
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1999 – 2004

HOUSE OF ASSEMBLY

Tuesday, August 15, 2000

Pursuant to the adjournment, the House of Assembly met at 11.20 a.m. on Tuesday, August 15, 2000.

PRESENT

His Honour I. A. ROETT, B.A., Dip. Ed. (Speaker)

His Honour J. M. Edghill, J.P. (Deputy Speaker)

Hon. Sir HENRY FORDE, K.A., Q.C., M.A., LL.M. (Cantab.)

Rt. Hon. O. S. ARTHUR, M.Sc. (Econ.), (Prime Minister, Minister of Finance and Economic Affairs) (Minister of the Civil Service)

Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs) (Leader of the House)

Mr. D. J. H. THOMPSON, LL.B. (Hons.) (Leader of the Opposition)

Hon. Sir HAROLD St. JOHN, K.A., Q.C., LL.B.

Mr. L. R. TULL, Q.C., M.A. (Oxon.)

Hon. Dr. R. L. CHELTENHAM, Q.C., M.A., M.Sc. (Econ.)

Hon. Miss B. A. MILLER (Deputy Prime Minister, Minister of Foreign Affairs and Foreign Trade)

Hon. R. C. EASTMOND, J.P., B.A. (Hons.), Dip. Ed., LL.B. (Hons.), L.E.C. (Minister of the Environment, Energy and Natural Resources)

Mr. D. CARTER (Chairman of Committees)

Hon. G. A. CLARKE, B.Sc., Dip. Ed., J.P. (Minister of Housing and Lands)

Hon. R. D. MARSHALL (Minister of Public Works and Transport)

Hon. H. F. LASHLEY (Minister of Social Transformation)

Hon. R. St. C. TOPPIN, LL.B. (Minister of Commerce, Consumer Affairs and Business Development)

Mr. D. St. E. KELLMAN

Miss H. E. THOMPSON, LL.B.

Hon. Miss M. A. MOTTLEY, LL.B. (Minister of Education, Youth Affairs and Culture)

Mr. M. Z. WILLIAMS

Mr. T. A. PRESCOD, B.A.

Rev. J. J. S. ATHERLEY, B.A., B.Sc., (Parliamentary Secretary to the Attorney-General and Minister of Home Affairs)

Mr. D. T. GILL, B.Sc.

Hon. N. A. LYNCH, B.Sc., M.B.A. (Minister of Tourism and International Transport)

Hon. A. P. WOOD, J.P., B.Sc., M.Sc., M.Phil., (Minister of Agriculture and Rural Development)

Hon. R. R. FARLEY, B.Sc. (Minister of Industry and International Business)

Prayers were taken by Rev. J. J. S. Atherley.

Mr. SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, August 8, 2000.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that the Minutes for the Honourable the House of Assembly for its meeting of Tuesday, August 8, 2000, which Minutes have been circulated, be taken as read.

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

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

ANNOUNCEMENTS BY HIS HONOUR
THE SPEAKER

Mr. SPEAKER: I am to report to this Honourable House that I am in receipt of the following:

Accounts and Statements for the months of November and December, 1999 from the Accountant General.

PAPERS

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, I am commanded to lay the following:

1. The Value Added Tax (Refund) (Project Management Office for Maritime Co-operation and Training) Order, 2000.
2. Excise Tax Order, 2000.

Hon. Miss. B. A. MILLER: Mr. Speaker, Sir, I beg to lay the following Protocols amending the Treaty establishing the Caribbean Community:

1. Protocol IV – Trade Policy.
2. Protocol VI – Transport Policy.
3. Protocol VII – (Disadvantaged Countries, Regions and Sectors).
4. Protocol VIII – Competition Policy, Consumer Protection, Dumping and Subsidies.
5. Protocol IX – Disputes Settlement.
6. A Summary of CARICOM Protocols IV, VI, VII, VIII and IX.
7. Charter of Civil Society for the Caribbean Community.

GOVERNMENT NOTICES

Hon. D. A. C. SIMMONS: I beg to give notice of the following:

Constitution Amendment (No. 2) Bill, 2000.

I beg to indicate, Mr. Speaker, that it is the desire of the Government that this Bill be dealt with in all its stages today. I have so communicated this to the Leader of the Opposition and I do not expect that there will be any objections.

FIRST READING OF BILLS

Hon. D. A. C. SIMMONS: I beg to move that Constitution Amendment (No. 2) Bill, 2000 be read a first time, Sir.

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

SUSPENSION OF STANDING ORDERS

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

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

Mr. SPEAKER: With the House's permission we will now re-commit to First Reading of Bills.

FIRST READING OF BILLS (RE-COMMITTED)

Hon. D. A. C. SIMMONS: Mr. Speaker I beg to move that the Prevention of Cruelty to Animals Bill, 2000 be read a first time.

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

ORDER NO. 6 – TO MOVE THAT THIS HOUSE
RESOLVE ITSELF INTO COMMITTEE OF
SUPPLY TO CONSIDER THE GRANT
OF SUMS OF MONEY FOR THE
SERVICE OF BARBADOS

On the motion of Hon. D. A. C. SIMMONS seconded by Hon. R. C. EASTMOND the House resolved itself into Committee of Supply, Mr. D. CARTER in the Chair.

COMMITTEE OF SUPPLY

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

RESOLUTION TO GRANT THE SUM OF \$5 298 160
FROM THE CONSOLIDATED FUND AND TO PLACE
IT AT THE DISPOSAL OF THE GOVERNMENT
TO SUPPLEMENT THE ESTIMATES
2000-2001 AS SHOWN IN THE
SUPPLEMENTARY ESTIMATES
NO. 3, 2000-2001 WHICH
FORM THE SCHEDULE
TO THE RESOLUTION

HEAD 15 – CABINET OFFICE

Hon. D. A. C. SIMMONS: Mr. Chairman, Sir, I beg to move that Head 15 be deleted from this Resolution.

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

HEAD 16 – MINISTRY OF THE CIVIL SERVICE

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, last year, in the later part of the year, the Government entered an

arrangement with the trade unions and associations representing persons paid from the Consolidated Fund, that was remarkable both by reference to its scope as well as with respect to its timing.

The arrangement was, that the Government was going to make available to public officers and others paid from the Consolidated Fund the facility of an increase in their basic wages, a productivity bonus, an increase in their allowances, the repayment of the 8 per cent in tranches and a comprehensive reclassification of posts in the public service based upon a scientific job evaluation. A package, Sir, interlinking five major benefits to public servants. I say, Sir, that it is remarkable not only in relation to its composition but never before had a package of five major facilities been made available and it is especially remarkable because of its timing.

Sir, the Government sometimes is castigated for lack of good faith but the House has to remember that last year, when the Government concluded its negotiations with the public servants, it was in the context of a situation, Sir, where persons, particularly spokesmen of the Opposition – I am speaking very candidly, Sir, – were speaking in foreboding terms about the state of public finances.

Sir, you will recall that at that time uncharitable references were being made to the fact that the Ways and Means was at \$100 million and there was the thought that the Ways and Means was being exceeded. We were also being regalled with talk about how the reserves had plunged and that we were back in a situation that was worst than 1991 and that Government finances were under-performing.

I make those points at the start of this debate because we were aware of those financial situations and the Government never lost confidence in structural soundness of the economy but we had a commitment to the public servants, Sir. We knew that we had to fully honour our obligations despite the fact that when the decision had to be made, the financial situation facing Government was not as rosy as we would have wished.

Sir, that sets the context of our good faith, and Government last year showed its good faith by proceeding with the package and despite the situation that confronted us a decision had to be made. Since then, Sir, the Government has acted assiduously to keep its good faith. We have granted a wage increase on the initiative and advice of the National Union of Public Workers, Sir. We made a decision that rather than pay out a productivity bonus as a one-shot cash payment that we would incorporate the productivity bonus as part of the increase, hence benefiting the public servants forever, hence having the productivity bonus count to their pensions.

11.35 a.m.

Mr. Chairman, we have also increased the allowances for everyone paid from the Consolidated Fund by five per cent across-the-board and all have benefited. We have already paid out the first tranche of the eight per cent repayment, and I am pleased this morning to announce to this Parliament that the second tranche of the repayment of the eight per cent would be made in September, that is next month, Sir, in keeping with our promise. Four elements of the package of five have already been taken account of.

I really, Mr. Chairman, have an obligation to thank the small core of persons, who work in the Ministry of the Civil Service for treating all of those four matters with the sense of discipline and dedication that they have exhibited. In addition to dealing with those matters, Mr. Chairman, as you are aware, they have also been responsible for overseeing the implementation of the removal of the stigma of casual employment, from the books of Barbados. It has been a busy time for the Ministry of Civil Service.

The fifth aspect of that package, Mr. Chairman, is to be fully implemented and the request for funding before the House this morning, is to allow us to get on with the business of carrying out the comprehensive job evaluation and reclassification of public officers as was agreed to as part of the comprehensive programme for the improvement of the terms and conditions of persons paid from the Consolidated Fund.

This matter, Mr. Chairman, has a history and a background that has to be properly told. Since 1948 there have been periodic regrading and reclassification exercises. The last, as you are aware, Mr. Chairman, took place in 1988. All have been based upon methodologies that had been quantitative. None has ever met the test of satisfying everyone in the public service. As you know, Mr. Chairman, a regrading exercise is not a wage increase exercise. At its best it ought to be an exercise intended to establish relativity between the jobs and positions in the public service with regard to their content, the contribution of the posts and the training required for it. The complexity of the tasks and relativity should also be established as a result of regrading. In most regrading exercises it is often the case that some posts are graded higher, some may even be treated as warranting a lower classification.

At the outset of this, Mr. Chairman, I want to establish that a regrading exercise is not the same thing as a negotiation for a wage increase. It is an exercise intended to evaluate the nature of posts, the content of the work involved, the complexity of what is involved in doing the work, Sir, and establishing assigning weights to each in a relative sense.

There have been a number of these exercises historically, the last in 1988, and none, as I said, Sir, has

satisfied persons that their needs were being appropriately met. Since the last regrading/reclassification exercise in 1988, obviously, a large number of additional posts would have been created in the public service and the creation of new posts in the public service, obviously, is a consideration that can change relatively between posts.

The Ministry of the Civil Service has had a vast number of requests for regrading of specific posts, most of those requests, obviously, arising in part for dissatisfaction with what we have done previously. Many requests, Mr. Chairman, were based sometimes upon who happens to be in the job, that is the truth, and some were based on the fact, that the nature of complexity of some functions have changed, the nature of the training required to do some functions has changed, and therefore, the Ministry of the Civil Service had been bombarded with a large number of requests for carrying out regrading of individual posts.

In December of 1998, Sir, we made a decision that rather than undertake any *ad hoc* regrading based upon *ad hoc* requests, we were going to carry out a comprehensive regrading of the entire public service including Statutory Boards. That information, Mr. Chairman, was communicated to the President of CTUSAB, by letter of December 16, 1998.

I think that I should read the important parts of this letter into the record, Sir, so that the House may better understand the background to why we are where we are today. It said in part that –

“At a meeting held on December 14, 1998, it was agreed that technical and financial assistance would be sought from the Inter-American Development Bank to conduct a comprehensive regrading in the public service. The Prime Minister has directed that in the interim, requests for regrading should not be entertained. It was further agreed that a quantitative methodology would be employed on this occasion.”

In this regard I wish to state that the CTUSAB will be consulted on the factors and the relative weights which will be used to determine the value of each post in the service.

This is being done, Sir, with consultation with CTUSAB.

“It is recognised that this approach would take some time to complete, but it is hoped that at the end of the exercise the results will be universally accepted and the cynicism and criticism that characterised previous regrading efforts will be averted. The decision to conduct a comprehensive exercise results from the knowledge that all posts in the public sector are inexorably interlinked like cells in the human body, and

to seek to evaluate some of them in isolation tends to create more problems than it solves.”

This letter, Sir, went to CTUSAB in December, 1998. A similar letter went to the General Secretary of the National Union of Public Workers and a similar letter, Mr. Chairman, went to the President, Police Association in December, 1998.

The Ministry of the Civil Service has not received any correspondence criticising this approach – namely the determination to have a comprehensive job evaluation/reclassification and to use a quantitative approach – from any of the associations that would be affected.

On this matter, Sir, may I say that while the Police Association’s relationship should be put through the Governor-General, in this matter, the Ministry of the Civil Service has followed the convention of treating the Police Association directly. In any event, if things go to the Governor-General, it will still have to come back to the Ministry of the Civil Service for its approval.

All associations and unions were informed as far back as December, 1998 of Government’s intentions to avoid an *ad hoc* approach, to avoid a quantitative approach and to move to a comprehensive approach using technical and financial assistance of the Inter-American Bank, and to do so in a manner, Sir, that would be as complete and comprehensive as possible. I stress, Sir, that there is no correspondence that would indicate that this approach did not find favour with any of the entities.
11.45 a.m.

Sir, the House will want to be aware as to what has happened since then. The Inter-American Development Bank was approached for assistance and they proposed three consultants, one of whom was strongly recommended. In the interval however, Mr. Chairman, through a series of consultations across the public sector and at meetings involving representatives of the trade union movement, it was recognised that Canada had in fact carried out just the kind of comprehensive job evaluation and reclassification that we were seeking to develop. Sir, Canada had in fact developed a universal classification standard, Sir, and it was agreed that we were going to utilise the Canadian, universal classification standard as the methodology to be used in our Barbadian circumstances.

May I say, Sir, that the House may wonder why we want to use foreign consultants for this exercise. A job revaluation and reclassification exercise, as comprehensive as we are thinking about, may require the use of skills and competencies that in our judgment are not now available in Barbados. Equally, Sir, it may just as well be that – and this is a fact based upon what happened in 1988, when persons within the system took it upon themselves to do the reclassification – we do not want to have the same people doing the reclassification and then have to advise the

Minister of the Civil Service on their own recommendations. You can have an independent, professional job done with the public servants advising us on the recommendations.

In 1988, the Head of the Ministry of the Civil Service and the Permanent Secretary of the Ministry of the Civil Service were the persons who did the classification exercise and he was the person who had to advise the Government of the day about his own recommendations which I quite frankly think, Sir, was an astonishing situation and we are now trying to avoid that.

Sir, the Government made recommendations to the IADB as far back as April 1999 for technical assistance. The IADB put up names and we have decided not to use the names that have been put up by the Inter-American Development Bank. We have decided to utilise the services of PriceWaterhouseCoopers which was the company that was pivotal in helping Canada develop its universal classification system that forms the basis for this successful job evaluation and reclassification exercise.

I am pleased to say, Sir, that on 12th April, 2000 the Assistant Secretary of the Universal Classification Standards Division of Canada wrote to the Deputy Permanent Secretary in the Ministry of the Civil Service of Barbados indicating that the universal classification standard that was developed by the Government of Canada is protected by copyright and I read:

“On behalf of the Government of Canada, however, we are pleased to grant the Government of Barbados the permission to use the UCS for the sole purpose of determining whether it can be used as a new classification standard for the Government of Barbados.”

The Government of Barbados, Sir, is therefore cooperating with the Government of Canada and the Government of Canada has very graciously agreed to allow us to have access to materials on which there is a copyright, free of cost too, Sir, for the purpose of enabling us to get on with our own task.

I am saying, Sir, that an approach was made to the Inter-American Development Bank and expert names were recommended. Those experts we judged as not having the competence to deal with it, Sir, and we are seeking to use the entity in our judgement best familiar with the universal classification system that has developed Canada and the Inter-American Development Bank has been advised upon coming to Barbados that we are not using the people they recommended and want to use the Canadians, Sir, and the matter is before the Inter-American Development Bank for funding.

Mr. Chairman, we however believe that this matter can no longer tarry and therefore what is before the House is the request for Parliament to vote the funds for us to carry out the first part of this exercise – the diagnostic survey, utilising the services of PriceWaterhouseCoopers, who as I said, were pivotal in developing the universal classification system that was used in Canada, on the understanding that the Government of Barbados will be reimbursed by the IADB for the expenditure.

May I say, Sir, that at the outset of this exercise, it was understood that a comprehensive reclassification exercise will be time-consuming and that it was conceived that the diagnostic survey will take six months, the development and implementation of the system will take another 18 months and the Government still wants to hold to that particular schedule. What now stands to be considered, is the date at which the exercise, once it is finished, will be applicable.

Sir, I need to speak to that issue today. Obviously, we are now in a situation where the entire exercise is not going to be completed – six months for the diagnostic, 18 months for the implementation – two years after it was first conceived. Therefore, what we will propose to do after the negotiation is to state a date at which the new arrangements will be applicable, even if the reclassification exercise itself would not have been completed by that date.

This is not unknown to us, Sir. In 1988 the reclassification exercise was carried out on the basis of an undertaking given as part of the 1986 wage negotiations that there would be a reclassification exercise and that it would be ready in time for 1988. I am saying to the House, Mr. Chairman, it is our judgment that once these funds are voted, the diagnostic survey that evaluates the existing situation, could be finished in six months and then we get into the business of development and implementation of the new system.

What stands to be decided is the exact date on which the new systems will come into operation. The point I am making to the House, Mr. Chairman, is that that date will be a date to be settled by negotiations. But, Sir, by having regard to the fact that we are now sometime behind schedule, we are not going to wait until the entire system has been developed and is implemented to set the date on which it is to become applicable. In due course therefore, Mr. Chairman, I will give the House the benefit of a decision in that respect.

Sir, as I said, the Government and the Ministry are not aware that there is an issue between ourselves and any trade union or association representing anybody paid from the Consolidated Fund about this particular matter. As I said, in 1998 we wrote, setting out clearly what we were about and

there was no response to it of a negative nature but there is a public issue about which I must speak and that issue, Sir, has to do with the question as to how the police and the members of the Police Association should be treated.

Sir, in September of 1999, the Police Association wrote the Ministry of the Civil Service and I have no difficulty with that, but it wrote asking that two points of principle should be taken into account in a regrading exercise affecting the Police. The first point, Sir, and I read:

“Due to nature and extreme complexity of the task assigned to the Police Force, and the inherent danger which is associated with the job, the Executive is of the opinion that the Police Force cannot be compared with any other job in the civil service and therefore merits a separate and distinct position within the pay scales.

Further, due to the expiration of a great deal of time within which the needs of the Force with respect to adequate levels of salary have not been addressed the Executive is of the opinion that not only would a further waiting period would be detrimental to our interest but would prove to be counter productive. We are therefore keen to have an urgent and immediate regrading for the Police.”

11.55 p.m.

Sir, the first point was that the Police has to be separate from the rest of the public service and that the Government should take the Police out of the queue and deal with them immediately and deal with the rest of the public service in due course. That was the first point.

The second point was and this is the cutest point, Sir.

“Though major representation for the rank of Commissioner is outside the scope of the Police Association, we feel that it is imperative that we comment on what is currently a glaring and quite frankly, troubling irregularity.”

It goes on to say, Sir.

