If you find them with a pair of rubber gloves or any other rubber material, are you going call the police? If you find them with anything that is not a criminal activity, are you going to tell the police? So if you find them with intoxicating liquor which in itself is not an offence, why do you have to tell the police? It is not that every time you find somebody with intoxicating liquor you are going to find them with drugs and other things as well. So then according to what you are passing whenever a person finds somebody with a small phial in their pocket with intoxicating liquor they have to call the police because (4) says the principal shall report forthwith his findings and you are asking me what is wrong with that. You know what is wrong with it? It is simply that you are being recalcitrant, you are being adamant and you are behaving like a famous person in Barbados who feels, once I have taken a position, no matter what you say, like Alice in Wonderland, I say it is so and therefore it is so. And you, yourself are being adamant because you have criticized adamant behaviour and now you have come here on a simple matter on which you could say, we really intend to take out intoxicating liquor.

Aside.

Mr. B. M. TAITT: And you are now being adamant. I say to you that all of the criticisms you have made in the past, a plague on your house and you will not hear me anymore on the matter. Pass the legislation. Please divide, Mr. Chairman, I call for a division.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, let me close by saying that the Junior Liaison Scheme under the Royal Barbados Police Force has a duty to deal with deviant children and children who do not necessarily commit criminal offences and it is for that reason that the report to the police is still being made so that the Juvenile Liaison Scheme, Mr. Chairman, can follow up in respect of these children who have serious problems with alcohol and it is a fair assumption therefore that that is part of their normal duty. They do not have to deal with offences alone. I beg to move that Clause **2** stand part.

Mr. B. M. TAITT: For the record, Sir, my concern is, I know from experience that when the police are called to a school the whole tenor of what has happened at that school changes. Your Honour knows that from your experience. It is not the question of the finding, it is not the question of searching. One has not raised any issue about the search. One has not raised any issue.about reporting to the Ministry, reporting to the Chief Education Officer, reporting to anybody. I am raising the issue of reporting to the police and not a single person I know in life could explain to me, if you have removed intoxicating liquor as an offence, why the police must be brought in. I would be happy to hear subsequently so I would understand why the police would come in. I am voting against it.

Hon. D. A. C. SIMMONS: Mr. Chairman, Sir, earlier this afternoon when I discussed this with the Chief Education Officer he made it clear to me that in the administrative guidelines which the Minister spoke of earlier, the police invariably in this case will mean the police who administer the Juvenile Liaison Scheme which seeks to decriminalise.

Aside.

Hon. D. **A.** C. SIMMONS: This says the police, but the Juvenile Liaison Scheme is a department under the police. You report it to that particular department which seeks to decriminalise.Should you put in here, report to the Juvenile Liaison Scheme? Suppose that name is changed. You report to the police, the section of the police that seeks to keep young people out of trouble and out of prison.

Mr. B. M. TAITT: Sir, perhaps the Attorney General could tell me which law, which regulation, which rule says that when a principal of a school reports to the police, the police in that instance means the following... Do you know what is happening? We are falling into a very strange syndrome. I heard, and I do not say this pejoratively, but we passed legislation recently, Sir, in, which the Minister of Finance will have certain powers and I was lying on my sick bed watching the debate and I heard the Minister of Finance give the House his solemn assurance that he would administer the law in a particular way and I smiled to myself and said, how I wish I was there so I could make the point no one would ever question whether a particular functionary would carry out a function in a particular way. The legislation was never written for a particular functionary. It is written for all comers therefore when this says here: "Where upon a search carried out pursuant to subsection (1)". Subsection (1) says: "Where for the purposes of this Act the teacher finds any intoxicating liquor and some other things the principal shall report forthwith the finding to

(a) the parent of the child. No problem.

(c) the Chief Education Officer. No problem.

(d) the Board or Committee, as the case may be."

But (b) says the police so the police here means Sgt. Atherley. Thank you very much. I am sure that tomorrow when you wake up, when you are not as tired and feel harassed you will look at this and smile and say, the police simply could not mean Sgt. Atherley.

Mr. H. deB. FORDE: Sir, in contributing to the debate the section does not place any obligation on the principal to call in the police. I think the Honourable Member must look at the words. The words say you are keeping the police informed of what is going on and therefore "are" is not offensive in that respect. I do not know why people have the fear of involving the police in helping us in certain aspects of management in schools. They play a tremendous job now in the neighbourhood watch and the juvenile liaison scheme and I would think that if you have now removed the words in subsection 12(b) it does not criminalise intoxicating liquor being found on a person but one is involved with in the reporting stage and that is all that is happening here. The police are not being given a role to come in and investigate. They are reporting to the police so that they will be aware. I think if the Honourable Member on reflection sees that those are the words and that is only the extent of the obligation that he would not find it offensive in the way that he first spoke about it. The Attorney General might be interested in recognizing that there really is a genuine error in that same subsection 4. Are you going to move that amendment?

8.00 p.m.

Hon. D. A. C. SIMMONS: Where it says subsection 1, line 2 of sub-clause 4 where it says "Pursuant to subsection 1", it should be subsection 3. I move that (3) be substituted for (1). Subject to those amendments, I beg to move that clause 2 as amended stand part.

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

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported the passing of one Bill with amendment in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Miss M. A. MOTTLEY, seconded by Hon. D. A. C. SIMMONS, the Bill was read a third time and passed.

ORDER NO. 6 – TO MOVE THE SECOND READING OF THE PORT ST. CHARLES DEVELOPMENT BILL, 1996

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, this Bill provides for the vesting of reclaimed land in Port St. Charles Development Limited which is developing a marina site in St. Peter in Speightstown or near Heywoods. It provides for the maintenance of the Port St. Charles and the construction of public access to the beach by the company. The site is approximately a kilometre outside of Speightstown City Centre and immediately north of former Heywoods property Almond Beach Resort and it occupies approximately 22 acres of land stretching from that area immediately north of the resort to the northern end of the By-Pass Speightstown Road and Almond Beach.

Planning permission was given on September 25, 1995 for the developers to proceed with this project. It was subject to a number of conditions. It is a project that involves an expenditure of about U.S. $100 million over a 5-year period. The construction of the marina involves excavation to pave an inland lagoon and the construction of an entrance channel cuts across the existing coast road. The inland lagoon is 2.9 hectares or 7 acres. I have passed copies of the plan for Honourable Members to have a look at it today, Sir. There will be 153 apartment units comprising 55 one-bedroom apartments and 49 two-bedroom apartments and 153 berths for home owner yachts and 25 berths for guest yachts, restaurants, access road, parking facilities, landscaped areas and so on. There is a long list of conditions set out and, if Honourable Members wish them, they run from A to H. In fact, 1, 2, and 3A to H and then they go from 4 to 6. If anyone who wants to have them, we will be prepared to make them available to Members of the House on resumption.

Basically, the developers will be responsible for the management and operation of the site. There will be dredging that has to be done. There is provision for the developers to nourish any sand that is removed and replace the sand. They have to prepare an overall environmental management plant and carry it through. They have to protect the hawksbill turtle and they have to ensure that the water in the lagoon is changed every 6 days. These are some of the conditions attached to the planning permission. All the development must be carried out in accordance with approved plans and specifications to the satisfaction of the Chief Town Planner and no development can be started prior to the approval of the Chief Town Planner for any plans or schemes put forward.

Sir, Honourable Members will see on the plan that on the breakwater area the developers are required to make provrsion for the Coast Guard, Immigration and Customs and the sites indicated on the plans have been identified by those agencies and they have insisted that they have those particular locations for their respective duties. Some of them are elevated so that for example the Coast Guard has a wide view of the sea all around and so on.