“Our recommendation is, that as the role and the function of the Royal Barbados Police Force is unique, then the pay of its principal officer cannot be tied with that of any other officer within the general civil service. Therefore, we are recommending that the salary of the Commissioner of Police be no longer tied to that of a Permanent Secretary and that he, in fact, deserves to be compensated at a higher level.”

That is the second principle.

First of all, Sir, when I speak about the Police Association following the law, I am not quarrelling with

them making representation directly to the Ministry of the Civil Service and not to the Governor-General. I have no difficulty with that. But I have a fundamental difficulty with the Police Association purporting to make representations on the behalf of the Commissioner of Police because the Police Association exists to make representation on the behalf of members at the level of Inspector and below.

Sir, it is not a stylistic nor formalistic point. The Commissioner of Police cannot be represented by a Sergeant in any matter because the Sergeant will have to take orders from the Commissioner of Police. Section 8 of the Police Act very clearly vests that command in the Commissioner of Police. We cannot have a situation where the law is clear that the Police Association cannot represent the Commissioner but here they are purporting to do so. I think this is such a fundamental breach that it cannot be ignored.

The more essential point is that the Police Association would want us to proceed on the reclassification of the public service on the basis of a premise which premise is that the reclassification must be conducted in such a manner that the Commissioner of Police must be the highest paid person from the Consolidated Fund where the public service is concerned and that he has to be ‘de-linked’ from all other posts in the public service.

The Government’s position on this matter is clear. You cannot carry out a serious regrading exercise based on such a premise. First of all, it is to prejudge the exercise. The Government has no intuitive basis upon which we can say that the Commissioner of Police post must be higher than any other post in the public service.

Mr. Speaker, fundamentally, if the reclassification exercise is to mean something of worth to the country then to accept that assumption and recommendation that you predicate a whole regrading exercise on the presumption that it must give rise to a pre-determined result, namely, that the Commissioner of Police must end up being more highly paid than any other public officer, is a position which the Government finds untenable. We made that as clear as we could and we are not prepared to proceed on the basis of any such presumption.

Secondly, Mr. Speaker, the Government has made it clear – and I have spoken to this matter often – that while the functions of the Royal Barbados Police Force are different from other functions exercised by other public officers, they are comparable to the functions exercised by other categories of persons paid from the Consolidated Fund, namely, if I must repeat, Mr. Chairman, the Police Association members like the Barbados Defence Force, the nurses and others have to work under unsociable circumstances, sometimes more often than not face hazardous circumstances at the workplace and have to

require special training for the job. So that you could have a category of persons whose conditions of employment are so comparable that they can fit into a similar class.

The notion that the Police Force's work is unique again is a presumption for which there is not *prima facie* evidence and to that extent we have made it very clear that the premises of the case being advanced by the Police Association are premises that are so unsound that the Government is in no position to entertain them as the basis for the reclassification exercise.

I would challenge anybody in this House to get up and say that they believe a comprehensive job evaluation and reclassification exercise of the type that we are seeking to do to remove all of the distortions that have arisen and to restore proper relativities, that that kind of serious comprehensive exercise can be properly carried out by accepting the two premises. In this instance:

1. That the Commissioner of Police at the top must be higher than anybody else in the public service; and
2. That you cannot compare the Police with anybody else, so therefore, take them out of the equation.

We feel that the matter should proceed as expeditiously as it should, taking the interest of all public servants including the Police into account. The Government recognises that the claims by the Police for reclassification are legitimate. The Government also recognises that the work of the Police is valuable but we also recognise that the claims for reclassification like all other sections of the public service are equally legitimate and the work and their worth to the people of Barbados and the services which they perform are valuable.

Sir, this reclassification exercise is going to become effective from a date to be announced taking into account the fact that the Government had given commitments that it was going to take no more than two years. To the extent that we are not now fully on schedule, clearly that date from which it would be applicable is not the two years in the future but that decision will be taken shortly.

Mr. Speaker, I need to speak though to an issue that is very much in the public domain. Right now there is a situation of industrial unrest continuing in this country in which members of the Royal Barbados Police Force are apparently on sick-out. This has been prompted, if one can read into the statements by the Police Association, by a perception that a mockery has been made of the representations advanced by the Police Association on the behalf of its members. This matter is in the public domain so, therefore, I am not betraying a secret.

When the President of the Police Association spoke to its members on July 27, he indicated that the Police Association was advised that it should send all correspondence pertaining to the welfare of its members through the Commissioner of Police, to His Excellency, the Governor-General. The Association said they have prepared correspondence about their needs which was sent to the Commissioner. I want to cite exactly what the President of the Association said:

"The Commissioner of Police received our correspondence and he told us he sent off our correspondence and he was asked by the Governor-General, 'what am I supposed to do with this?' If that is untrue, the Commissioner said it and all the others were in there when the Commissioner said that the GG asked what am I to do with this correspondence."

12.05 p.m.

So that an aspect of the present unrest, Mr. Chairman, has been stimulated by the fact that the police were advised that they should perhaps send their correspondence pertaining to their welfare through the Commissioner to His Excellency the Governor-General as the Law now requires. They purported to do so by the letter of June 9 and the Commissioner told them that when he brought this to the attention of His Excellency the Governor-General, the Governor-General asked, 'what am I supposed to do with this?' The President went on to say:

"I do not know if the correspondence now is in Roebuck Street, Carrington Village or we do not know if it even got to Government House."

Mr. Chairman, this is a very serious matter. After the members of the Force heard this, their passions were inflamed and men went out and held hands and started to sing songs of solidarity. This is a matter which is in the public domain. I will obviously not be making any pronouncements about any actions that will arise from it because there is a process that has to be followed in these particular issues. But the truth of the matter, Sir, is that if the Governor-General were to have received correspondence from the Commissioner of Police on behalf of the members of the Police Force and were to have treated it with disrespect of the nature that was purported, Sir, it would be a very serious matter. If the Governor-General did not receive the correspondence, Sir, and did not say what he is alleged to have said, it would be an equally serious matter. So what we have on our hands, Sir, is a very, very serious issue where passions in the Police Force have been inflamed by the perception caused by their correspondence on their welfare that has been disrespected by His Excellency the Governor-General.

Sir, I want in my opening remarks to make the point that there are some people who apparently hold the view that

the Government should hold back this regrading and treat it as a sweetener for election purposes. I put it within the same category of those who would now believe that because there is a road repair programme taking place in Black Rock and all across Bridgetown that we are getting ready for elections, Sir. It is an insipid view to feel that matters like these should be held and be given as largesse to public servants on the eve of elections. Public servants and the public, Sir, have better judgment than to believe that coming with things at the last minute are things that should sway their votes.

The Government has given a commitment that this exercise will form part of a five-point programme to improve the conditions of service of the public officers. We have completed four. We are now into the fifth. We will finish the fifth, Sir, with full expedition. I am therefore, Mr. Chairman, about to move that this fund to engage the services of PriceWaterhouseCoopers to carry out this comprehensive regrading do now stand part.

I am obliged to you, Sir.

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

Mr. CHAIRMAN: The Honourable Member for St. John.

Mr. D. A. C. THOMPSON: Thank you, Mr. Chairman. Perhaps I should start, Mr. Chairman, by complimenting the Royal Barbados Police Force in a round-about way for bringing to the attention of the public officers across Barbados the fiasco which the Honourable Member for St. Peter has just outlined to the country.

Mr. Chairman, I cannot stop a Government for putting its case in Parliament. The Prime Minister was clear and deliberate in what he had to say today. But I have heard persons on that Side on previous occasions in discussions in which I have taken part giving the impression that this so-called comprehensive regrading exercise was already on the way. It was only when pressured that the country discovered that in a very real sense this regrading exercise has not even got off the ground. That is a fact.

That is what today's debate is all about. No one on the Other Side needs to come to rescue the Prime Minister in this matter. He took both of his feet and planted them firmly in his mouth. If I was in any doubt that he did it, the Honourable Attorney General in his statement to the country when he returned to Barbados pointed out the extent to which the Leader of his Government planted at least one of his feet in his mouth. You did it very skilfully but you used the Lara technique. I am batting well so it does not matter what the rest of the team says. You did a good job. You extricated yourself. That is what you are supposed to do and you did it very well. You basically said that in relation to the

procedural matters that the approach of the police was acceptable, the legislation was archaic. Basically, you felt either from the goodness of your heart or because the case of the Police was so compelling, and I think that it may be the combination of the two, that the concerns which they have raised needed public attention.

This is a fiasco. Nobody can describe it in any other way. If a Minister had been badly advised and made public statements to give the impression that something was happening that was not happening, then he should have the courage to come to the country and say that I gave the impression that a matter was on the way. It is not entirely correct and the information has now been made available to me and, in fact, we are now about to start the regrading and reclassification exercise.

Obviously, politicians do not like to do that and I cannot expect that from the Honourable Member for St. Peter. But in intent and purpose, his speech today is basically outlining the extent of the fiasco over which he as Minister of the Civil Service has been presiding.

This Government was elected in 1994 on a strong mandate to rectify, Mr. Chairman, the concerns of the public officers. You made a big song and dance about it and on this Side, I want to make it clear that we will not stand in your way at all in seeking to rectify anomalies created by previous Governments of the Barbados Labour Party and Democratic Labour Party, nor will we stand in your way in rectifying those anomalies that you have created. This Government since 1994 has created its own series of anomalies in the Public Service. I suppose excuses have been given.

Let us start at the top. Within two years of coming to office, this Government was able to urge the Opposition to support a Resolution that was brought here to treat the judiciary in this country in a special and unique manner such that the Chief Justice got a special allowance of \$2000 a month tax-free and other judges were given a \$1700 allowance a month. I heard it with my own ears when the Honourable Member of St. Thomas got up in this Chamber and outlined the special characteristics of judges including the laughable remark that judges have no social life. Therefore, they should be granted allowances as a special and unique category of Barbadian public officers.

Now the Government at that time said there was nothing wrong with that. They came here and did it. They asked for Opposition support for it and identified the special unique characteristics of the judges. Now the Right Honourable Member for St. Peter either has to say to this country that he does not think that the position of the Police is special and unique, and he is entitled to say that, but he cannot argue that there is no precedent for singling out categories of public officers and giving them tax-free

allowances, and large ones at that, for the special and unique role that they play in the society.

12.15 p.m.

If the Prime Minister is saying that the Police are not special and unique, then the debate ends. You cannot argue on a procedural basis or on the basis of precedence that persons have not been singled out in the process. The Right Honourable Minister of Finance and Prime Minister of this country knows that there are police officers – I am waiting for him to tell the public – who have been singled out and given additional allowances for performing special duties in the Force including driving certain individuals and so on. That is one of the complaints of the Police Association in Barbados.

We cannot stop the Government from putting its case. If I had a comment to make about the regrading exercise and the demeanour of the Right Honourable Member for St. Peter, it is that he is so caught up in his war with the Police that the fundamental construct of the regrading exercise has now been lost. In other words, if the essence of the regrading exercise is only to reclassify, to restore relativity and to remove anomalies then there are many Barbadians qualified to do that task, if that is all it is.

From the time this Government was elected in 1994 it made out a case to the public of Barbados that there were categories of public officers, some paid out of the Consolidated Fund and some paid by statutory corporations, who were to be treated specially and uniquely because they had to interface with the private sector and that their salaries should more closely reflect the private sector salaries paid in Barbados.

Therefore, what the Minister needs to answer is the question about whether the regrading and reclassification exercise has some other fundamental principle to it that relates either to modernisation of the public service, to relativities, not to positions within the service but outside of the service, maybe in the private sector, international organisations, whatever you are looking at, and that it is not just an exercise in removing the anomalies and restoring relativities.

I thought that we were in the era of public sector reform – another propaganda piece of the Government which nobody is able to really say... In fact, at least with the regrading the Police were able to force the Government into starting the process and the argument the police have advanced in this matter is in fact an argument that every other civil servant could advance quite fairly. You cannot quarrel with them for putting their own case. The strength of that case has been added to by the presentation that we had today. The Police have basically said in their correspondence, whoever it may have gone to and wherever

it may be right now, we do not know. That must be a reason for them to complain. They follow the law and they get abused. They do not follow the law and they still get abused and the Government wants war with the Police.

This is not the first time in the history of Barbados that the Police have been aggressive in putting their position. I have been part of an administration at the receiving end from police, fire officers, etc. Declaring war is not a solution. Hardening positions is not a solution. A division of opinion at the top is not a solution either because nobody can convince me that the Honourable Member for St. Thomas agrees with the Right Honourable Member for St. Peter. He will say so in here for the record but his public statements have reflected a contradiction in the position of the Government in relation to the...

Hon. D. A. C. SIMMONS: On a point of order, Sir. What I had to say on this matter I said two Wednesdays ago in full, not edited, on the broadcast media to this country. The Honourable Member can identify where anything I said was at variance with the position of the Government as a whole or the Prime Minister. I would be glad if he identifies it so that I can reply specifically to it.

Mr. D. J. H. THOMPSON: You say so much that one of your constituents met me at a fair the other day and said they should re-style you the "A-talkie General". I would have to carry out major research now to find out what you did not say since 1994 in relation to the police, fire service, immigration department, the prisons and all of your departments. You have done more talking than any other Minister so that it would be possible for me to find you saying what you believe, saying what somebody wrote for you, saying what makes you look good. You need to come out and make your position crystal clear and face the accusers. I am not one of them.

I am thanking you for helping the country extricate or start the process of extricating itself from this problem which should have seen the Prime Minister come in here today in a more conciliatory mood, accepting that the country was misled about the regrading exercise, accepting that he had been unable to say that the regrading exercise goes way beyond removing anomalies and reclassifying some positions, accepting that judges were pulled out as special and unique, that arguments were advanced in here about the Chief Executive at the tourist board, about the Chief Executive at the BNB, about personal assistants to Ministers, about youth commissioners, and about other categories of Barbadians being paid out of the Consolidated Fund and also working under enterprises which fall under Government's general purview.

When I was a Minister, the Establishment Division still had some say in where you pegged positions in statutory

corporations. Therefore if they approved appointments in statutory corporations that are completely out of whack with the general civil service then all you are doing is letting the public know that you have created even more anomalies than previous Administrations and that this reclassification exercise is in fact more about trying to solve the anomalies created by your Government than the anomalies created by any previous Administration.

I repeat that, despite all that I have heard about foreign consultants, there are heads of the civil service now retired, permanent secretaries in both Training and the Ministry of the Civil Service, now retired, who have the ability collectively and the independence to carry out a reclassification and regrading exercise in Barbados. Some of them have moved on to work in the private sector and therefore they also have knowledge of how the private sector functions and that it should be entirely unnecessary for Barbados to take \$420 000 to have to draw on Canadian experience. If the Right Honourable Member for St. Peter was reading widely enough, he would also discover that although the exercise was carried out in Canada that that exercise in itself produced a whole round of new anomalies within the Canadian public service for which unions and a whole range of other public service advocates had to complain.

Apparently this Government believes that you can have a regrading and reclassification exercise in which everybody is happy and I will be very happy if that is possible because the Right Honourable Member for St. Peter is going to get up and talk about the 1988 regrading exercise. He is going to do the usual and try to throw all the blame, as he did recently in a radio broadcast, on the Democratic Labour Party when his Administration of bright young men and women who have had the past six or seven years to undertake this task because they were in preparation for it before 1994 and did not come blindfolded, but promised in a manifesto that these were the things that they would do. I assume that that was based on a sound, valid assessment of what was happening in the public service and I know there are many public servants who helped them in identifying some of those critical issues. The Chairman of CTUSAB said that his principal advisor, in the days when we were going through the economy crisis on issues relating to the Protocols and the public service, was the Honourable Member St. Peter. So, he has more knowledge than me because I was never the Minister of the Civil Service and the Honourable Member for St. Peter was the advisor according to him.
12.25 p.m.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I would have been delighted to have done so, Sir, unfortunately, I cannot claim the honour because the only thing I have ever advised him upon, Sir, is when we were trying to develop productivity-based industries, I rendered some advice to

them. I also used some of my experience to advise him on productivity-based industry, but to have it written into the records that I was an advisor to the Barbados Workers' Union, Sir, I wish I were true but, Sir, it is not true.

Mr. D. J. H. THOMPSON: The Honourable Member and I were at a BWU Conference at which the General Secretary said that and I waited patiently to hear the Honourable Member for St. Peter deny it but he delivered a very funny and good speech, I will say that, but at no point did he deny that the Head of the Barbados Workers' Union said that he was his principal advisor when the Protocol was being negotiated.

Sir, that is not the point and I am going to be sidetracked by that. What I am saying is that at the end of the day, Mr. Chairman, Sir, the Government would have had enough time and, therefore, the Police have a perfectly fair and reasonable perspective and frame of mind when they say that any further waiting period would be counter productive and basically deleterious to their position. But the nurses can say that too and validly so. The teachers can say that too and validly so. There are other categories of public officers who can say that and validly so.

What I am saying, is that the Police are to be commended, not consciously but for indirectly exposing this Government's incompetence and its failure to start the process of the regrading and reclassification exercise and to contrast that against the other categories of public sector workers in Barbados who have been treated in a very special and unique way by this Administration.

I believe that the entire public service is owed an apology by the Honourable Member for St. Peter because I remember the repetition of this statement constantly that the Government is carrying out, not is going to carry out, but is carrying out a comprehensive and systematic regrading exercise of 25 000 posts. The Honourable Member for St. Peter did not say 25 000 public officers. I was minded to correct him because it is not 25 000 posts because there are no 25 000 posts in the public service.

Asides.

Mr. D. J. H. THOMPSON: There may be 25 000 public officers that are affected by the regrading and reclassification but the impression was given that each of these 25 000 posts needed to be examined and analysed and that the Government had already undertaken major work towards this goal. When pressed to say when it would be done, it was at that point that the case for the Honourable Member for St. Peter collapsed and like a man issuing a statement from the docks, he simply repeated the essentials and moved on very swiftly. He should have taken advice from the Honourable Member for St. Thomas.

Again, as I have said, as if playing with fate, the Honourable Member for St. Peter comes back in the House of Assembly today and rather than seek to find a way out to ensure that the Police feel comfortable in carrying out their onerous responsibilities in this country against a background of rising violent crime, against a background of the increased and prevalence of illegal drugs, against all of the stresses and strain, the Honourable Member for St. Peter is nit-picking about whether they should write about the Commissioner of Police when the people in their correspondence say that it is not within their ambit and they expressed a view about the Commissioner of Police.

A gentleman got up in a debate here last week and expressed views about the position of Prime Minister.

Asides.

Mr. D. J. H. THOMPSON: Yes, particularly about the Honourable Member St. Peter. It was in the constitutional debate, he is a politician, a back bencher, not now sitting on the back bench but he got up and he said he loved the Prime Minister of Barbados, that he believed a Prime Minister should have all the powers that the Constitution presently gives him and that he should be entitled to exercise them because he feels that in relation to his position as a politician that he should place his leader on that pedestal.