Mr. Deputy Speaker, that is why you will see that in clause 5 we say subject to the rights of the Crown the company is entitled to the use of the works, breakwater and facilities constructed thereon by the company. Because the company cannot and this Government will not allow any private developer to seek to oust the rights and privileges of the Crown. The people of Barbados must have Immigration facilities down there. They must have Customs facilities and they must have Coast Guard facilities down there. But as to 5(b) the jetty, the slip and the dock are all on the land bought by the developers and they can have the sole use and benefit of the jetty and the dock. But where the breakwater is concerned and construction that stretches out into the sea, the sea bed is vested in the Crown and therefore we have to retain the rights as Government over the sea and anything in the sea and attaching to the sea bed. We allow them to use the land that they have reclaimed subject to the overall rights of the Crown in certain respects. It is a very short Bill. There are a number of private jetty Acts in the old laws of Barbados and reference was made to them in the drafting of this.
8.10 p.m.

The drafting was really a collaborative effort between the Chief Parliamentary Counsel and his Department and the lawyers for Port St. Charles, and we arrived, we think, at a Bill that meets all of the concerns of the respective parties.

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

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir, and reserve my right to speak.

Mr. D. St. E. KELLMAN: Mr. Deputy Speaker, I must say from the outset that I welcome the development for the north of the country, but I could not miss this opportunity to inform the House. It is said that this project will cost U.S. $400 million, but I must also mention that the estimated revenue from the sale of condominiums, town houses, et cetera, is supposed to be $146 779 628. It seems to me that there will be some shortfall between the cost of the project and the estimated revenue as is shown here in these documents, and I will give you a breakdown. North Beach will bring in U.S. $12 729 400 or Bds. $25 458 800; the Grand Canal will give estimated revenue to the company of U.S. $1 027 024 or Bds. $2 054 048. Petit Point will give U.S. $6 632 390 or Bds. $13 264 780.

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, on a point of order. I hate to interrupt the Honourable Member when he is in such full flight, but just to enquire for the benefit of the House, Sir, what is the document from which the Member is reading so that we may establish relevance, and he has to make it a document of the House. We would like to know what is the document he is reading because we want to establish relevance. One just cannot come to the House and read numbers willy-nilly, particularly at this late hour. We want to establish relevance.

Mr. D. St. E. KELLMAN: As you know, Sir, the Right Honourable Member for St. Peter will know by now I do not deal with figures willy-nilly.

Mr. DEPUTY SPEAKER: The Honourable Member asked the source and if you are going to make the document you are reading from a document of the House.

'Mr. D. St. E. KELLMAN: The document, Sir, is Port Charles...

Mr. DEPUTY SPEAKER: The Member for St. Lucy. Are you going to make that a document of the House?

Mr. D. St. E. KELLMAN: The document, Sir, is Port St. Charles Price List, Phase 1, and I am prepared to make this a document of the House.

Mr. DEPUTY SPEAKER: Thank you very much. Continue.

Mr. B. M. TAITT: Just on a point of order, Sir. I wish to draw it to Your Honour's attention that as long as a the document is a public document the necessity to make it a document of the House does not arise. This is a public document issued by the Port St. Charles people available to all and sundry. It is a public document with a price list.

We will make it a document of the House, but I just want to establish that it is not necessary once it is a public document.

Mr. D. St. E. KELLMAN: Sunset Beach, Sir, is for U.S. $53 million or Bds. $106 million, which gives a total sales of $146 779 628. After hearing what it is going to cost the developers and hearing the estimated revenue, one would wonder if the cost is right or if the total estimated revenue is wrong. That is just one small point I wanted to make. I know that nobody would get involved in a project like this to make a loss.

Another point I should like to make, Sir, is on Clause 8. "The company shall provide at the northern end of the company's land, at its own expense, a public parking area for vehicles and public access to the beach,..." but, Mr. Deputy Speaker, all those who are aware of the area would tell you that that is not a nice area for a beach. Already there was provision put in place and I want to find out if the public access between this project and the Heywoods Hotel that we knew before, now Almond Beach Hotel, would still be available to the people of St. Peter and St. Lucy. This is something we want to find out because when one looks at the project one would also like to find out whether the land to the west of this project, where people normally hold picnics, will still be available to the public of Barbados.

I have good reasons for asking these questions, Sir. I do not intend to be contentious about this, but one would first have to find out these pieces of information before one could commit oneself to something like this.

Rt. Hon. O. S. ARTHUR: On a point of elucidation, the Honourable Member has given way. If the Honourable Member would go to the project he would see that the developers have already started to nourish the beach he is referring to and that the public in general is using it. All beaches in Barbados are public beaches and they will continue to be public beaches after this marina is built. I would urge him to go to see the beach for himself and see the extent to which it has already been improved and the extent to which a grateful public is already using the beach.

Mr. D. St. E. KELLMAN: You see, Mr. Deputy Speaker, I welcome the interjection by the Prime Minister, because it is easy for one to say that all beaches will remain, but when you get beach front estates, when you get houses valued $22 million on the exact location I am speaking of, that is a different thing. I know that in the Sandy Lane and the Sunset Crest areas, where you get houses for $1 million and $2 million, the people do not want you to use the public beaches, so I am just protecting our interest in this Assembly by finding out up front whether these people who are willing to pay $22 million will behave like the people at Sandy Lane or Sunset Crest, or whether this is a different breed of person who is prepared to spend $22 million and not call for the same privileges as the people at Sandy Lane and Sunset Crest. That is all I am asking, because I, as the representative for St. Lucy, must be able to tell the people of St. Lucy that they will still be able to go to Heywoods and have free access to that beach down there. I will not agree to something until I have a firm commitment that my constituents will be able to use the land that the rich and famous will be able to build $22 million houses on, because I know that these people do not have the interest of the small man at heart and I am here to fight on their behalf and I will continue to fight on their behalf. That is why I need to have an assurance that the small man will still have an interest in Heywoods.

Thank you very much, Mr. Deputy Speaker.

Hon. D. A. C. SIMMONS: Sir, if I could wind up. I give the Honourable Member the assurance that the small man, people even as small as he, Sir, will have the right to use the public access. That is why we brought the Bill, Sir. I will show the Honourable Member the plans at dinner.

With those assurances, Sir, I beg to move that the Bill be read a second time.

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

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

On the motion of Hon. D. A. C. SIMMONS, seconded by Rt. Hon. O. S. ARTHUR, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. W. C. C. CALLENDER in the Chair.

Hon. D. A. C. SIMMONS: Mr. Chairman, in the interest of speed, and since there are no amendments to be made to this Bill, I propose that we take the Clauses 1 to 12 together as one so that we can get through quickly. I am obliged to my friends on the Other Side, Sir.

8.20 p.m.

Sections 1 - 12 were called and passed.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I beg to move that the Schedule be the Schedule to the Bill.

Rt. Hon. O. S. ARTHUR: I beg to second that.

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

ORDER NO – 5 SECOND READING OF NATIONAL PRODUCTIVITY COUNCIL BILL, 1996

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, I shall be brief. This Bill seeks to repeal the existing National Productivity Board Act and replace it with a National Productivity Council Act of 1996. The reasons for this action are very specific. The existing National Productivity Board is intended to be tripartite in its organisation and function but to all intents and purposes under the existing legislation it really is operating like a government department without autonomy, without flexibility, without a staff.

The Government commissioned a study by Dr. Lawrence Nurse of the University of the West Indies. Given the tremendous service that the Board has performed and can perform, a decision was taken to undertake a complete overhaul of the institutional arrangements, the structure of the Board, to give it a staff defined in the Schedule to the Act and to invest it with autonomy equivalent to that for creating statutory institutions.

Mr. Deputy Speaker, we envisioned that arising out of this legislation a new Productivity Council with a Board of Directors will be able to function as an autonomous institution. It will continue to have tripartite involvement, Government, private sector and Social Partners. The Act now allows it to have an identity of its own. It does not have to refer everything to a Permanent Secretary in a Government department. It will have its own Board of Directors and it will have its own staff appointed by the Board of Directors.

This change will allow the Board to carry out its responsibilities in a more efficacious manner and it is within that context that I beg to move that this Bill be now read a second time.

Hon. D. A. C. SIMMONS: I beg to second that.

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

On the motion of Rt. Hon. O. S. ARTHUR seconded by Hon. D. A. C. SIMMONS, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee.

Rt. Hon. O. S. ARTHUR: I beg to move that clauses 1 – 20 be considered as 1.