The Police Association is arguing that the Commissioner of Police, in their view, is a position that should be placed on a pedestal. The tourism workers did not argue that the President of the Barbados Tourism Association should be placed on a pedestal but the Government came in here, moved the President of the Barbados Tourism Association, doubled the salary and allowances that the person was receiving and found justification for doing it. It has been done in several other instances too.

As I have said before, Mr. Chairman, they came in here, not at our lobbying, I know of no Member who made out a case for the judges but out of the blue, like a bolt of thunder, a Resolution was brought to this House, I think in July...

Hon. D. A. C. SIMMONS: Mr. Chairman, on a point of order. Mr. Chairman, any adjustment or alteration to the terms and conditions of the judges, as explained when the matter came before this House, was as a result of the negotiating process at the relevant time between the representative of the judges and the office of the Prime Minister. But more importantly, in the Manifesto of 1994 on page 36, one of the things that the people voted for in 1994 was this commitment of the Government to review the conditions of appointments of judges and magistrates to ensure impartiality in appointment and the greater

independence of the judiciary. It said at the top "judicial officers must be better paid". That was a position that that Side took when they were the Government and that we agreed with when we were in the Opposition that the judges in Barbados were disadvantaged *vis-a-vis* their brethren in the rest of the region.

Mr. D. J. H. THOMPSON: Well, as usual, Mr. Chairman, the Honourable Member only quotes to expose himself. He only quoted from the Manifesto and ended up exposing himself. Why pick only the judges?

If your Manifesto promised greater independence for magistrates, if you, by your own actions have been increasing the jurisdiction of magistrates in this country by legislation you bring in here, why specially and uniquely select the judges in Barbados?

Asides.

Mr. D. J. H. THOMPSON: You just said judges and magistrates, not me. There must be a reason. It is because you identify them and you made an argument in here, which we accepted because we did not vote against it that judges were in a special and unique position.

If you wish to get up and say the Police are not in that position, say so, but do not say that there is no precedent. That your Administration is not going to single out any category of public workers, that you are carrying out a strategic, systematic and comprehensive regrading and reclassification exercise.
12.35 p.m.

Now, that is where the Police must be having their problems, because I was having mine when I analysed what has been happening since 1994. The first time I heard that the Government was unable to get the reclassification on the way, was in that broadcast when an appeal was made to me to support the Government when the matter came before the House, and we will give our full support to the starting of the reclassification exercise or the granting of the money.

I want to say that my concern at this point is that there are Barbadians who have the skill and expertise, retired public officers, persons whom we send out, spend thousands of dollars on to train in Human Resource Management, persons who have accounting and other skills who collectively, as consultants and sub-consultants, could carry out this exercise.

It is a travesty that in the year 2000, in the one area in which I think we have made major advances, that is in terms of building human resource management capability and expertise of Barbadians, that the Government of Barbados slaps Barbadians in the face by saying that you could only

get foreign consultants to carry out a regrading and reclassification exercise which other countries carry out using their own home-grown public officers and expertise. The Canadians, themselves, they did not come to Barbados and ask for Bajan consultants to carry out their reclassification exercise, they did not go to China or Indonesia, they used Canadians and that must be the most compelling argument, again, that could be used to say that Barbadians have the skills and expertise.

The public service experience of Barbados and Canada is very similar. In a country the size of Barbados where you are dealing, not with any 25 000 posts, I do not know and I cannot say to this House how many posts there are, there may be 25 000 civil servants or maybe that figure was pulled out of the hat to give an impression of the enormity of the exercise. The point is, that at the end of the day, there are Barbadians competent, trained and sufficiently experienced to carry out such an exercise in this country. I am concerned, that this Government seems intent on slapping Barbadians in the face and adopting a stance where foreign consultants, even though we were told that they were all thrown out, put on the back of a truck and so on, at the end of the day Barbados has to depend on these same foreign consultants to carry out some of the simple tasks which previously have been undertaken by eminently qualified Barbadians.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, it was my great hope that we would have had a constructive debate on a very serious matter, but the Honourable Member for St. John in his simplistic and placid way has obviously sought to use this debate to reinforce an image that he used once to glory in as he might be shallow.

Sir, if he cannot hear carefully, he should ask questions, Sir, because I premised my contribution in this debate by saying that since September last year the Ministry of the Civil Service has been engaged in dealing with a five-point programme to improve the conditions of the public service of Barbados. If the Ministry of Public Service was only dealing with this exercise, perhaps, there might be some legitimacy in the statement.

I want to repeat, Sir, that the same officers undertook negotiations across-the-board for wage increases. When that was finished, they had to go and negotiate for increased allowance, then they had to put in place the system to repay the eight per cent – a situation, Sir, that involved them having to track down people wherever they had to be found in order to get those things accurate, Mr. Chairman. While they were doing that they had to plan the carrying out of this reclassification exercise.

Now, Sir, all of that in a year – five major initiatives in a year by the same public officers, who at the same time were finalising the removal of casual employment from the books

of this country. This House, Sir, is to ignore that supreme effort and to treat what has happened in that interval as a fiasco.

Sir, what do we have to compare this system with? We had to compare it with the fact that in 1986 – I am reading from the Report of the Reclassification and Regrading of the Public Service, submitted by the Democratic Labour Party. The Democratic Labour Party agreed as part of their 1986 salary negotiations to carry out a comprehensive reclassification. Sir, do you know when that was completed and how long it took? It took, Sir, between 1986 and 1990, four full years for a job evaluation and reclassification to be carried out. The Honourable Member for St. John would want the House, as he wanted the country to believe, that a reclassification is something that you just jump up and do as if he is not aware that it took them four years to do a job that was so botched, and that is part of the reason why we have to do it properly.

I was careful to mention to the House that from the very outset, the Government made it clear that we are going to be carrying out this exercise with financial and technical assistance from the Inter-American Development Bank. The Honourable Member for St. John was a Minister of Finance and he would have to know that you have to prepare project documents, project proposals, and all of these things in order to get the assistance. In fact, Sir, he is familiar with an investment sector loan that was supposed to be an investment sector loan from the IADB that has taken ten years to implement.

The Government made it clear, Sir, that it was going to treat this matter by way of technical and financial assistance by the Inter-American Development Bank. Over the course of the last year, Sir, the officers of the Ministry of the Civil Service, in addition to the other six things that they were doing to improve the conditions of the public officers, have been working to develop all of the project documents to support the request for technical assistance, Sir. They have carried out all of the necessary planning exercises, they have done all of the training, Sir – a number of workshops have been undertaken to get the people to participate in them and understand what it is about, Sir, and we are now at a stage, in less than nine months, where all of the basic planning work for this comprehensive evaluation to go full blast has been completed. These officers have been doing six other major additional things.

The notion then, Sir, that this is a fiasco, that where we are now is a fiasco, is something that, obviously, only resides as fiction in the mind of the Leader of the Opposition.

Sir, it does not sit well with us that the Honourable Member for St. John would now want to come here and cry false tears on behalf of the police. A large part of this

problem arose in 1988. I need to read into the records what the DLP in 1988 said in their Report on the Committee on the Reclassification and grading of posts in the Public Service of Barbados. This is what they said about the police.

Sir, I am reading from this report, paragraph 8(4) and (5) and this is the section on the Police:

“The Committee is aware of the important role of the Royal Barbados Police Force in the maintenance of law and order; the prevention and detection of crime; the protection of life and property among other things. The risk and unsociable hours associated with their work put a severe strain on policemen. For these tasks, the Police Force should be adequately staffed, trained, paid and provided with modern equipment.”

Sir, that was paragraph 4, but paragraph 8(5):

“The proposals submitted to the Committee, however, relate more to standard of living expectations than to changes in job content or in levels of responsibility.”

2.45 p.m.

That is the point, Sir, that the Democratic Labour Party's regrading report says that what was submitted to them by the Police as proposals for regrading related more to the Police expectations of their standards of living and had nothing to do with the content of their jobs or the levels of their responsibilities. If there was ever any time when the police were treated with disrespect as part of a job reclassification exercise, it is to be found in the 1988 Report where the proposal was dismissed.

We are disappointed in the Honourable Member for St. John that what was being proposed then was something that improved our standards of living irrationally; that the proposals related more to their expectations about their standards of living and had nothing to do whatsoever with their job content and that is what we are now seeking to correct, Mr. Chairman. It is a shameful thing that the voice of the Honourable Member for St. John which now wants to be raised, thrilling in the same fashion now, because he believes there is an opportunity for cheap political opportunism to divide and rule that that voice that was not raised then when his Administration was telling the Police that, 'you are only asking for foolishness because you are only asking for things that bear no relationship to the content of the job but the expectations of how well-off you want to be', it is a sad thing that the voice that was not raised then, in protest, Sir, on a shameful disrespect for the Police administration that now purports to be raised. And raised about what, Sir, on a ground of principle.

The position of this Administration is that the policemen function and their conditions of service can be

compared to other disciplined forces. Sir, I am making the point that we have a Defence Force where people have to work unsociable hours. They have to work in circumstances where they face life and death situations and they have to get special training to carry out their functions.

The Fire Services, Sir, work under the same circumstances. They have to work long, unsociable hours, they have to get special training for their work, they face hazardous situations at the workplace. You can group the disciplined forces in Barbados into a similar category of comparability even though each of them is doing something different from the other.

Sir, what is wrong with that as the basis for comparing people across functions? If you are going to tell me who is doing the same job as the judges, I would be glad to say that they will be comparable. But I know, as all Honourable Members of this House know, as all members of the society know, that while they are different, they are also comparable. And, they are saying that this Barbados Labour Party Government is not going to tell the Police that your proposal only bears exaggerated expectations from this Administration. We are not saying that. We are saying that it is legitimate but let us do it properly and that is the point.

Sir, that is the point that the Honourable Member for St. John who now sees this as an opportunity for cheap political popularity would now want to cast the perception, Sir, that the Government of Barbados has a war with the Police.

Sir, the same thing happened in 1988 when a Mr. Maurice King...

Asides.

Rt. Hon. O. S. ARTHUR: ...I cannot read the newspapers, Sir, but you should read it. In 1988 the Police went on a sick-out, we were told that the behaviour was inappropriate and incomprehensible.

Asides.

Rt. Hon. O. S. ARTHUR: Sir, an Officer of the day who said that she thought that Mr. Maurice King was coming to a meeting pregnant with ideas but he obviously had a miscarriage, she was disciplined for what she said...

Asides.

Rt. Hon. O. S. ARTHUR: ...When the then Police Association tried to get the Leader of the Opposition of the day to speak at their Association's meeting, they were banned from so doing and, Sir, now I am to hear that we have a war with the Police. We do not have a war with anybody. What I would say, Sir, that it is a very dangerous

thing for persons to promote the image that a disciplined force can hold a duly elected civilian Government over a barrel. Once we start encouraging those attitudes in this country, I am saying, Sir, that we are sewing the seeds of a most dangerous situation.

Asides.

Rt. Hon. O. S. ARTHUR: We have made it quite clear that your claims are legitimate and are being dealt with but that a disciplined force is now to be told by the Leader of the Opposition that the Government has declared war on you. Therefore, whatever you chose to do against that Government that has declared war on you is well done. Because, that, Sir, is the message that they are hearing.

Mr. Chairman, democracy does not deserve this. It does not deserve this crash exercise in political opportunism by a Leader of the Opposition who has a convenient memory, who would want to ask us to disregard serious work being done by serious people to bring and see this matter to conclusion, Sir, and to waltz into a new dispensation in this country that can introduce a new instability in Barbados.

Sir, there are some things that perhaps ought to have been put on the Table but I am not going to go back to them because there has been a lot of information of patterns on this issue but I ought to say some of them.

On the first occasion when there was the information of patterns on the part of the Police, the Police Association wrote to the Commissioner making representations. The Commissioner wrote to the Ministry of the Civil Service saying he concurred with the recommendations and pointed out that a disaffected police force is a threat to democracy. The Ministry of the Civil Service wrote back saying that we have evaluated the fiscal proposals and while a disaffected police is a threat to democracy, fiscal instability as you are aware of 1991 is also a threat. The response of the Ministry of the Civil Service to the Commissioner, not the Police Association, was read to the men and women of the Police Association as if it was the Ministry of the Civil Service's response to them. And, nobody had told them that the Commissioner of Police had written to the Ministry of the Civil Service saying a disaffected police is a threat to democracy.

Sir, we have to take out of our public affairs this element that destabilisation and agitation are the ways by which claims are to be pressed and that the threats to the stability of the democracy – and the need to respond so that those threats do not become real – must become the way by which this society that has been an ordinary society, Sir, must govern itself. Perhaps that is the larger issue here that we have to speak to and I say two things:

No civilian Government in this country must ever be held over a barrel by any disciplined force whether it is the

Police or the Army. And all good thinking people in Barbados would recognise that if we were to give any substance to that, we would be laying the basis for a fundamental disorder in this country.

Sir, as regard to this particular matter, that as I said, the Government wrote all the Associations in 1988, telling them of our approach to dealing with their conditions of service. They are all aware that we are proposing to increase their wages and they have accepted the increase in their wages. They were aware, Sir, that we were proposing to increase their allowance and we have done that. They were aware that we were promising a productivity bonus and we have incorporated the productivity bonus into the wage increase so that it becomes pensionable rather than a one-off payment and they have accepted that.

We have told them that we are going to give back the 8 per cent that the Democratic Labour Party took away. Sir, as I said, we have given back one part of it and in September they are getting back the other part and the other part will come as it is promised.

Mr. CHAIRMAN: At this point, I would like to inform the Honourable Member that he has one minute to conclude.

Rt. Hon. O. S. ARTHUR: We have also told them, Sir, that we are going to carry out a comprehensive job evaluation and reclassification. The Government is making great pace in so doing.
12.55 p.m.

The reason why we are here is not because of any pressure from the Police Association but because the IDB has its own procedures for making decisions including when things go to the Board. If we were to wait for this matter to go to the Board, we would have to wait for the House to reconvene before this money can be voted for.

What we are doing, therefore, is expediting the work on this issue by bringing this matter to the House now so that funds can be voted now rather than wait for the House to have to come back in October by which time then this matter would have been further delayed. If the Honourable Member for St. John wants us to wait till October, he should say so, but the Government is doing the responsible thing and I really and truly deprecate the onslaught of the Leader of the Opposition upon the public officers of the Ministry of the Civil Service who in the course of the last year have had to do more serious work of a complex nature than at any time in the history of the Ministry of the Civil Service.

Honourable Members feel that getting a wage increase before Parliament is an easy thing. It is not. You have to prepare six sets of different documents and they did it.

They had to prepare eight sets of different documents for the increase and allowances and they did it. The documentation and the work to repay the eight per cent was vast and complex and they did it.

Sir, this entire file constitutes all of the important work that has been done to do all of the planning, all of the documentation and all of the training seminars and workshops that have been conducted to prepare people for this because it just cannot happen overnight. All has been done and we are ready to go, Sir. I must defend them from ...

Certain remarks made by the Right Honourable Member for St. Peter were ordered to be expunged from the record by Mr. Chairman.

Rt. Hon. O. S. ARTHUR: Sir, I said ...

Mr. CHAIRMAN: At this point as you know Honourable Member, you can return for another 15 minutes.

Rt. Hon. O. S. ARTHUR: Thank you, Sir.

Mr. CHAIRMAN: I think it is time for lunch now.

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. D. MARSHALL, Mr. CHAIRMAN reported progress to His Honour, the SPEAKER, and ask for leave to sit again.

SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that this House be suspended for lunch until 2.00 p.m. today, but in doing so, I must point out once again that that clock is wrong. It is only 1.03 p.m. and it has been wrong for a long time. It seems to gain time every week.

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

Mr. SPEAKER: You know we are getting older faster in here then.

The question that the Sitting do now suspend until 2.00 p.m. today was put and resolved in the affirmative without division and Mr. SPEAKER suspended the Sitting accordingly.
1.00 p.m.

RESUMPTION

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

COMMITTEE OF SUPPLY (Cont'd)

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

Mr. D. St. E. KELLMAN: Mr. Chairman, I rise to speak on this particular Resolution and to say from the outset where I might agree with the Prime Minister of Barbados that no one group should hold the country to ransom, I must also say that no group of politicians should hold the country to ransom either.

I want to say that we must recognise that a policeman of today is not the policeman we knew up to 1989 because if one were to look at the crime statistics and look at the incidents of crime against the Police up to 1989, one would recognise a dramatic increase in hostility against the Police in Barbados. When we look back and reflect on a policeman in the 1970s and the early 1980s, we look at him as a person, but if you look at the Police Act, one got the impression that the policeman was the person who used to walk around and do certain things to the public of Barbados.

As I said, one only has to look at the Police Act and that is why a couple years ago when we were discussing the Police Act in this House, I reminded Parliament that I thought it was rather regrettable that we as a Parliament could have been passing the Police Act in the particular state in which we were passing it. I think the Honourable Member for St. Thomas would agree that I opposed the Police Act in the way that it was being passed and I was told by him that I should not oppose it because the Commissioner of Police had agreed with it and I remember saying ...

Hon. D. A. C. SIMMONS: On a point of order. Mr. Chairman, it was not the Police Act. The Police Act is still in force. It was an amendment to the Police Act which sought to introduce certain, other and more contemporary internal disciplinary procedures.

The Commissioner of Police wanted his power of discipline strengthened and we tried to modernise it using Canadian and English precedents but it was limited to a framework for internal discipline.

Mr. D. St. E. KELLMAN: I concur with that, Mr. Chairman. I also want to say that if anybody — and I will repeat exactly what I said before — had the opportunity now to take up the Police Act as it was prior to the amendment and look at that particular Act, one would get the impression that the worst people in the world are the policemen.

I am saying, as I thought then, that there is no way that a Parliament in the '90s should be discussing a Police Act or an amendment to the Police Act which gave the impression that the policemen are the worst people in the world. I am not surprised sometimes when I hear the argument that policemen are not special.

Let me tell you something. This is about protecting the interest of Barbadians because too many people in Barbados have worked hard to see Barbados where it is today. I am not a politician to sit down and keep quiet and allow people who know nothing about the workings in the sugar fields to come and take over Barbados as they like. My forefather and the forefathers of every single person who worked in the fields of Barbados to develop this country must have a stake in this country. I am going to tell people who do not like what I say, "I just do not care" for the simple reason that people put me here to represent their interest. I see my role in this Parliament to represent their interest.

Asides.

Mr. D. St. E. KELLMAN: I do not have to worry about anybody. What I have to say in politics is about what I generally feel and what I will continue to talk about. If I have to do it without much ado, I will do it. But I warn parliamentarians in this Parliament to understand that, when they come here and they feel to deal with the issues of the people, what they are actually doing is taking us back to the slave trade where they know things and they are failing to deal with them just like when our forefathers were being sold as slaves coming to the Caribbean.

When we come to this Parliament and we cannot recognise that the people who will liberate us and save us from losing territory within the Caribbean and treat them as special liberators, then we are in trouble. It tells us that we do not understand what is going on. I want the Prime Minister to rethink his position about this for this simple reason. The biggest threat to the Caribbean at this stage in our life is the drugs trade and no Defence Force is going to help you with it in the way the policemen with help you. That is why I have also said something in this Parliament and people have not taken it. I want the Attorney General to consider this seriously.

Sir, I honestly believe that the number of policemen needed by the Force to make up the shortfall can easily be taken from the Defence Force and put into a special squad. We cannot deal with the drug men as if we are dealing with Sunday School children. We have to understand this in this Parliament. I hear all of this foolishness about special training to transfer the Defence Force into a special group. The training that you want for the Defence Force to be transferred into the Police Force has existed for a number of years. We need a special squad to deal with a pressing situation. I make no bones about that.

I am saying that if after today I hear a debate again about policemen not being in it, I would be wasting my time in Parliament. We had those three high-flyers down at the BTA, now no one can show me that they have done anything to develop tourism in this country. Not one person

can tell me that. Yet still we have people who come to this Parliament, Sir, and who remind this Parliament and I quote:

"If you pay peanuts, you get monkeys".

So you have a decision to make now. I do not think the Honourable Member for St. Thomas wants to believe that what I am saying is true. He has to tell the policemen whether he thinks they are monkeys or not because he is paying them peanuts. That came from no less a person than the Deputy Prime Minister.

Mr. CHAIRMAN: The Honourable Member has got two minutes.

Hon. D. A. C. SIMMONS: On a point of order, Sir. The Deputy Prime Minister never referred to the Police, but that impression is being left in how the Honourable Member has phrased his contribution.

2.20 p.m.

Mr. D. St. E. KELLMAN: Mr. Chairman, let me clarify that. I said that the Deputy Prime Minister in the tourism debate said, "If you pay peanuts, you get monkeys." I said that the policemen in Barbados are working for peanuts now, so the Barbados Labour Party will have to prove to them that they do not think that they are monkeys by paying them better. That is what I said so that nobody should make the interpretation that anybody is calling the policemen monkeys, but if you continue to pay them peanuts, they themselves might think so.

Sir, the problem in this country is that we spend too much time and money waiting on outsiders to tell us what to do in our country. We have to wait on a study from the IADB to tell us that policemen are operating in a dangerous situation and we need to treat them differently. No IADB study will report that that is so, because they are not interested in the condition under which the police work. They will give you a total package. Policemen cannot be put in a total package. Neither can they be seen as a teacher or anybody else, because when they leave home they cannot tell their sons, their daughters or wives that they will see them at four o'clock or eight o'clock. They do not have a time limit. It is probably the only profession in Barbados where the members cannot tell their families what time they will be coming back home.

I will come back. Thank you.

Hon. D. A. C. SIMMONS: Mr. Chairman, the Prime Minister has given the background to this regrading exercise and I wish to make a few observations in the time limited to me. About last May or June – I do not have the file with me today, Sir – the Ministry of the Civil Service sought the opinion of the Office of the Attorney General in relation to

representations made by the Police and the written response from the Office of the Attorney General was that the Office of the Attorney General supports a total regrading of the police force within the context of the overall regrading which is to come, that is, this exercise which we are now funding.

The position of the Office of the Attorney General is not in dispute and is not at variance with what the Prime Minister said. I heard about the sick-out on the last Saturday in July when I returned to London and I came back here the Monday evening about four o'clock and heard that there had been discussions on the call-in programme between the Leader of the Opposition and the Prime Minister. On the same evening, I attended a function at Ilaro Court and the Prime Minister asked me to deal with the matter since I had just returned and on the Wednesday I met with the Police Association.

Everybody has his own style. I have mine, the Honourable Deputy Prime Minister has hers, the Honourable Member for Christ Church South has his, the Prime Minister has his and the Leader of the Opposition has his. Since I was authorised by the Minister responsible for the Civil Service to meet with the Police, I met with the Commissioner and three members of the association to explain to them the overall policy of the Government to the extent that we were looking to a total regrading. They said, and I repeated it on television, that they then understood the sincerity of the Government about undertaking a total regrading.

During the discussions, however, it was drawn to my attention for the first time that there was an element of discrimination in relation to the duty allowance, and I said this on television, but I put it on the records of this House permanently. They explained to me that when there was a change to the 40-hour week under Commissioner Durant a duty allowance was introduced but only those at the level of station sergeant and above got the duty allowance which ran or is now from \$60 up to \$120. Those below, all the constables and the sergeants, do not get it.

I thought and still think that that is unfair and discriminatory because at night you see more of the officers dressed like that gentleman up there, on the streets than you see the men in khaki. Those are the ones, the constables and the sergeants that the public interacts with who are out on duty. If you go home, God forbid, and find that your house is broken, an officer may be going off at three o'clock and he responds. Sir, you were a policeman so you would understand. He may not leave there until six o'clock. He is not compensated for it.

I really feel that when we come to deal with the duty allowance all policemen should get a duty allowance. That is my position. Since some are getting now, perhaps as a means of alternative dispute resolution, we should look at if it

would not be possible, I have done the calculation myself, for all to get it. That was discussed with the gentleman that morning in the meeting with me. The second thing that was discussed was the archaic nature of the existing legislation, both the substantive parent legislation and the subsidiary legislation. I said to them and told the country that I think that it would be a fairly easy exercise for us to modernise the legislation, particularly having regard to where we are now in our history.

The Police Act and the Regulations had their origin in colonial times just like the Prisons Act. When I had to change the Prisons Act to take out the "Visiting Justice" and put in "Advisory Board" I took the opportunity then to strike out any reference to the "Governor-General" because the Governor-General was involved in the Prisons under the legislation. It is not right that the Head of State should be put in a situation where they could be embroiled in controversy. I think that having regard to the state of contemporary industrial relations it should be possible to make some legislative amendments that would recognise the reality of the situation and allow the Prison Officers' Association to address their concerns to the executive ministry.

Those were two things that came out of the meeting. I reported to the Prime Minister. I have spoken to Senator Trotman about them and there is nothing in those positions that show that I am at any variance with the Prime Minister.

I know the old tricks of the Leader of the Opposition who would seek to use an occasion like this to try to suggest that there is a division on the matter. That is in relation to the police. I want to go on record that I feel that – I do not like to call it a duty allowance but they will find a means of dealing with it – that allowance that exists now can be looked at and upgraded, streamlined and standardised right through the Force.

If it were me, the ones at the bottom who did not benefit in the 1988-89 regrading should get a bit more than the ones at the top; but that is a matter for the association to negotiate. That is my personal view. Because of some of the reasons advanced by the Prime Minister in his opening, we are wary of just pulling out one set of people and trying to regrade them. When the regrading was done in 1988/89 whole categories of people did not get. As far as the Police was concerned, those at the top, a small number, carried home a lot of money just before the elections. A famous senior superintendent, well known to all of us, whose nickname is associated with a big animal in Africa, said that he wanted a box cart to carry home the money but the ones at the bottom did not get. No one at the Immigration Department got and I can speak of others. Only certain people got but in this regrading exercise all categories are going to be evaluated, dealt with and treated properly.

2.30 p.m.

Sir, there was criticism of the Prime Minister for the use of Price Waterhouse in this exercise on the grounds that they are foreign consultants. I want to speak about foreign consultants briefly. There are areas where this country still does not have the range of experience and expertise and we have to rely on others from outside. Barbadians must be careful in the criticism levelled against foreign consultants that they are not behaving in a bigoted way of foreign people who come into Barbados to work period. There are foreign people teaching at the University and there was a time when they were resisting having foreign teachers at the University. In the law faculty although we have produced so many lawyers since 1973 yet we have a foreigner teaching in the law faculty. Are you going to quarrel about him?

Only yesterday at the opening of the Black Firefighters Convention in Barbados – we have about five hundred of them mostly from America and England – I had to acknowledge the presence of two men who are here, Mr. Ian Taylor and Mr. Ken Symmonds – he has the same name as my late father – who are training fire officers in Barbados.

According to the commentaries in the Press for the last two weeks we should have gone somewhere in the Caribbean and found somebody but we cannot always do that. The British Government in November offered me a course of training for local prison officers. I said to them, can we make this regional and they said, sure. We are going to have, in November, some experts in prison management and prison procedures come to Barbados and do a training course for regional prison officers. Do you mean that because we have prison officers in every prison in the Caribbean that I should reject the British Government's offer?

When the Honourable Member for Christ Church West was the Attorney General, did you have black draftsmen about the Commonwealth? No, there were not many then and we still do not have many of them. Did we not go for Mr. Ryan? Did we not go for Professor H.W.R. Wade, the famous public lawyer from England to draft the Administrative Justice Act? That is why I said that some of the comments that I have been reading in the last two weeks are bigoted, uninformed and narrow-minded. Of course, those comments reached their height last week in respect of the National Task Force for Crime Prevention.

Mr. CHAIRMAN: The Honourable Member has two more minutes.

Hon. D. A. C. SIMMONS: I do not wish any more academic, theoretical criminologist. You can get people straight out of University who had no experience whatsoever of applying criminological theory to actual fact situation. The position of Director is still vacant and what we have is a consultant to the Task Force and that consultant is a person of outstanding reputation both in Canada and in England.

The latest work produced by Christopher Nuttal is "An Assessment Of Research Evidence On Ways Of Dealing With Offending Behaviour, Home Office Research Study 187, Directed by Christopher Nuttal". Between December, 1987 and July 1989 the gentleman was Assistant Deputy Solicitor General in the Correction Branch of Canada. That is the quality of person who has come to help us for two years. He was found by the British Government and recommended to the Barbados Government.

Sir, in June, 1980 to December 1982 he was Acting Assistant Deputy Minister of Programme Branch in Canada. He was also Director of Research Division for all criminal justice research activities of the relevant Ministry in Canada. In the Home Office he has been Principal Research Officer of the Crime Policy Planning Unit, Senior Research Officer and then Director of Research and his publications amount to nine at least.

The gentleman has only been on the job working for about five weeks and already I have this document "An Analysis of Recorded Crime in Barbados 1980 to 1999". Already I also have a Draft Green Paper on Government's proposals for crime reduction. We have waited for this draft since October last year when I announced the ten-point plan. I gave the ten-point plan on the Saturday after I came back from China and said it would be dealt with in a Green Paper.

All these will be going to Cabinet shortly and once Cabinet approves them I will have one thousand copies of each published for the people of this country. That is what I call work and performance. In five weeks I got two major papers. It is the first time in the history of Barbados that any Ministry responsible for Crime has published anything that the public can read.

Sir, I thank you.
2.40 p.m.

Hon. Miss B. A. MILLER: Mr. Chairman, I would like to add a few comments to this debate. I would like to start with a different perspective. We are now in the age of globalisation and trade liberalisation, and new trading arrangements. I always begin in this way because this is the immediate future for us.

One of the important implications for us here is that it will import new ways of doing business and new modes of systems and structures of work. We are told that we have to be competitive. Indeed, just before lunch, in the Committee Room, I was speaking with the new Ambassador of Germany to Barbados. I pointed out to him as I have pointed out to so many in recent months, in respect of certain strictures coming from the OECD countries that, indeed, we have become very competitive in some areas. We are told that competition is the way of the future.

Competition in this context, Mr. Chairman, Sir, means that skills have to keep abreast of the new technologies. We are told that reciprocity is also the order of the day – meaning that we are going to have to be on par. The Honourable Attorney General just made the point, referring also to international standards. That is the way of the immediate future.

Small countries like ours, Mr. Chairman, and I am speaking now looking at the Frontbench and, indeed, the Leader of the Opposition, are expected to carry no less a burden than our counterparts in the big developed countries. The Attorney General here has to operate in much the same way as the Attorney General in the United States, United Kingdom, Japan, France, Germany or wherever in the world.

I make the point all the time that in respect of the WTO, my Dutch counterpart about two and a half years ago said to me very seriously one day, ‘this is a very important matter and in respect of it I can only earmark 400 people from my staff to concentrate exclusively on the WTO’. I had to smile to prevent myself from laughing out, which would be rude. I said to him that if you added together all of the officers in the Ministries of Foreign Trade and Foreign Affairs across the Caribbean you still would not get 400, and they are dealing with everything.

I am here, Mr. Chairman, speaking of a workforce in the early 21st Century which has to be primed and tooled if we are going to be competitive and be able to reciprocate as the order of the day requires. Only earlier on in this Chamber, Sir, I named the remaining protocols. I think everyone knows by now that we are amending the Treaty of Chaguaramas which underpins our economic community here in CARICOM by a series of nine protocols, and the remaining protocols were laid here this morning together with the Charter of Civil Society.

All of this is part of this process for Barbados tooling up itself and preparing to access the globalised economy of the early 21st Century. We have to prepare ourselves to be highly competitive players. We are small and as we are recognising now there is no special dispensation anymore, there are no special pleadings or allowances to be made simply because we are small countries or smaller economies, we are expected to be competitive. Even where, as with offshore financial services, we have become competitive, we have seen what the consequences of that would be. We have to fight for the survival of that sector now on a daily, weekly, ongoing basis.

Indeed, not only offshore financial services, but services altogether. We took a decision in this Chamber, we, meaning an earlier Barbados Labour Party Administration in the teeth of bitter criticism from the Opposition at the time and also the Opposition just now, although it was a much

augmented Opposition then, to introduce to Barbados the idea that we have to look to services, as, indeed, all countries, both developed and developing are looking, in the early 21st Century and we have to prepare ourselves.

Tourism, naturally recommended itself, and financial offshore services was a direction in which we sought to go. We have invested heavily in both of those service sectors. Today, we are under attack. The off-shore financial service sector is under attack and it is not fair, but you go back to the old saying “all is fair in love and war”, so on a daily basis we are fighting for our very survival and existence in that respect.

EduTech 2000, a brilliant initiative in the Ministry of Education, attempting, very early in this new century, to make sure that every child of primary and secondary school age in Barbados will be computer literate, is going to be the way of the new century whether we like it or not. Again, we need to be ahead of the game and tooled up as much as we can be.

I am putting my comments in this context, Mr. Chairman, Sir, because I am saying that even the redevelopment of Bridgetown, our capital, Speightstown, St. Lawrence Gap, all of the redevelopment that is going on in Barbados is all part and parcel of this process. That is why I will give my unreserving support to the Resolution before the House, particularly that aspect of it which will provide funding for this proposed job evaluation. I see it in this larger context as the beginning of a modernising of the Barbados Civil Service.

The Barbados Civil Service has many Victorian vestiges, even today, and next year will be 100 years since she left us, Queen Victoria that is, and we need to retool and redeploy. We want Barbados, in the immediate future to be the leading edge, of a competitive workforce within the context of a social partnership as it has been so many times in the past. This has been our role from time to time that we have been leaders in the Caribbean in that respect. I have reason to believe that here again we will be leaders.

I am supporting this job evaluation as part of an ongoing process in respect of the civil service. In another phase, one hopes, the civil service will look at the question of productivity, and modes and systems of work which, in my belief, Mr. Chairman, will be dramatically different in the 21st Century than what we have lived through in the 20th century.

I believe that people are no longer going to work a 40-hour week in the way that we have come to know in the last several decades of this century. I do not believe that people are going to retire. I think the whole concept of retirement is going to change. I believe that in a new era people are going

to work in modules of time and will decide on how many of them they will complete in a given year. I believe that the structure of work is going to be so different.

Already, Mr. Chairman, Sir, we see that the workplace is now borderless, it is timeless. In the Ministry of Foreign Affairs and Foreign Trade of Barbados we have flexitime. It is entirely possible that before the end of this year 2000 the Ministry will be a paperless Ministry. People are already working in three and four countries at one and the same time. The new technology allows us to do that — with several offices worldwide constantly in touch with each other.

Businesses, Mr. Chairman, Sir, in the private sector have taken up the challenge and they are no longer bound by borders. They are setting up production centres everywhere, especially in those places where labour is cheap, or in a place like Barbados where you have the quality of education which allows certain niches to be more attractive than, perhaps, where labour is cheap. We may have niches where specialised skills are available.
2.50 p.m.

The Honourable Attorney General was just speaking of a niche where they are not available but there are niches that we can lay hold of and sharpen and hold to our advantage so that I think that work is going to be timeless as well. Let us face it. Computers do not distinguish between night and day. You will go in the morning and you find information that has come to you from another jurisdiction where there is a different time zone and time-frame.

The Hymn says,

“Time, like an ever-rolling stream ...”

Sir, and that in a way, is how we are going. That is the kind of direction in which we are going so that people are going to work part-time...

Asides.

Hon. Miss B. A. MILLER: ...Yes, we know it,

“Bears all its sons away.”

The Honourable Leader of the Opposition is showing that at least he knows the part of one Hymn.

Mr. Chairman, Sir, I do believe that people will work part-time. Some people will work contract time and that is already happening. We belong to an economy that traditionally has been seasonal. Both sugar and tourism in our time have been seasonal and Barbadians are accustomed to working in that mode so they know about part-time and they know about contract time. Sir, we already see people in

home work arrangements where you are working a certain number of hours in the home, certain number of hours in the office, at the factory or wherever the workplace happens to be because as I said, work is now borderless so the workplace can be anywhere. People work in airport lounges and on the bus. Wherever they can open up their laptop or pick up their mobile telephone, work can be done and is done.

Mr. Chairman, I am hoping that in due course when the consultants get to the other phases beyond this they will look to tool the Civil Service in Barbados to be on the cutting edge in the Caribbean. Sir, in an era where there is greater collaboration, even as we see today between the public sector, the private sector and the labour movement, we are fortunate that we have a social partnership which already can be a bridge towards this status. I would want to recommend that all Honourable Members give their support to this Resolution which is before the House.

Of course, Mr. Chairman, Sir, I am not suggesting that all work of the future will be like this. There are always going to be some jobs which will require human time. Care-givers are, in my judgment, a good example of such a job. But we have seen so much happen, even in those sectors which are important to us. The way in which we grow and reap canes is not the same today as it was 40 years ago. Forty years ago you had 25 000 people involved in the sugar industry. If you can get up to 3 000 today, you are lucky. The Honourable Member for Christ Church South is telling me 3 500 at peak in the crop.

Mr. CHAIRMAN: The Honourable Member has two minutes to conclude.

Hon. Miss B. A. MILLER: Yes.

What I am saying, Mr. Chairman, Sir, is that I believe that as early as perhaps 2010, maybe 2015 you may well see a situation universally, where people are doing four hours of paid work on a daily basis. They may have two hours of leisure, maybe two hours of time voluntarily unpaid, for civic contribution. Right now, we are accustomed to a different configuration. People are working eight hours a day for pay...

Asides.