Hon. D. A. C. SIMMONS: I beg to second that.

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

Clauses 1 – 20 were called and passed.

Rt. Hon. O. S. ARTHUR: I beg to move that the Schedule be the Schedule to the Bill.

Hon. D. A. C. SIMMONS: I beg to second that.

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

On the motion of Rt. Hon. O. S. ARTHUR, seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On separate motions of Rt. Hon. O. S. ARTHUR, seconded by Hon. D. A. C. SIMMONS, the Bill was read a third time and passed.

COMMITTEE OF SUPPLY

On the motion of Hon. D. A. C. SIMMONS, seconded by Rt. Hon. O. S. ARTHUR, the House resolved itself into Committee of Supply, Mr. W. C. C. CALLENDER in the Chair.

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

HEAD 10 – GOVERNOR-GENERAL

Hon. D. A. C. SIMMONS: Mr. Chairman, Sir, the supplies are required for Government House in a number of areas: supplies of material, maintenance of property, purchase of vehicles, plant, equipment and furniture. In those circumstances, I beg to move that Head 10 stand part.

Rt. Hon. O. S. ARTHUR: I beg to second that.

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

8.30 p.m.

HEAD 30 – ATTORNEY GENERAL

Hon. D. A. C. Simmons: Mr. Chairman, Sir, there are 2 aspects of this Resolution. Funds were sought earlier this year as a matter of urgency to commence repairs to the wall at Glendairy Prisons which had collapsed. I have here, Sir, the tender documents for the retaining wall at

Her Majesty's Prisons. This was prepared by the Consulting Engineers Partnership of Concept, Dayrells Road, St. Michael.The contract was awarded to Edghill Associates, Sir, in the sum of $197 231.05. Work commenced on April 15, 1996. At the time, Sir, the firm tendered on the basis of the measurements provided in this document, Sir, 31 metres. It turned out, Sir, the contractor was engaged, that these people, Consulting Engineers Partnership, had undermeasured.

Asides.

Hon. D. A. C. SIMMONS: The result is, Sir, the contractor agreed to complete the wall, and now we are seeking to complete all payments to him, Sir. That is why, unfortunately, this Resolution has had to come. It is nothing to do...

Asides.

Hon. D. A. C. SIMMONS: Yes, the wall is restored, Sir, but we owe the contractor money. He is waiting, Sir. We have to pay him. It is not his fault. The people who measured the wall, Sir, undermeasured it. It is regrettable, but those are the facts, Sir.

The second aspect of the Resolution, Sir, is $75 000 to pay the police to contribute to their operating expenses. The Government agreed that instead of NCF, it is part of the responsibility of the Central Government Security. Any extra security that was necessary for Crop Over events, we felt that the Central Government should provide the security.

I beg to move, Sir, $75 000 which is to pay the to pay the policemen who served during this year's Crop Over. There have been problems in the past where police have served and have not been paid for a long time.

Asides.

Hon. D. A. C. SIMMONS: Last year, Sir, the NCF was able to pay the police in instalments. Now we are paying them, Sir, so that within a week to 10 days they should be drawing their money.

I beg to move, Sir, that Head 30 stand part, Sir.

The question that Head 30 stand part was put and resolved in the affirmative without division.

Hon. D. A. C. SIMMONS: Mr. Chairman, Sir, I beg to move that you now report to His Honour The Deputy Speaker, the passing of one Money Resolution in Committee.

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

Mr. DEPUTY SPEAKER resumed the Chair.

Mr. DEPUTY SPEAKER: The Chairman of Committees has reported to me the passing of one Money Resolution in Committee.

Hon. D. A. C. SIMMONS: I beg to move that this Resolution be read a first time.

The question was put that this Resolution be read a first and second time and agreed in the affirmative without division.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, I beg to move that Question Time be now taken so that 2 Replies can be laid.

QUESTION TIME

Mr. DEPUTY SPEAKER: Question 26.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, the Honourable Minister is not in his place. If the Honourable Member have no objection, I ask that the answer be laid, Sir.