Hon. Miss B. A. MILLER: ...well, most people anyhow... maybe one hour for leisure, and health wise that is not good, in no way is that good and even that one hour may be the hour that most of us go to church on a Sunday and maybe one week for civic contribution. We may belong to a club of some kind, an organisation of some kind which allows us to give back to the community which gave to us. So what I am hoping, Mr. Chairman, Sir, is that this process

will not be a slow one. I hope that this is not going to turn into a five-year plan, with another phase now where we are looking for another five years and so on and so forth. The point I am making here, Sir, is that we do not have this time at our disposal and we have to move with dispatch. We took long enough and too long, in my judgment, to get here in the first place, but we have to move now with dispatch, from this place, to a place where Barbados will be well-placed in a new era to lead in the context of work within the Caribbean. If I had another two minutes, Sir, I would speak to the way in which I conceive that it would put an end to unemployment because that is implicit in what I have been describing to you, the way that work systems will organise us. This can be done in a place like Barbados, a highly manageable and highly educated society. We can cause unemployment to disappear forever just by way...

Asides.

Hon. Miss B. A. MILLER: ...You will always have the voluntary idler. I hear 'nos' down the line. You will always have the voluntary idle but particularly bearing in mind the population density of Barbados and how the pyramid is shaped at this time, with a reducing and aging population, I genuinely believe that this can happen in Barbados and will happen, I would like to hope, in my time.

I am much obliged to you, Sir.

Mr. CHAIRMAN: The Honourable Member for St. James North.

Hon. R. C. EASTMOND: Mr. Chairman, it is true that times change and Mr. Chairman, it is also true that circumstances change. If one were to look critically at the structure and operations of the Barbados public service, one will have to go back to the colonial period and locate a number of occurrences, instances and policies that transpired then which may still be affecting the public service today, certainly at the level of regulation.

Mr. Chairman, as I support the measure before this Honourable House, I am sure that a review and reappraisal of Barbados' Public Service, not just the narrow civil service but statutory departments and related agencies, will show up and throw up some anachronisms. There was a time during the colonial period, Mr. Chairman, when the British were diligent enough to so structure matters as would benefit the senior public servants that they sent here.

We have had in this country something called, the Widows and Orphans Fund, Mr. Chairman, and I believe any public servant appointed in the public service right now who has been working for a long time in the service will not only be aware of the existence of this fund but when tracing it to its origin, will be minded to believe that that was a provision designed way back in history to favour certain persons

whose appointment to the Public Service of Barbados saw the appointment of British citizens.

Mr. Chairman, even as regards provisions in relation to long leave, if one went right back, there is no doubt about the fact that the provision making sure that when one's long leave came, one had to leave the country, was crafted on the policy that a British civil servant working here would, from time to time want to go back, at the Government's expense, to his country of origin to visit his friends and to renew old acquaintances.

3.00 p.m.

The public servants of Barbados even when they themselves did not agree with these particular policies have been bound by them over time.

Let me reflect on the two excellent contributions that my predecessors on this Side made. The Honourable Member for the City has been inferring that the time has come where a reappraisal of how the Civil Service would work will show up new opportunities and new challenges. I would want to refer to what she was saying later on in my contribution.

I agree wholeheartedly with everything which the Honourable Member for St. Thomas said especially regarding how the last so-called regrading of 1988/1989 which did not just work in a skewed fashion, did not just produce anomalies, but manifested injustice. I remember an officer who wanted some barrels and wheelbarrows to take home his backpay, drawing \$26 000 as a senior member of the civil service while those at the bottom drew little or nothing. The temptation is there to believe that the rather coarse effort at regrading and restructuring in 1988/89 was designed to make a special case for certain elements in the public service but left out assessing the needs of the wider public service.

I am currently investigating a remark which a public officer made to me about two weeks ago when she opined and lamented the fact that that regrading exercise moved certain officers down from S5 to S6. Apparently, before that regrading exercise, Senior Administrative Officers (SAOs) were at S5 and that regrading exercise brought them down to S6. Now, as you know, Mr. Chairman, this is a Government that has more than once, more than twice, passed law in here indicating that no public officer's terms of service would be altered to his or her disadvantage.

We have to bear these things in mind because the regrading efforts of 1988/89 did not take into account a number of other anomalies either. We have a situation where the Chief Fisheries Officer (CFO) may very well be today at S7. The Director of Sports at the National Sports Council is no higher than S7 or S6. There are persons in the wider public service with lesser responsibilities who are at S3 and S4.

We, therefore, have to detach ourselves and look at this position very dispassionately because we owe it to the civil servants and indeed the wider public to bring an element of justice and an element of rationality to this whole process. It cannot be right that somebody occupying the position of Chief Fisheries Officer should be working for substantially less than somebody in a Statutory Board with less responsibility and less accountability. All of these things are going to be looked at in time, I am sure.

I support the views expressed by the Right Honourable Member for St. Peter when he said that the whole question of isolating a particular grouping within the public service and treating that grouping as special does not meet with the approval of this Side. When we consider the whole question of regrading, we have to look at every category. Mr. Chairman, we should be non-political about this and I think the Honourable Member for St. John did, in fact, agree with the whole question of review and reappraisal in principle – bearing in mind that the anomaly referred to so articulately by the Honourable Member for St. Thomas, was not the first anomaly that was committed by that particular Administration that sits on that Side.

In 1971, 29 years ago, regulations were passed, the effect of which was to classify particular people as casuals and to dis-entitle them both from permanent appointment and from their regular pension that they would have got even after 25 and 26 years service. Between 1971 and three years ago, we, therefore, would have seen the evolution of a disadvantaged category of persons who could not get a pension as a public officer because of an anomaly – and the word ‘anomaly’ was constantly referred to by the Honourable Member for St. John – which was inflicted on the Public Service by the Democratic Labour Party in 1971.

We, therefore, had hundreds upon hundreds of persons who toiled, who sweated and who laboured and who if they went to a bank to borrow \$5 000 would have been told by the loans officer that he or she could not qualify for a little loan to repair his or her house or to buy a small plot of land because they did not have security of employment. They were not appointed and they were perceived by the commercial banking system to be forever not appointed.

They did not get the opportunity to enjoy anything called security of tenure at work. They were not able to fulfil their desires, the reason being that by being denied the opportunity by the commercial banking sector for a chance to borrow money and advance themselves and their families, they kept waiting and looking to some particular deity who would some day look down on them as they pray and as they make their supplication.

Fortunately, this enlightened Administration on this Side, even ahead of a full review and appraisal of Barbados’

Public Service, has had the courage to take those casual workers and offer them security of tenure which is going to impact on their minds by making them feel more comfortable in their jobs in that they have permanence which will now permit them to be able to fulfil some of their life dreams like owning property out of loan funding which would have been denied them in the past and which would give them a chance to say that the Public Service is not a discriminatory agency by making those at the top higher up and better off and ignoring those at the bottom.

To go back to that coarse, crude and almost vicious so-called regrading of 1988/89, you had a situation, Mr. Chairman, where the maid, the porter and the messenger in a so-called reclassification of the public service, got zero or little more than zero and people close to the top got \$22 000 and \$24 000 in retroactive money. If it is true, as the lady told me, that SAOs were also regraded downwards, this means too that some category of workers not only did not get any money but they also lost their status and perhaps lost their morale.

This exercise to which we are referring is an exercise which is not only going to look back at the anomalies and the anachronisms to which I have referred but this exercise is going to take into account not just the fact that a restructuring effort is needed in the interest of justice, but it is going to be forward-looking in the way the Honourable Member for the City has said.

3.10 p.m.

If you look at the activities of the employee in this world, Mr. Chairman, people’s work takes up their time. If a person’s day in terms of the total amount of time available to him is between 16 hours and 18 hours, and making allowance for sleep of six to eight hours, then the working person is more involved in thinking about work, in trying to get to work, in being at work, in going back to work and then going home with homework than anything else.

Mr. Chairman, we have to take into account the new thrust in human resources development and management where the experts are talking about the concept of owning your job. The experts, Mr. Chairman, are now thinking about owning your job, meaning clearly that a job is not just something which offers a pittance, salary or wage. It is the interaction between work and worker that is so precious that the worker must feel “a way”, to put it like that, about his job and must feel that his job is a necessary part of his life.

Mr. CHAIRMAN: I will ask the Honourable Member to wind up in one minute.

Hon. R. C. EASTMOND: Bearing that in mind, Sir, we have to move towards assessing the structure of the Public Service. We must take into account the history and for

whom the historical forces that operated 17 and 18 years ago were really catering. We have to look at the structure. We have to look at the composition and clearly, as this Government has already started to do by way of the incentives it is offering to public servants to get computer literate, we are going to have to look at the whole notion of the training and what other incentives that we can have, Mr. Chairman, that will permit public servants not just to own their jobs and to assert a particular pride in their work, but we have to have a Public Service that is positioned to take this country down the road of national development. We have to have a species of public servants with pride in his or her work and a determination to put country first while at the same time receiving what is his or her fair share of the national cake.

With these few humble remarks and observations, Mr. Chairman, I am deeply obliged to you. Thank you.

Mr. CHAIRMAN: The Honourable Member for St. Lucy.

Mr. D. St. E. KELLMAN: Mr. Chairman, I was very glad to hear the Honourable Member for the City introduce into this debate and acknowledge that trade liberalisation and globalisation will be impacting on Barbados. I want to remind this Parliament that the United Nations Human Development Report of 1999 stated that globalisation will see an increase in crime in the world. I want to say to Parliament that with the advent of globalisation and free trade, *et cetera* that countries like the Caribbean must recognise that the crime levels will be increasing and that their police forces will be called upon to do work that they would not normally be asked to do.

People must recognise now that it is not simply moving large sums of money within the Caribbean, but because of the technological changes within the world that we will have to make sure that training will be one of the most important factors if we are to carry out a restructuring of our Civil Service. It is okay, Sir, to budget large sums of money in the training vote of one's Parliament. But at the end of the day, Sir, if 50 per cent of that money is not being used to train one's civil servants, then we cannot get the productivity that we would like.

I am asking Government to recognise that we are a bit behind in the way that we have been approaching globalisation and trade liberalisation. The problem within Barbados is not what we need to do now, it is what we should have been doing ever since. I am saying that it is regrettable that we are at this stage...

Asides.

Mr. D. St. E. KELLMAN: Of course, you are welcome. I gave you permission. That is the only time you can go. It

is regrettable, Sir. Listen. Be careful. You cannot come for me. We both have roots in the same place and I will always have one in that place.

Yes, as I was saying, Mr. Chairman, we must recognise that Barbados must start seeing itself as a place where we tend to lead. In this Parliament, when I hear from a Minister, I always hear what we intend to do that has been done by somebody else. If we are going to approach globalisation by doing what has been done by somebody else, then we are going to be left behind all of the time.

Asides.

Mr. D. St. E. KELLMAN: Pardon me. Well, globalisation is about crime. The United Nations Human Development Report said that and I can quote page 32 of the Report to show what I am saying relates to crime. If you are saying that I have to come back, what would you have said about the Honourable Member for the City? What she said was relevant to the debate.

Mr. Chairman, we also have to recognise that the economic cake has always been divided into a particular way and that the G7 countries have always dominated the world. They have always made sure that they catch 71 per cent or more of the economic cake. They have always used that brute force to make sure that countries other than the G7 countries get a fair share of the economic cake. That is why, Sir, you will hear them introduce things like the Bretton Woods, WTO, and now the OECD.

That is why, Mr. Chairman, we have to understand that we cannot, within the Caribbean, continue to give the G7 countries the impression that the only place where money is being laundered is in the Caribbean. If we are going to deal with crime, we must recognise that it is not only in the Caribbean that money is laundered.

Asides.

Mr. CHAIRMAN: Order.

Mr. D. St. E. KELLMAN: The Honourable Member for St. Peter may be interested in this particular one. Every year in the Caribbean our tourism product is being used by the G7 countries in a way that is not necessarily the right way. But no Caribbean leader is prepared to stand up and tell the OECD and G7 leaders that they are the ones who encouraged money laundering on a larger scale than those in the Caribbean. They make people believe that money laundering in their country is the right thing. Yet, when we come to discuss crime, we can only talk about issues like if a Rasta smokes a spliff. Some people in the Caribbean see crime in a different light.

I am saying, Sir, that we need to re-educate our Caribbean people to acknowledge that crime is now at a different level. We need to make sure that whenever we introduce a proposal within the civil service to restructure it that it is not the Civil Service as we know it. We also need to put policies within our central banks to make sure that the total restructuring is not only within the civil service but also the Central Bank would not sit on a pedestal and believe that it is not part of Government.

3.20 p.m.

The biggest restructuring that is needed at this time is not necessarily within the civil service as we know it. We must also recognise that we must include places like the Central Bank to understand that the total foreign exchange growth of this country can only be related to their actions and the actions that they take to make sure that total tourism receipts are accounted for.

Some might say that this might be going a bit overboard but the point is, that if we are going to be talking about restructuring the civil service we must look at it in totality. That is why I would expect that the Right Honourable Member for St. Peter would recognise that he needs to tell the public of Barbados why he allowed the IADB to keep back a regrading and restructuring of the civil service for so long waiting for funds when something like this should have been done years ago and should have been a priority. We are now at a stage where we are playing the catching up game and I am not happy about it.

Every time I come to this Parliament, Mr. Chairman, I am hearing about what we are going to be doing, things others have done. It is time that this Parliament recognises that we should be the first to implement something within Barbados and that others should follow us.

Thank you.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I presume that all Members who want to speak on issues raised by this Head have done so and I want to thank all Members who have contributed to the debate. In bringing the debate to a close, Sir, again I would wish to pay tribute to the public officers who have brought us to this stage. I neglected to say that in addition to the six other major things that the public officers in the Ministry of the Civil Service have been doing – the wage increase, the increase in allowances, the productivity bonus, the repayment of the eight per cent, the casual workers and this, Sir – the Ministry of the Civil Service has been collaborating with the social partners and others in the preparation of a new Public Service Act.

As you know, Mr. Chairman, the legislation pertaining to the public service is very archaic and scattered all over the place and is in drastic need of modernisation and reform.

Over the course of the last year, in addition to doing this work on the regrading, the Ministry of the Civil Service has, in collaboration with all the social partners, prepared a policy paper that will serve as the basis for a new Public Service Act. The legislation has been drafted and I hope to be in a position shortly to circulate it for further comment after it has cleared Cabinet. It has the blessings of the trade unions representing the public officers but I would want to put that on the Table because the reclassification of the public service is but part of a general series of measures to modernise the public service of Barbados and to create within it, a meritocracy.

Perhaps, Mr. Chairman, as I conclude my contribution to this debate, that is the essential point that will guide us in the reclassification exercise. The public service of Barbados must become a true meritocracy where effort is recognised and rewarded and that effort is scientifically-measured. I would urge the House not to underestimate the complexity of what is involved. The last reclassification exercise took four years to complete. It was begun in 1986 and concluded in 1990. A reclassification exercise is a very complicated exercise. We are dealing with over 20 000 posts. Each one is an individual and as part of that exercise the diagnostic survey will scientifically assess what lies at the gut and substance of each of those posts.

I cannot give the assurance to the House...

Aside.

Rt. Hon. O. S. ARTHUR: Sir, can you protect me from my friend from St. Lucy in whose constituency I was yesterday, having been called there by the people because they are being very badly neglected by their M.P. I toured the constituency yesterday in full and Sunday as well. The people of St. Lucy said, "Prime Minister, please come and lift this tyranny off our shoulders. We have a man that all he is interested in is an airport. We are interested in house spots."

Mr. D. St. E. KELLMAN: The Honourable Member is misleading the House, Sir. As Head of the Cabinet, the Right Honourable Member for St. Peter should have known that I have toured the constituency with the Honourable Member for St. George and I can only come to the conclusion that he is deliberately misleading this House and he knew full well that he said that he went to check on some good work to see if what I was reporting to the House was true.

Rt. Hon. O. S. ARTHUR: Sir, like most things it was not true.

Mr. Chairman, Sir, just to say that I would really wish the records to be cleansed of the perspective that was put out that the Ministry of the Civil Service was loafing. In the

course of the last month, a large number of training exercises and workshops involving public officers and trade unionists were undertaken by the Ministry of the Civil Service as part of the preparatory work to make the way possible for a comprehensive job evaluation exercise. In fact, all of the different kinds of methodologies that could be used were the subject of some of those training workshop sessions, and it was out of those exercises that recommendations came that, having compared all the methodologies, the Canadian system of universal classification was the best, the most scientific and the one that Barbados should embrace.

We have come to that choice, not by a sense of indirection but it is a deliberate choice trying to use the best to deal with a very complex situation. The Member for St. John alleges that the Canadian system has been criticised. It is new. The Government has copyright on the methodology and like all new things it will have its problems, but it is the best.

As regards PriceWaterhouse, Sir, there is an argument that we should not use foreign consultants but use local people. If there was a flaw, one fundamental flaw in the last exercise, is that the very people who had to advise Government were the people who were responsible for the reclassification exercise. The Head of the Civil Service and the Permanent Secretaries in the Civil Service were the people who were responsible for the exercise in 1988 and then they had to advise the same Government about their own recommendations. You can therefore understand why the Police would have a grievance.

If people felt that the police's proposals were based upon expectations about standard of living rather than about job content, what kind of advice could they have given the political administrators of the day? This is not the first time that Barbados has had to use foreign consultants to do a very complex task. It will not be the last, Sir. There is a good justification for it. We are trying to get the best advice and you get the best Government by trying to take the best decisions upon the basis of the best advice. PriceWaterhouseCoopers has developed a tremendous expertise in this area and we want to tap into it and the Government will ensure that there is sufficient local involvement with the foreign consultants and that there is a full respect for all things Barbadian.

Mr. Chairman, the one aspect of the debate today that saddened me was the interposition in the debate of the notion that there is a war between the Government and the Police. As I said, Sir, since the Government wrote the Police Association, CTUSAB and others in 1998 outlining how we intended to approach the matter of regrading, there has been no negative reaction to the approach proposed. The House should not be unmindful of the fact that there is no other section of the public service of Barbados who will be

affected by the regrading who are now publicly in opposition to what has been proposed. They have been taken into the Government's confidence.

Everybody recognises the value of a comprehensive scientific approach and I would urge the House not to try for political reasons to play off one section of the public sector against the other. I would urge all Members of Parliament to stop playing with fire in believing that there is any virtue in adding to a sense of disaffection within a disciplined force. I know that of which I speak, Sir. For the last 18 months the members of the Barbados Defence Force have been working shoulder-to-shoulder with members of the Police in a common fight against crime and violence. It is one of the major accomplishments of our society that we have been able to blend the two discipline forces together. There are some members of the Defence Force of Barbados who are working with the Police, who have in fifteen years service and will go home without a pension or a gratuity. Sir, that is a bad thing and the Government has asked for that to be rectified.
3.30 p.m.

We recognise the value of what the Police are doing, we recognise the value of what the Defence Force is doing, we recognise the value of what all our discipline forces are doing and it is not the Government's intention to play off one against the other but the most dangerous thing that can happen in a democracy is for people to elevate the so-called disaffection of discipline forces into political crisis and seek to use that political crisis to their advantage. It is a dangerous thing, Sir. The Government recognises the legitimate concerns of the members of the Royal Barbados Police Force. Since 1994, we have systematically sought to improve the resources available to the Police and the conditions under which they function. They have been the beneficiaries of every improvement and they will be the beneficiaries of a comprehensive regrading. This has been but another chapter in a long unhappy episode.

In preparation for this debate I went back to the newspaper of 1988/89. It is the same set of arguments except that in this instance references to the Attorney General do not speak about pregnancies, miscarriages or things of that nature but language of equal muscularity is used.

Sir, there can be nobody who has sought harder for additional resources for the Police than the Attorney General of Barbados whether it be in the improvement of every police station, and the record will reflect that there have been more attempts at the physical improvement of the conditions of the Police in the last five years than ever before.

Sir, the Government has gone out of its way in 1995 to bring to account promises that had been made that had not been fulfilled, Mr. Chairman, and we will continue within the limits of our resources to recognise the work of the

Police and reward them appropriately. Sir, we will also do that with all other sections of the Barbados society.

Sir, I have had similar arguments too, from my Cabinet. I have heard the case as well, and it is no secret because it took place in here, that Members of Cabinet have to work under grossly unsocial conditions, that their social life is greatly inconvenienced and that is true, Sir. They operate under conditions of the greatest possible stress but you will recall....

Asides.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I said that I have heard it from my Cabinet but I have no doubt that an equal case can be argued for Members of the Backbench as well.

Sir, you will recall that on the Floor of this Parliament an argument was put that we should treat Members of Cabinet specially and I took a position and said that we are all in this together. The same discipline I expect of Cabinet, I expect of the discipline forces. I would want to give the assurance that Members of Cabinet would have also to be part of the comprehensive regrading too because it is only fair that Members of Parliament would have to be part of it because we are all in this together.

Mr. CHAIRMAN: I would like to inform the Honourable Member that we have six minutes to conclude this Head.

Rt. Hon. O. S. ARTHUR: Sir, just to make the point. When we say that we want to treat the Police as comparable, no disrespect is intended and none should be taken because I am not going to be party to a situation where disquiet in other sectors of the Barbados society is stimulated because we turn a blind eye to legitimate concerns elsewhere to elevate some to a state of uniqueness.

Government is going to be fair to all. Too much wrong has been done in the past, Mr. Chairman, with *ad hoc*, indiscriminate, unscientific approaches to regrading. As Minister of the Civil Service, I have been bombarded with a large number of requests since 1998 to which I have consistently said no. If it could be shown, Sir, that while I have been telling the Police no, that I have been telling other people yes, then they would have a legitimate grievance but I have said no to the Ministry of Education and no to all other Ministries and to let us do it scientifically and comprehensively. I have also said no to Cabinet and I am, therefore, pleading that we should do this thing properly.

The last regrading took four years. It took four years, not because the Government was wicked, but because regrading exercises are complex. We have set out on an endeavour to cause this to be done in two years. It is not

likely now that two years will be realised, we might go over two years but we will do it as soon as practicable.

I have given the assurance that if it elapses beyond a predictable time, the Government will state a date from which the new measures become applicable that predates the completion of the regrading exercise. What I am saying, Sir, is that we will specify a date soon after discussion with the trade unions on which the new measures will be applicable so that if it takes us more than two years to do the exercise, the new measures will come into effect from a date to be announced before that two years is completed and that is an element of the Government's good faith in this matter, Sir.

Sir, it has saddened me that the Ministry of the Civil Service has been so savaged but they have done all the training necessary to carry out the regrading exercise and they have done all the planning and design. We made the decision up front that we were going to use the offer of IADB financing to do the work. We have had to prepare all the documents to seek assistance from the IADB. The first exercise led no where and we had to do the documents again and it is why we are where we are.

Sir, this is merely an exercise by the Government to accelerate the work. It is not being done under any pressure from the Police. It is because of the very simple fact that if we had to wait on the IADB's approval of the financing, that it will take some time in the interval that the House is on recess so the Government is advancing these funds on the understanding that there will be reimbursement from the Inter-American Development Bank. It is in that spirit that I commend these measures to the House but I must place on record the gratitude of the Government for the work of the Ministry of the Civil Service.

You will not find in the history of this country where a Ministry of the Civil Service has participated and presided over all aspects of a wage increase, bringing it to the House in legislation, participated in productivity bonus and brought that to conclusion, participated in the negotiations of an increase in allowances and brought all the legislation to the House on that matter, participated in doing all of the administrative and legislative work necessary to manage the repayment of an eight per cent, done all the planning, preparatory documentation work for a regrading and also have participated in a massive piece of work to collect, collate and codify the laws pertaining to public service and modernise them in the form of a new Public Service Act.

It is in this context that I commend this measure to the House and beg to move that Head 16 stand part.

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

3.40 p.m.

The question that Head 19 and Head 23 stand part 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. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly that the amended figure is \$5 270 000.

On the separate motions of the Rt. Hon. O. S. ARTHUR seconded by Hon. Miss B. A. MILLER the Bill was read a second time and passed.

ORDER NO. 8 – CONSTITUTION (AMENDMENT) BILL, 2000

Hon. D. A. C. SIMMONS: Mr. Speaker, the Bill before the Honourable House is to remove some anomalies which presently exist in the Constitution of 1966 as amended, by extracting from the recommendations of the Constitution Review Commission three aspects of those recommendations relating to citizenship.

I wish to say, at the outset, that the Honourable Leader of the Opposition has been very cooperative in this matter. In fact, about two weeks ago, he had suggested to me that we should deal with some of these anomalies in the Constitution No. 1 Bill. It was not possible at the time to do it, Sir, but we are taking the opportunity now to deal with these, not sequentially as the clauses of the Bill said, but rather, I think in order of magnitude of importance.

All political parties in Barbados for as long as I have been in this House or in Parliament – 24 years have recognised the stark discrimination that exists under the Constitution which denies non-national husbands of Barbadian women from having the status of citizenship conferred on them. On the other hand, the reverse operates in favour of the non-Barbadian wife. So a Barbadian male married to a non-Barbadian female can have the satisfaction of having his wife registered as a citizen of Barbados. That is blatantly unfair, unjust and discriminatory in an age where one would be seeking to promote gender equality.

In several attempts at constitutional amendment, we have not legislated to equalise the position between the genders. It is not, at present, clear to me, as Attorney General, how long it will be before we have the main and major new Constitution introduced in Parliament. At the shortest, I can see it this time next year but it may be beyond that time. It is not an easy exercise, even though we have got a draft Bill which reflects the recommendations of the Commission. But the Cabinet went through it and we did not accept all of those recommendations. It is going to be a question of going through each one and seeing which one the Cabinet will accept, then having the Bill redrafted to

acceptance by Members of the Cabinet of certain recommendations.

There is also another consequence if, of course, we become a Republic. Every bit of legislation that speaks of the Crown will have to be amended. Whether that will have to come about by individual amendment or one Bill which just says that wherever the word Crown appears in any legislation it should read State. That is a matter that I have to be advised on by the draft team. I have been warned that it will be a long and tedious exercise going through every Law of Barbados.
3.50 p.m.

Sir, while we wait to bring the major piece of legislation in the shape of a new Constitution, the problems which this Bill is seeking to reform will still be there. That is the problem affecting non-national husbands of Barbadian wives, which is of great proportion. I am advised that there are hundreds of situations in the files at the Immigration Department where people have applied for status but of course, they could not have been given the status and we had to grant them permanent residence. This amendment will now enable those hundreds of non-national men, if they want citizenship, to apply to the Registry so we cured that anomaly.

The second anomaly, Sir, relates to the question of citizenship by descent. First of all you cannot find anywhere in the law, either in the Citizen's Act, Chapter 186 or in the Constitution, this phrase, 'citizen by descent' although any lawyer will tell you that they applied for status as a citizen by descent for someone and we have to perhaps give it a definition when we come to discuss the main Constitution. But we have this situation where – and it really affects persons born outside of Barbados after the 29th November, 1966 and it arises in this way, this is the anomaly – a Barbadian mother not married but has a child outside of Barbados can pass on citizenship to that child. But, a Barbadian mother married to a non-Barbadian man and having a child born in wedlock outside of Barbados, cannot pass on citizenship. Sir, this cannot be fair and just. It has been there for a long time and I saw it recently.

Ian Taylor who plays for Aston Villa in the English F.A. Cup is in the first category. Matthew Joseph whose mother is a Harding and father is an Antiguan – funny enough born on my birthday, April 28 – cannot pass on citizenship. So Matthew Joseph cannot play for Barbados, for example, if we wanted him to play tomorrow night in Washington but Ian Taylor could play. Sir, this example operates with athletes and so on.

The Jamaicans dealt with this and I believe it helped them with the Reggae Boys. You know that the Reggae Boys had a large complement of English-based footballers

and they went to France. What Jamaica did was to say that if you are born outside of Jamaica, you can become a citizen of Jamaica, provided at least one of the parents is Jamaican by birth and that is what we are doing. My wife is a Jamaican and my two children have the right to apply for Jamaican citizenship through their mother and that is what we are doing here, Sir, giving the right to citizenship so long as at least one parent is a national of Barbados by birth.

The third situation which we are covering is in relation to the children of diplomats. When we send our diplomats and consular officers overseas and they have children born, both may be Barbadians and the child is born outside of Barbados, they are not deemed to be citizens of Barbados at birth. It is something that the diplomats in the foreign service have been agitating for, for years. I believe that Mr. Orlando Marville has actually written articles on this and the Constitution Review Commission in this Report recommended that legislation be brought to deal with it.

Sir, you will see that in clause 3 of the Bill, we say as the new section 4A of the Constitution says,

“A person born outside of Barbados after 29th November, 1966 shall be deemed to be a citizen of Barbados within section 4 at the date of his birth if he is born to a citizen of Barbados who at the date of the birth is in the service of Barbados in a diplomatic or consular capacity.”

Those really are the essence of this Bill to amend the Constitution. I say sooner or later we have to equalise the gender bias and give the non-national husbands of Barbadian wives similar rights to those enjoyed by the wives. I believe that this Bill will find a large measure of support in this House and there is not much more for me to say on it.

I therefore beg to move that this Bill to amend the Constitution be read a second time.

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

Mr. SPEAKER: The Honourable Member for St. John.

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, I believe this will be a short debate. I remember that in the Cabinet in which I sat the then Attorney General had already commenced the drafting of legislation to deal with one aspect of this and that aspect related to the right of the husband of a Barbadian citizen who is a woman to become a citizen of Barbados.

I know that this is a long outstanding anomaly and one of those items that was left back from the Commission on the Status of Women, to be implemented. I think it is one of

three outstanding recommendations which received the support subsequently of the Democratic Labour Party. Therefore, I believe it is one of those provisions that should be lifted out of the other aspects of the Constitutional reform because I do not think that it necessarily goes to the issues that are going to be part of the fundamental debate. It is a housekeeping tidying exercise but it is one that I think will relieve a lot of hardship and provide many more persons who have Barbadian roots the opportunity of becoming citizens of Barbados which I think is a very desirable development.

Sir, the Opposition gives its support to this particular Bill before the House.

Hon. Sir HENRY FORDE: Sir, I wish to speak on this Constitution Reform Bill and I do so for several reasons, the most important of which, Sir, is that it seeks to reform sections of our Constitution that are outmoded and discriminatory. Sir, if we wish to achieve a Constitution that bears the quality of good governance, we must hasten to make the changes that are so obvious to all right-thinking persons.
4.00 p.m.

Sir, I had the honour in 1976 to be the Attorney General of this country and one of the first things I did was the set up of a Commission on the Status of Women. That Commission was composed of some very outstanding people in Barbados. They were Miss Norma Forde; Dame Patricia Symmonds; Mrs. Dorothy Allsop; Miss Marjorie Blackman; Professor Ralph Carnegie; Mrs. Yvette Gibson; Mrs. Joyce Holder; Mr. Ronald Hughes; Mr. Anthony Jemmott now Canon Jemmott; Dr. Joycelyn Massiah; the late Senator Milroy Reece and Miss Hildegarde Weekes.

At the time when that Commission was first proposed to be set up, it did not receive the support of the Democratic Labour Party. The first Resolution which I moved as a Private Members' Bill was objected to by the Democratic Labour Party. At that time, they did not find anything wrong with the status of women and it was only on the second Resolution which I moved that it was accepted.

The Status of Women Report became the catalyst of change in the status of women in this country. It also was a leading report that has helped to sensitise people in Barbados about the discriminatory attitudes and the discriminatory laws and practices that we visited upon our female citizens. That report not only alluded to discrimination insofar as it affected women, it alluded as well to discrimination insofar as it affected men.

I wish to recall – because people have very short memories in this country – the outstanding work of that Commission in being a landmark and for pointing out the urgency and the necessity for making changes in our laws and in our Constitution to achieve gender equality.

I am not a recent convert. The views that I hold, I hold very deeply and very strongly and I try to hold them after the necessary research and understanding of problems and not merely for pure short-term political purposes, Sir. That is why I am happy to support this change because when I left the office of the Attorney General, we had implemented almost all of the recommendations of the National Commission on the Status of Women and we had started the work as well on the constitutional changes necessary to achieve the objective of this Bill.

People forget that the Cox Commission also took up the recommendations of the National Commission on the Status of Women and by 1981 when the election was called, Mr. Errol Chase who is now Mr. Justice Chase had begun drafting the changes to the Barbados Constitution.

Sir, it is not often that I speak in this manner, but I must say that in my opinion, this country has become a forgetful country not remembering and recognising the people who have made great contributions to the country, like the persons who sat on the National Commission on the Status of Women. All of a sudden we now hear of those converts who have taken almost 30 years to be converted to the necessity to strengthen the provisions in our laws and in our Constitution, our Supreme Law, to protect women in particular and to remove gender bias.

I do not subscribe to the view that most of the discrimination is against men. I believe that women are still suffering from some of the archaic provisions in our laws. What is worse, there is discrimination in pay, in how we treat them and our attitude as to how we react to them. This sudden fear that women are overtaking men and men are in crisis is only another knee-jerk reaction of some men who do not recognise the necessity to have equality of status in how we approach one another as human beings.

Sir, as a strong believer in human rights, I think it is about time that we make this change, although, Mr. Speaker, I would have been happy to see the change being made as part of the overall constitutional changes which are necessary in Barbados today. If Barbados is to maintain the very high standard of civil governance that we have managed to achieve subsequent to giving all the people of this country the right to vote in 1951— the introduction of adult suffrage — then we must hasten to make all of the changes, Sir.

Sir, I am particularly pleased that the husbands of Barbadian women are going to have a similar right as the wives of Barbadian men to become citizens. I am also particularly pleased that the children who are born to Barbadian men, married to non-Barbadian women outside of our country will find their status equalized as will be the children born to Barbadian women, married to non-Barbadian men. So there will be a similarity in status.

For those persons who have served our country in such an outstanding manner in the diplomatic service, it is only right that their children should be considered citizens of Barbados as though they were citizens by birth and not as citizens by descent because in our laws we do make a distinction particularly in the qualifications for people holding certain offices, between citizens who are citizens by birth, citizens by descent and citizens by registration.

Sir, I hope that with these changes — I make one last plea — the Government would take very seriously the recommendations of the Constitution Review Commission and have an educational programme to inform the public of Barbados about the provisions that exist in our laws. I really confess, Sir, even on this area of citizenship, I am surprised at how lacking in knowledge many people are about the existing provisions and that goes for the whole Constitution. That lack of knowledge permeates all across the society.

I am using this occasion again to appeal to the media who have tremendous influence in the country to clarify in simple terms for the people, the provisions of the existing Constitution and to really do a job of education which some of us have been trying to do for 30 years or more. Unfortunately, I regret to say that I am disappointed with the job the media is doing which is a very important part of governance in this country.

Citizenship is too important a subject. As you know, we look only at the advantages of citizenship but we do not often look at the responsibilities of citizenship. Therefore, we have to teach those persons who are going to be fortunate now to become citizens of Barbados that they do not only have rights but they have duties as well. If one wants to see how well that is put, I am recommending to Honourable Members that they read the chapter under citizenship from page 97 and onwards from the Report of the National Commission on the Status of Women. It is a document of this House already, Sir. Then they would be fully aware that what we have sought to do is to make people conscious not only of their rights but of their duties and responsibilities. 4.10 p.m.

I would hope, Sir, that the Attorney General and his Parliamentary Secretary would move to the stage where they will initiate as part of the policy that every person who becomes a citizen of Barbados by registration should come and swear an oath of allegiance to Barbados, not to any other than the State of Barbados. I feel very deeply about this.

There is no reason why the United States of America which has copied a lot from Barbados including the Charter of Oistins should be able to boast about the ceremony it has when one becomes a new citizen. In countries such as Barbados with the history which we have, we do not ourselves make people recognise that when you get the

citizenship of Barbados, not the citizenship of Britain, Sir, but the citizenship of Barbados that you are as good as anybody else whether it is an American, Britisher or somebody else who gets his or her own citizenship. So that people would have a feeling of dignity and some value about their own country and they do not have to look outside of the country to believe that there are people outside who are better than they are within their own country, Sir.

That is a fundamental view which I hold. I would hope that the Attorney General will have such a ceremony.

Hon. D. A. C. SIMMONS: Mr. Speaker, you will see on page 2 of the Bill in Clause 3(a)(7). I have made provision for that, Sir. It has been my experience that citizenship is treated too lightly in Barbados. We have included in the Bill a provision that before a certificate or other mark of citizenship of Barbados may be issued to a person pursuant to a provision made under this section that person must have taken the Oath of Allegiance which is at the back of the Constitution before an officer of the Immigration Department in that officer's capacity as a Justice of the Peace.

Hon. Sir HENRY FORDE: Sir, I am very glad that it is included. There are only certain persons who swear an Oath of Allegiance and those are the people who give up their current nationality and the Oath of Allegiance is not really sworn to the State of Barbados. So at some stage we will have to change that Oath of Allegiance. That is one of the points I want to make so that Barbadians understand that at the moment we do not swear allegiance to Barbados. We swear allegiance to Her Majesty the Queen and her successors. We also have to move to swear an allegiance to Barbados. That is the point I want to make, Sir.

Therefore, when we swear that allegiance to Barbados, it instills in the minds of our people that they have a responsibility to their country in good times and in bad times.

Mr. Speaker, Sir, I am glad to see that the views which I hold so deeply are standing firm both in good times and in bad times.

Mr. SPEAKER: The Honourable Member for St. George North.

Hon. G. A. CLARKE: Yes, Mr. Speaker, I would want to associate myself with the remarks that were made by the Honourable Member for Christ Church West and also to join in giving my support to this Bill.

Mr. Speaker, it is important when one has to look at this subject of citizenship to be aware that there are a number of countries in the world which, when conferring citizenship on persons, do have formal ceremonies. It is really a 'big

thing' to become a citizen of a country. It is my belief that when one becomes a citizen of Barbados one is treated in a very 'slight' manner. I believe that the Attorney General has right when he said that in conferring citizenship on deserving persons that we should treat it as a 'big thing'. At least these people should swear an Oath of Allegiance to Barbados.