Mr. Deputy Speaker, Sir, I beg to move that the replies M questions *26, 28,* 39 and *40* be deferred to the next sitting of this Honourable House.

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

MINUTES

Mr. DEPUTY SPEAKER: Minutes of August 16, 1996.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, I have been advised that the Minutes of August 16, 1996 have already been circulated, and I beg that they be now confirmed.

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

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, Sir, we have had a long but productive session from January to today. All Honourable Members of this House, Sir, have contributed handsomely to the expeditious despatch of

Government's Business. We are, on this Side, Sir, very grateful and indebted to the Honourable Members on the Other Side who on more than one occasion, and today, especially so, have cooperated in a spirit of understanding the necessity...

Asides.

ADJOURNMENT

Hon. D. A. C. SIMMONS: ...and have helped the Government to get through its programme to the point, Sir. I wish to place on record, Sir, my personal appreciation for the cooperation that the Government has received from the Opposition, Sir.

Sir, the members of staff have worked very hard. The Reporters have had a very long day, many times, Sir, in the last few weeks. The Clerks at the table, all the support staff. have helped to facilitate Government in the despatch of the people's business. I really feel, Sir, that we deserve a rest and a substantial break from our labours. It will be hectic when we return. There is a lot of legislation very nearly ready. It will be ready by then. I therefore, without any further ado move that this Honourable House do now adjourn until Tuesday, October 22, 1996 at 11.00 a.m.

Sir, both sides wish me to compliment you most warmly, Sir, for the way in which you discharged your responsibility during your sojourn as Presiding Officer of this Honourable Chamber, Sir. There was a certain dignity, confidence, and charm, Sir, that endeared yourself to all of US.

Mr. DEPUTY SPEAKER: Thank you very much.

Hon. D. A. C. SIMMONS: You have been most sincere, Sir.

Mr. B. M. TAITT: Mr. Deputy Speaker, Sir, as Your Honour will observe, our Leader is not in his place but I would not wish the session to move into the vacation without recording our own appreciation of the efforts of those persons who helped to make this work worthwhile for us. The Clerks at the table, the shorthand writers, the police within the precinct, to all the other Members, thanking them for their services. I would like to thank Honourable Members on the Other Side for helping to continue this great tradition which we have as a Parliament. 8.40 p.m.

Mr. Deputy Speaker, as Your Honour knows, the substantive Speaker is associated with my constituency and I would feel a sense of disloyalty if I did not say how much I missed him. However, Sir, I have to put that in the record so that when he comes back he will know that somebody was looking after his interest while he was gone but that would not derogate from our joining with the Acting Leader of the House. I would wish that the Prime Minister and his colleagues would take note of the ease with which, when the acting Leader of the House is here, the business of the House proceeds. We cast no aspersions on the efforts of the Leader of the House but we just wish the Prime Minister to take note of the versatility of the Attorney General in this regard to the extent he finds it convenient. He would wish constantly to keep in his mind the efforts of the Attorney General. I wish everyone a long vacation. The Prime Minister is reported in one of a reputable newspaper to which the Attorney General referred today to have said he is in need of rest. That is what they reported in a reputable newspaper in this country. The *Advocate* is among the most reputable and if they say you are in need of rest you must be in need of rest. I hope that by the time he comes back on the 22nd October his back wiil be in good shape and all will be well..I wish you well, Sir.

Mr. DEPUTY SPEAKER: I would like to thank the Honourable Attorney General and the Member for St. Michael West for the kind remarks expressed to me. I will also convey to the Speaker your message that you have missed him greatly. I would also like to thank the Members here for the session. it is the end of our 67th Session and the staff of Parliament has worked hard at all time. I would say that within the last few weeks we have become very tired because this House was firing on all cylinders, We were working twice a week.

I want to wish you all a good rest and if you travel, enjoy your travel. I look forward to seeing you on the 22nd October at 11.00 o'clock.

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

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CLARKE, Mr. G. A. (St. George North)
EASTMOND, Hon. R. C. (St. James North)
GREENIDGE, Hon. R. N. (St. Philip North)
HAYNES, Dr. R. C. (St. Michael South Central)
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