Mr. Speaker, I am also very happy to see that children born to diplomats serving abroad will become citizens by birth. I have called for this and I am glad that the Attorney General has seen it fit to bring it so quickly because my children were born in Canada while I served as the Liaison Officer. They became citizens by descent and the Honourable Member's children as well. Citizenship by birth is important because as a diplomat serving abroad your children are not citizens in that country either. So you are neither fish nor fowl. I am glad they have become citizens and it is retroactive to 1966. But I hope that the Honourable Attorney General would insist that all of those children who fall within that category are contacted by his office and all of these people born since 1966 are issued with the correct documents.

Mr. Speaker, I also believe that there was some discussion of discrimination against Barbadian males who had children out of wedlock with persons born outside of Barbados and that those persons should not become citizens. This is now abolished so that children of Barbadians born of non-Barbadians can now become citizens of Barbados.

Mr. Speaker, the entire Act has clarified a number of problems associated with women and persons born out of wedlock. This is also a very comprehensive piece of legislation which I think would go down in the history of Barbados as being very important.

Mr. Speaker, I also want to speak on the issue of permanent residence. There are a number of persons in Barbados who are seeking permanent residence in Barbados. In fact, Mr. Speaker, I believe that there are at this time more than 10 000 persons in Barbados from within the Caribbean who have been seeking permanent residence for sometime. I know that in the past we have had a lot of these problems and in my constituency there are people who have been living here for years with such problems. One lady, for example, Sir, was born in a Caribbean country, came here at the age of three years and could not find her birth certificate from Demerara. She found it very difficult to get citizenship or permanent resident status although she was living here for more than 70 years.

I would want to ask the Attorney General what facilities are in place for persons who were here for a number of years but cannot find their certificates. It is time for us to look at a period where we can allow all of those persons who do not have a proper status to come in and get registered as a resident of Barbados. I believe that the

Attorney General should set aside a period where you can have an amnesty for all those persons who have been living in Barbados for more than five years. We have to look at it carefully, because at this time when there is a buoyant economy you have a number of persons who are living here illegally and we know that from time to time the immigration officers 'hunt' them down. I do believe that the office must continue to be very vigilant but surely, a number of these Caribbean people are performing valuable service, especially in the construction and hospitality industries and surely we need to look at these things because some of them have been here for a number of years and they do not have legal status. They cannot access any of the services that we offer and I believe that we should look at some facility to help persons acquire permanent residence in Barbados.

4.20 p.m.

In fact, I believe there was a time when most Caribbean people travelled around the Caribbean and they had some form of status. I think that the time has come for us to look at that quite carefully. I remember my father saying that in the early 40s most of the people in those days went over to Cuba or Guyana and got some form of status. I think that with St. Lucians coming to Barbados and vice versa we should have a Caribbean citizenship of some form. I think this rigorous system where you have to show all types of documentation for persons born outside Barbados is quite unfortunate.

In Europe today you do not have passports. Once you are born in Europe you can show some form of identification card and you can travel around Europe. We are living in a global village today and I think that we need to treat our Caribbean people much better than we are doing at present.

Mr. Speaker, Sir, I would like to support this Resolution.

Rev. J. J. S. ATHERLEY: Mr. Speaker, Sir, if I may make a brief input in support of the matter before the House, with your indulgence. I think it is ironic and sadly so that this debate is taking place today on this important issue with reference to facilitating the acquisition of citizenship to both adults and children. It is a debate which is taking place against the backdrop of a recent ugly incident right here in Bridgetown. I refer specifically to the matter of a foreign entity with a welcomed presence in Barbados taking what I personally consider to be a scandalous position with reference to allowing a Barbadian citizen access to medical care and possible medical treatment in the face of the likely impending threat of loss of life to an unborn child and to its unfortunate mother.

This decision taken by the US Embassy officials comes at a time when almost comically, one of the main issues in

the current US presidential campaign debate is the matter of relaxed immigration policy, especially with reference to persons from Latin America and areas close to the Caribbean. They talk in their presidential campaign about a more relaxed immigration policy to be promoted and we have embassy officials at Barbados who can take a harsh and closed position on a matter of life and death.

We seek today through this measure to facilitate adult males in becoming citizens of Barbados. We seek today to facilitate children being recognised, and rightly so, as citizens of Barbados while embassy officials operating under the banner of our welcome can deny one of our own the right to health care and can publicly go on record as advancing flimsy reasons why a decision such as that should be taken and held.

I cannot imagine how it can be palatable to any of us that in the year 2000 any official of any foreign embassy could say to a Barbadian citizen we cannot afford you the right of entry into our country in pursuit of medical care because we do not want our country to be seen as a place of first option for those in need of the medical care which we can provide for the price which you can pay. I cannot understand how that could be palatable in a day such as this.

I cannot understand how priority and premium can be given to a view that we cannot take the chance of allowing you into the United States because, should your unborn child be delivered healthy while you are there then, there is a question of citizenship of the United States. I do not understand how considerations like this can take pride of place and prominence over matters of life and death while you deny an unfortunate mother a basic human right to access health care for which she is able and willing to pay, while you deny an unborn child the basic right to life.

Mr. Speaker, Sir, I would wish that Honourable Members who are legally inclined, legally blessed and legally informed would advise me as to whether or not there is not some measure of liability with reference to a position like that and subsequent loss of life as far as the unborn child is concerned.

I would not want to push that matter any further, Mr. Speaker, but I thought it had to be said in light of the debate which is currently taking place in this Honourable House. I support the notion that we should rid our Constitution and our immigration laws of any stipulations which discriminate against males or females and certainly this legislation seeks to do that. It ensures that non-Barbadian men who marry Barbadian women should have the same entitlement to citizenship as the reverse situation allows.

From the information that I have to date for the period 1996 to 1999, there are 240 to 250 men who are disadvantaged by the current policy position and the current

legislation. I believe that we need to seek to reverse that. Conversely, however, between 1996 and 2000 we have a situation where the department has been able to approve and formalise citizenship status for almost 800 non-Barbadian women who have been married to Barbadian men. Certainly, therefore, something is out of sync here and needs to be addressed. I think that the measure before the House is rightly brought in time to address this matter.

I believe it is proper with reference to children that we remove the discrimination that currently obtains. Certainly we should not be discriminating by our laws or immigration policies against children on the basis of the gender of the parent and thirdly, the legislation allows for that anomaly to exist. Similarly, we should not be discriminating against children on the basis of the marital status of their parents. If I am correct in my recollection I think it was this Administration, while in Government under Sir Henry Forde as Attorney General, which brought legislation to this House to remove discrimination against children here in Barbados on the basis of marital status of parents whether or not a child was born in or outside of wedlock. I see this basically as very much in keeping with that legislation which was brought to this House before.

4.30 p.m.

I just wanted to make that input in support of the Bill before the House. I know there are other matters on immigration policy which are to come before this House and the opportunity will be given to speak further on other important matters but I wanted to make that input in support of the Bill and to make a strident call for something to be done with reference to the seemingly harsh position taken by U.S. Embassy officials, not necessarily governmental or official policy but the personal positions taken by one or two individuals within the U.S. Embassy with reference to poor black people who are seeking opportunities to travel for legitimate reasons. I think this debate takes place in that context of irony and paradox.

I happen to have some day to day responsibility for Immigration in Barbados and the information I am given suggest to me that there might very well be sufficient cause to look with reference to one or two of the individuals at the U.S. Embassy with reference to their adherence to Barbados' immigration laws.

I think enough is said at this time.

Hon. R. C. EASTMOND: Mr. Speaker, Sir, this must be one of the finest hours for the distinguished knight and the Honourable Member for Christ Church West because for more than twenty-two years the Honourable Member for Christ Church West has committed himself, not just fighting hard for his constituents and the underprivileged generally, but for a sense of social justice to prevail wherever there has

been discrimination. I seem to recall, Mr. Speaker, the Honourable Member for Christ Church West being responsible for The Passage for the Status of Children Reform Act of 1980 which effectively abolished the whole concept of illegitimacy and which raised children born out of wedlock to the same level as those born within wedlock. Since then he constantly agitated, Mr. Speaker, for there to be an abolition of all the ancient practices that has seen nothing more than discrimination against women on the question of citizenship.

I also recall, Mr. Speaker, that this country has had a National Commission on the status of women which reported in May, 1978 and among the terms of reference that that National Commission held was to consider the whole question of citizenship and how the existing law discriminated against a group of persons as the law was.

At page 97 of the Report of the National Commission on the Status of Women, the Commissioners found that the sexually discriminatory rules of Barbadian citizenship were found both in the Constitution and the Barbados Citizenship Act, Cap. 186. The Commission made bold to recommend a series of reforms which are being heightened today. At paragraph 190 of page 100 it says: (Gladwin: I have to check this quote with Mr. Eastmond)

"If one assumes that they ought to be no sexual discrimination in Barbados' citizenship law, there are two basic ways of ensuring that result which are obviously the removal of those avenues to citizenship based on a special sexual qualification or the opening of new parallel avenues through the non-qualifying sex."

It went on to make its recommendation.

Honourable Members referred to the fact of a female diplomat, representing the Government of Barbados but based abroad, perhaps being discriminated against just because of her gender. Perhaps, Mr. Speaker, what could be even more embarrassing would be this scenario.

Imagine a female diplomat who gave birth by pure accident in the Embassy of Barbados overseas. If she gave birth very rapidly and unexpectedly in an Embassy there could be an appeal that an Embassy is always the property of the State to which it belongs and that the person born in that Embassy belongs to the country from which the Embassy operates. Somebody else might say that the Embassy is located in a particular foreign territory and the foreign territory in which the Embassy is located, might respond by saying that the child is not a citizen of this territory but should be a Barbadian citizen based on the fact that the child was born in the Embassy.

These types of doubts are now very happily removed when we have a situation where we have accepted that we have modified our laws to bring women to the same level as men have been. I will always remember the Honourable Member for Christ Church West in the 1970s when youthful and in his prime, not that much decline has actually taken place but when the Honourable Member for Christ Church West was really active in this country I remember him almost in tears over the fact that a Barbadian man could go anywhere in this world and get children and the children, subject to taking out a form, can become citizens of Barbados but the woman could not enjoy such citizenship.

I know of men, not born here, who have been married to Barbadian women, who would want to make a positive contribution to the development of Barbados, and men who would willingly swear allegiance to the people of Barbados and to Barbados but they hesitated as to how far they could go in Barbados because they felt discriminated against on the grounds that their wives could not confer citizenship on them to the same degree as a Barbadian man would have conferred citizenship on a foreign woman.

I was made painfully aware, Mr. Speaker, over the last couple of months about this very difficult situation which we are now dealing with facing the footballers because of the denial that was metted out to one or two footballers who, from all accounts and from every sense of justice and commonsense, should really be considered Barbadians.

Happily today, Mr. Speaker, we are dealing with this. However, there exists a problem in this country which I do not think exists to the same degree as ten or fifteen years ago, where some descendants of Barbados, who went to Panama found themselves in the rather invidious position, having grown up in Barbados and lived for years in Barbados and believing themselves to be Barbadians, found themselves without any documentation pointing to their country of birth. These would have been the children of people who went to work on the Panama Canal. Any of them living now would be quite old but they claimed that when they contacted Panama there was no record of them having been born there perhaps either because they came back here at a very tender age or because of record keeping in Panama or whatever but the point is that there could still be a few people in Barbados who were born in Panama who, when they petitioned the Court Registry of Barbados, cannot get a birth certificate, who cannot present a baptism certificate from a church in Barbados that would help the process of getting a birth certificate and who cannot get a birth certificate from Panama, but who have been a resident in Barbados for so long, and who not only worked and made a contribution, but who have also have retired in Barbados. 4.40 p.m.

I have come across cases like this. I do not mind mentioning, Mr. Speaker, a case of a man called Rufus

Cummins, who I know very well, who was born in Panama of a Barbadian father who went to the Panama Canal to work. The Honourable Member for St. George North mentioned a similar matter affecting someone who was born in Demerara.

In recent times, I believe also under the Honourable Member for Christ Church West and the Honourable Member for St. George South, we passed some laws and regulations modernising the system of registration among which was the Vital Statistic Registration Act and other Registrations. I believe that the Barbados Labour Party administration of 1986 went as far as the Change of Name Act, modernising the law of changing names and not relying on the former rules.

It is a tribute, Mr. Speaker, to the Honourable Members of this great party, I almost said this great dominant and rampant party, that over time we have seen the likes of the Honourable Members for the City and St. Thomas who make all types of outstanding contributions and endure all types of experiences in politics. They have inspired those younger, as I recalled myself being a member of the younger groups by the example they have set in constantly thinking about what is good for this our motherland.

I want to commend the Honourable Member for St. Thomas to have a full debate in this Parliament to modernise and reform our Constitution, to do something which the Honourable Member for Christ Church West, if he had his own way, would have done way back in time. I want to commend the Honourable Members for Christ Church West, St. George South, Christ Church South and these great labourites who always sit and reflect on what is necessary and what is good for this country.

When the history of law reform is written in the annals of Barbados, the Barbados Labour Party under this Attorney General, the Honourable Members for Christ Church West, St. George South and St. Thomas will go down as the true genuine law reformers who took the Members of a Party that has, whatever the experiences have been, and always will be, been dedicated to advancing Barbados and to ensuring that Barbadians of all walks of life receive the type of social justice and the type of equity with which Barbadians have always been familiar and which Barbadians certainly believe, indeed, are theirs by rights.

Long live Barbados, Mr. Speaker, and let the law continue to be reformed in the same spirit in which it has been brought here.

Thank you very much.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, after that most powerful speech I feel somewhat nervous.

Asides.

Hon. Miss M. A. MOTTLEY: The girth which the Honourable Member for St. James North has in physical stature was communicated in the speech that he just gave. I would want to associate myself, very strongly, with those sentiments that he expressed in respect of the distinguished record of this Barbados Labour Party, the post Independence Barbados, in respect of our law reform.

I think that it can truly be said, Sir, that on matters that will fundamentally alter how this society is ordered or how this economy functions, that this Government has done and has brought the reforms to ensure that we see a veritable, socio-economic evolution of Barbados in the twentieth century, particularly in the post Independence years.

I want to speak to this amendment, Sir, and I want specifically to congratulate the Attorney General who responded very willingly to the urgency of this amendment. I remember, Sir, in the Other Place, speaking to this matter, sometime in 1991, and urging the then Government that if they felt a strong compassion for women, that they are seemingly trying to parade, all through the newspapers yesterday, that they would have seen it fit to have brought this constitutional amendment prior to the Elections in 1991, given that they had the numbers, even without the cooperation of the then Opposition, to ensure that the amendment would have passed.

As true to form as they have always been, matters that affect the fundamental rights of women in this country have never been seen as a priority to the Democratic Labour Party Government. I want, Sir, to go on record, therefore, in thanking the Honourable Attorney General for ensuring that this matter could be taken up and that we could debate it, not because we just want to have it there for so, but by its very passage and by the very signature of the Governor General when this amendment is proclaimed.

There are thousands of children of Barbadian parents, either Barbadian mothers who were married to men or Barbadian fathers who were unwed, who will be able now to benefit not only from the rights of citizenship to this country, but equally will benefit from all of the other decisions taken in pursuance of the creation of the single market and single economy in the Caribbean. This is fundamental, Sir, because even prior to the establishment of the Single Market and the Single Economy, the commitment of skills throughout the region, and this will therefore allow many descendants of Barbadians who currently live outside of the Caribbean region to be able to offer their services, if they so desire, for a wage in the Caribbean countries that have complied with the agreement on the freedom of movement of skills.

Sir, not only are we therefore seeking to correct a wrong in the discrimination that takes place against both

women and men, but we are also expanding the skill base that is immediately available to the Caribbean populations. I speak deliberately not only of Barbados, but to the Caribbean population and economies to ensure that five million or so living between North America and Europe who also have something to contribute, can have a greater opportunity to give of their services, knowledge and wisdom to the development of this region.

At this juncture in our development, Sir, it is not ours to be able to refuse assistance where assistance can be given. Indeed, Sir, I believe as we order our business in terms of the development of the economy and the society, that we must change some concepts that have traditionally guided us. One of the major concepts that we must change is that of what constitutes the diaspora or, in fact, what constitutes the on-shore population capable of building a country.

I believe, Sir, that we have to see our responsibility as well as our resources as not limited to the population living on-shore in Barbados, but indeed, those wherever they may be found, whatever part of the world, and those who are direct descendants of Barbadians.
4.50 p.m.

Sir, technology has made it possible for the instantaneous communication and delivery of certain aspects of services that can enure to the benefit of this economy, this society and indeed strengthen our national identity. Therefore, this will allow us to recongise that instead of relying mainly upon the 260 000 souls living in this country that immediately, we can call upon another 250 000 scattered between the United Kingdom, the United States of America and Canada.

I believe, Sir, that the footballers who would immediately benefit, would strengthen the Barbados team in its quest to go further in the World Cup Finals and they would really only represent a microcosm of what is possible for us in the rest of the economy and the society by extension, in order for us to pull in these resources that exist.

For example, we have many people who may not know that the Deputy Attorney General of the United States of America is a Barbadian by descent, both his father and his mother being Barbadian by birth. If he or any other one in his circumstance, therefore, would want to benefit from Barbadian citizenship, this legislation now allows them to do so.

I am also happy, Sir, that we are bringing the amendment to remedy the situation that occurred with Barbadian diplomats who, when they had children born overseas, may very often have found that their children were 'stateless'. It cannot be right that a person representing the Government at the very highest level in a foreign territory should be disadvantaged by virtue of that representation, to

the point where their children are denied the very essence of their being, in relationship to the country of their parents' birth. I think, Sir, that this amendment seeks to correct those deficiencies and it cannot be too late.

I know that there are those who would want to suggest that this should have come with the other constitutional amendments but I think that is wrong. There are, as I said, thousands of people who would benefit from this amendment when the ink from the Governor-General's pen dries. I believe that the Attorney General has been correct and wise to single this out and to bring it as quickly as he has done, partially motivated by the need to boost the Barbados Football Team but also motivated by the need to correct the wrong things which all women in Barbados have been speaking out against for a long time.

Mr. Speaker, I finally want to say that we have to recognise that the laws are instruments to benefit society and to build and strengthen the economy and national identity and that by the creation of these laws we are capable of altering the social and economic environment within which people function. I do believe, Sir, that this will ensure the strengthening of Barbados' economy. It will enure to the strengthening of our national identity and it will enure to the strengthening of our society even if only also to ensure that there are different strains that are allowed to enter the gene pool to strengthen our genes as we move forward into a new generation.

Asides.

Hon. Miss M. A. MOTTLEY: No. It is a very serious point because any small island state will always be subject to that and that is a consideration that one must always have, in respect of the movement of people in and out of the society. Indeed, those who belong to specific ethnic groupings are perhaps even more conscious of it than we may be.

I believe, Sir, that this is what Parliament is made for – to be able to bring about this type of change to the benefit of all. I believe that today, therefore, sees Parliament doing work at its very best and the very highest kind of work that can come before us. I want to salute the Attorney General and the rest of this Government for being courageous enough to bring the amendment, particularly for the women of my generation, Sir, many of whom have gone away to study and decided to marry while they are away and who have suffered by reason of the fact that their children have not been able to benefit and their spouses have not been able to benefit in the same way that others do.

I say so because the increase in the numbers of women studying abroad has largely come since the independence of Barbados and therefore it is more a problem today than it would have been 20 or 30 years ago. I thank them for bringing it and I look forward however, to soon being able to

debate the other major changes to the Constitution which I believe are necessary to help reshape this society and this economy.

Hon. D. A. C. SIMMONS: Mr. Speaker, I rise to wind up and I wish to thank all Honourable Members for their contributions and the Opposition for its help and support on this measure. I thank the Honourable Members who congratulated me for bringing this legislation. It is all in a day's work, Sir, and I have a philosophy about politics. I know that the comments that were made were sincere but my philosophy about politics is very simple, your best is always your worst.

Sir, I wish to assure Honourable Members that the Green Paper on Immigration will be in this House when we resume after 10th October, 2000 and we will have a full-blown debate on the Green Paper. As to the amnesty which was mentioned, Members may not recall but let me refresh their memories.

In October, 1994, we gave an amnesty. I did it by administrative action, in a letter to the Immigration Department setting out the policy that those non-Barbadians who were here and undocumented prior to September, 1992, should apply to be documented. The response has been reasonable without being outstanding and some of the Members on my Side have told me that people are still afraid. There is no need to be afraid. Just go in and ask for the relevant documents and we will try to assist them.

In 1996 we gave amnesty to 169 persons; in 1997, 240; in 1998, 154 and in 1999, 260 persons. As much as the Honourable Member for St. George North is urging upon me for greater liberality in the movement of CARICOM nationals in and out of Barbados, I have to warn that there are certain security considerations that the Honourable Member for St. Michael West and myself must take into account in the interest of Barbados' national security. We are having a problem with Caribbean nationals committing crime in Barbados and we are also having a problem with Caribbean prostitutes disporting themselves all about Barbados...

Asides.

Hon. D. A. C. SIMMONS: ...sex workers, they call them. It is a serious problem. Last year 1999, deported 127 persons. Up to the 31st July this year, I deported 118 and another three just now. I did three orders here just now. Let me tell you the countries that are contributing to the problem and I am not speaking pejoratively, I am giving the facts. 1999: Guyana, 61; St. Vincent, 20; Trinidad and Tobago, 14 and St. Lucia, 6. Up to July, 2000, 56 were from Guyana, 23 from St. Vincent and the Grenadines, 7 from Trinidad and Tobago and 1 from St. Lucia.

5.00 p.m.

The main reasons for deportation in 1999: prostitution – 34; fraudulent documents – 23 – they are using fraudulent passports and they are switching boarding passes at the airport and they are switching them for \$10 000 a time – drugs – 17, larceny – 13; entering without consent – 9.

Up to July this year, these are the figures: prostitution – 33; fraudulent documents – 15; drugs 12; larceny – 11 and landing without consent – 10.

Asides.

Hon. D. A. C. SIMMONS: Well, those 10 were the ones that got caught and when they go to court, they say that a boat dropped them off down Brandon's or they drop off the boat whatever.

These relate to security matters and we have to be ever vigilant. The last convention that I attended in Vienna which was two or three weeks ago, one of the protocols to the Transnational Organised Crime which will be signed in December in Palermo relates to the trafficking of women and children for prostitution purposes. Barbados will be asked to sign that protocol at the end of this year or early next year. It is a burdensome international issue. My Ministry has a responsibility to put the national interest as paramount. When we bring the Green Paper on Immigration, we will have a full-dressed debate on it.

Sir, for the time being, I wish in closing, to thank the Honourable Prime Minister for the readiness of his response and his support for this Bill. When I called him on Friday and told him that I thought as a matter of law reform we had to do it urgently, he said to me, go right ahead and let us do it by round robin. I thank him for his understanding and support in this matter and all Honourable Members in the House as well.

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

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

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

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clause 1 was called and passed.

Clause 2 was called.

Mr. D. J. H. THOMPSON: Mr. Chairman, I just looked at a point and I want to raise it with the Honourable Member.

In his second reading presentation and in the presentation of most Members, I am included, the impression may have been given that this Bill will, in fact, remove entirely the discrimination against non-Barbadian men who marry Barbadian women.

There was a lot of nice rhetoric but when I look behind the provision essentially under section 3A (1)(b) there is still a three-year waiting period which would apply to men marrying Barbadian women which does not apply under section 6(1).

Under section 6 (1) of the Constitution of Barbados, it says:

"Any woman who, after the 29th November, 1966, marries a person who is or becomes a citizen of Barbados shall be entitled, upon making application in such manner as may be prescribed and, if she is a British protected person or an alien, upon taking the oath of allegiance, to be registered as a citizen of Barbados."

So at the time of marriage those rights vest immediately. But in this clause 3A (1)(b) it says:

"A person who has been married to a citizen of Barbados, and cohabited in Barbados with that citizen, throughout the period of 3 years or such longer period as may be prescribed, immediately preceding that person's application."

Then it said at the top that a person has a right upon application to be registered as a citizen of Barbados.

I heard the Honourable Member for St. Michael North East waxing very warmly about all these Barbadian women who are studying overseas as if they are going to bring back husbands to Barbados. Those men are not entitled under this provision to any citizenship in Barbados. They will have to cohabit in Barbados for three years prior to being allowed citizenship and ...

Asides.

Mr. D. J. H. THOMPSON: The point was made that it removes all discrimination. You cannot wax one and be all rhetorical and then when the facts are put before you, you start to contradict them. That is the reason the Senators had problems with that Bill the other day up there. When they were pointing out a simple fact, everybody jumps up and acts as though they are legal luminaries. The facts are here. There is still discrimination. If that is Government's intention, then let us make sure that that is so but let us not pretend that the entire element of discrimination has been removed.

All this Bill said is that whereas a non-Barbadian man marrying a Barbadian woman prior to this legislation would not automatically be entitled to citizenship, all that happens now, is that person has to cohabit in Barbados throughout a period of three years or such longer period as may be prescribed. Whereas a woman who is not a Barbadian who marries a Barbadian man is automatically, and as of right, entitled to citizenship. So the discrimination has not been fully removed. I want to make sure that is what is intended because what you have is a situation where the word "person" is being used in section 3 (a)(1)(b) when in fact this section only refers to a man and not to a woman because a woman is already covered under section 6 (1) of the provisions of the existing Constitution.

5.10 p.m.

Hon. D. A. C. SIMMONS: I thank the Leader of the Opposition for his observation. As I said at the beginning, this Bill is intended to right certain wrongs which have pre-existed. The Honourable Member for St. Michael West gave the number of persons in Barbados, there are over 200 we believe from a cursory check today, who have been disadvantaged. But the advice that was rendered to me was to limit this for the time being because of the problems which we are having with marriages. If we did not do that, it would be easy for somebody to present some certificate that they got married in Guyana or wherever and all of a sudden turn up in Barbados. We want to be assured that when the people say that they cohabited in Barbados for three years they did. This is carefully worded to minimize the possibility of a sham for the time being. When we come to the overall Constitution, any of these areas of slight difference may be changed. But there is a problem and Honourable Members who are practising law are aware of the shams. This is only to ensure, Sir, that we have a chance to supervise and no unfair advantage is taken of the Laws of Barbados.

Mr. D. J. H. THOMPSON: I am cooperating with the Attorney General, but in my absence an absurd attack unnecessarily and unprovoked was launched on the Democratic Labour Party. Now I know that this Government likes propaganda and rhetoric. I only wanted to point out that despite our attempts to cooperate at the end of the day what was happening is that people who should know better and who did not read the law were in here grandstanding that the Barbados Labour Party had done so much for these women in Barbados who the Democratic Labour Party had neglected.

All that I am saying is that sometimes people should reflect before they jump up, go into the kitchen with the heat and then discover that the facts are not necessarily the same as they outlined. We are willing to cooperate. As I said when I was in Cabinet, I had seen a similar draft of this piece of legislation. Two weeks ago, I said to the Attorney General, 'why do you not lift this out of the Constitutional

amendments and bring it before the House? We will support it.' Then two weeks later you called me back and we agreed on a plan of action. I hope you will illuminate the dark corners of your Members' minds on those matters.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I rise to speak on this because perhaps the comments of the Leader of the Opposition relate more to his complete and comprehensive admission as to their lack of a record as it relates to the status of women in this country. If he wants to talk about rhetoric and propaganda, there is no greater set of rhetoric and propaganda than what was perpetrated at George Street on Sunday. It is for this very reason that they have had an opportunity when they had a two-thirds majority to even allow the spouse of a Barbadian woman to register as a citizen of this country whether after three years or at all.

Sir, I was not accusing the Honourable Member but I will now do so because he was part and parcel of that Government in 1986 to 1991. What is more, Sir, this statement can only come as usual with his petulant remarks and in light of the fact that he knows that he has a distinct sensitivity about the deficiencies in his own record under his stewardship as it relates to women in this country. When he does find women, he cannot begin to talk about putting them on a level playing field but will go on Sunday at George Street, Sir, and seek to parade before the entire country propaganda and rhetoric to make us feel that in the 46 years of its existence the Democratic Labour Party has now suddenly discovered that there are species of human beings other than a man that live in this country.

Sir, I want to hold to my original remarks and I want to salute the Attorney General. I do believe, Sir, that section 6(1) of the Constitution ought to be amended so that the discrimination will cease not to bring this section 3(1)(b) in line with section 6(1), but the other way to require of Barbadian men who marry foreign women that they too should have to wait for a period of three years before getting citizenship of this country.

Citizenship, Sir, is a serious thing. Citizenship requires of Government a level of expenditure that relates from welfare to state benefits of all types. I believe, Sir, that the increase in technology which allows people to move freely in this day and age means that we are always going to be subject to an increase in sham marriages. In those circumstances, Sir, I know that it is preferable to have persons prove by reason of their commitment to the marriage that it is a serious marriage. Therefore, they should be entitled to the rights that flow with it.

I only have to say to the Leader of the Opposition, Sir, that he speaks of reading the law, but he is the only lawyer that I know in Bridgetown that is frightened to go into a court before a judge and argue a case. Perhaps, Sir, that has

to do with the fact that unlike this Chamber he can be answered on the spot and he is frightened, Sir, of any toe-to-toe opposition in any court of law. I do not mind the Leader of the Opposition, Sir. He is the one who must now have to go and find women to justify the fact that all of a sudden his internal committee that told us that one of the reasons for his massive loss in both 1994 and 1999 came as a result of the exclusion of women in his parliamentary party and in relation to the organisation of the elections. The attitude of the Democratic Labour Party that sees women only as being worth something for cooking rice and stew in the Democratic Labour Party's George Street Headquarters has to come to an end.

I have no doubt, Sir, that the Leader of the Opposition would also, in correcting his sensitivity, nominate a woman to the Senate within the next few days. Suffice it to say, Sir, all of those pleas and calls from the Leader of the Opposition are a little too late and a little too little to satisfy us that they have any true care and have done anything to advance the status of women in this country.

I want to say, Sir, that I believe and go on record that section 6(1) should be amended to allow for a three-year period as well for Barbadian men who marry non-Barbadian women. But I do believe, Sir, and I hope that the Attorney General will deal with this when the Bill comes back, that the section which requires the cohabitation in Barbados should be removed for both Barbadian men and women but that when it is on all fours the three-year period, Sir, should be there because we have as a country to ward off against the spectre of sham marriages.

Mr. CHAIRMAN: The Honourable Member for Christ Church West.

Hon. Sir HENRY FORDE: Mr. Chairman, this is not to shut up my friend, the Honourable Member for St. James North. I am sure when he comes to speak he will bring his usual outstanding erudition to bear on the subject.

Sir, both the National Status of Women Commission and the Constitution Review Commission have strongly recommended that persons who enter sham marriages should not automatically qualify for citizenship of Barbados. That is whether the sham marriage is by a Barbadian man who marries a foreign woman or by a Barbadian woman who marries a foreign man. Now there is tremendous precedent for such legislation in Canada, United States of America and also if I look in the Commonwealth of Antigua and elsewhere.

5.20 p.m.

Such legislation does not offend the fundamental rights of persons or, in fact, the conventions governing the movement of persons or the status of persons so that there is

nothing wrong in prescribing a period of cohabitation in order to prove that the marriage was a genuine one. The legislation which we hope eventually would reconcile section 6 of the Constitution with the new section 3(a) has to take into account that there must be some way of prescribing either conditions of residence or times of residence.

The only hesitation I have about section 3A (1)(b) is the prescription that the cohabitation must take place in Barbados, not a three-year prescription, because the cohabitation can take place anywhere else. Therefore we must be careful.

Aside.

Hon. Sir HENRY FORDE: I think the Attorney General was explaining that he wants as a policy to monitor. I would have been happier with a phraseology which says a person who has been married to a citizen of Barbados and has cohabited with that citizen for such period as may be prescribed immediately preceding that person's application. If one gets it that way, then I think the reconciliation with section 6 is much closer and one has the position...

I would like to suggest that a person who has been married to a citizen of Barbados and has cohabited with that citizen for such period as may be prescribed immediately preceding that person's application. I think that if it is so draughted, then it removes anything and it gives the Attorney General the period of cohabitation that is necessary which may be a longer period by prescribing by legislation.

I believe that the department's view was for a period of five years and, certainly, I have seen in my own constituency several instances of sham marriages. I have seen a person married and within one or two years under the Family Law Act coming for a divorce and I expressed surprise at his marriage but I was even more surprised at the divorce, except to learn that they have never really slept together and that certain monies had passed. So we must be conscious of these positions and there is a necessity to have that limitation within the law. If the Attorney General would take that amendment, I think that any criticism which has come of the non-coordination between the two sections would be removed from the legislation. It would read 'a person who has been married to a citizen of Barbados and has cohabited with that citizen for such period as may be prescribed immediately preceding that person's application'.

Hon. R. C. EASTMOND: Mr. Chairman, before looking at the policy in clause 3A (1)(b), I am minded to inform this Honourable House that within the Commonwealth a few years ago a full court sitting in Australia of all places, laid down a principle that no court should look beyond the marriage to ascertain the true motive of the marriage. I thought about that, because that is not the

type of principle I would commend here. We have to take into account the circumstances in which we live and circumstances which are prevailing. The clear policy behind clause 3A (1)(b) is that where a person from outside of Barbados marries a Barbadian that the marriage must be a genuine marriage and not a marriage cooked up to get around the law or to exploit the law.

I am hearing repeatedly in the last six months that there are Barbadians who are actually taking fees to marry non-nationals and the Honourable distinguished Member for Christ Church West has just said so and it is happening.

I also know of circumstances which invite suspicion to such a degree that even before the passage of this particular enactment the Immigration Department has had to be very suspicious about persons of a certain gender coming here and getting married on the assumption that the moment the marriage occurs the citizenship comes down. I know of cases, and the Honourable Attorney General and the Honourable Member for St. Michael West must know, where ceremonies of marriage have been gone through between Barbadian men and non-Barbadian women and the Immigration Department has been wise enough to tell the female applicants to let us do particular enquiries before your application is processed.

The clear purpose in clause 3A (1)(b) is for this country to be honourable in its purpose in granting citizenship to non-Barbadian spouses of Barbadians and at the same time extracting the same honour from those who are coming in here as residents consequent upon their marriage. Such honour is going to exclude marriages of convenience and sham marriages. I personally have no difficulty with the purpose, especially when I read the long title behind the purpose, but I am attracted to the amendment which the Honourable Member for Christ Church West has just urged upon us.

In any event, I will conclude by saying that even where law confers a right, the right has to be properly consummated, usually by a process and, in any event, nothing here excludes the printing and preparing of regulations and rules to support this. The policy is clear that we propose that a spouse who marries a Barbadian will be entitled to Barbadian citizenship, irrespective of gender or sex even if sex is functional and gender biological. The point is clear we are removing the last vestige of discrimination.

The Honourable Member for St. John has concerns and I believe the concerns have been appropriately addressed by the Honourable Member for Christ Church West. It is true, Mr. Chairman, that Barbados is a desirable domicile. In fact, there are those who believe that Barbados is a place where whosoever will may come, and in an era where you have smart men, con men, money launderers, gangsters, prostitutes

and hookers who want to get in here, we must extract honour from people in a degree where we do not want them to exploit the legal process to be able to land for themselves rights which will not be taken from them in clear circumstances where their motives have been lacking in honour and smacking of dishonour. Thank you.

Mr. D. St. E. KELLMAN: Mr. Chairman, speaking on 3A, I am happy this evening that the Barbados Labour Party finally recognises that citizenship of a country is important.

A couple of weeks ago while discussing the recommendations on constitutional change I was under the impression that the Barbados Labour Party was not aware of the abuse of certain rights under the Constitution if we were allowed certain constitutional recommendations to be passed. I must say that I cannot say that of everybody because a certain gentleman on the Backbench who will remain nameless at this time was quite clear in his mind of what I was speaking about when I spoke about marriages of convenience and adoptions of convenience. If we did not protect that particular Clause in the Constitution, Barbados would find itself where certain people would ask citizens of Barbados to adopt children for them and then we would have situations, when those children were adopted, that those children would have been left to certain people to look after them.

5.30 p.m.

I am happy to hear what I am hearing this evening because it is clear to me this Parliament is now in the right direction. I hope that what I am hearing this evening is not just rhetoric. If it is just rhetoric, it means that this Parliament is in total confusion.

Asides.

Mr. D. St. E. KELLMAN: It cannot be law when 3(a) says one thing and Section 6 of the Constitution says something different. Do not come to me with that.

Asides.

Mr. D. St. E. KELLMAN: Law that is at conflict cannot be law.

Mr. Chairman, I am saying that we have to be clear in our minds what position we want to take on this particular matter. We cannot have a Constitution and we cannot be saying that we want to have equal rights for everybody when we have two sections when this is amended which will be at conflict with each other.

This is the point that was being made by the Leader of the Opposition. We must be clear in our minds that the law that will relate to the marriage of the man is the same as it

relates to the marriage of the woman. Nobody on the backbench who has been elevated to another office, who does not understand what is being debated today and who cannot take part in the debate can govern or direct me on what to say on this particular matter.

Mr. Chairman, I am saying that the confusion that has been created here today must be cleared up. Everybody understands quite well what the Attorney General is trying to do because he has spotted that there is a particular problem going on in the country. What is even more relevant is that I listened to a comment made today and it is clear to me that the Attorney General understands what is going on in this country and if we do not make the right correction to our Constitution that we are going to hand Barbados to people who have never worked hard in this country. It is very important for the Attorney General to keep a tight grip on this matter.

I thank you, Sir.

Mr. D. J. H. THOMPSON: Mr. Chairman, I raised this matter at the beginning because I wanted to be clear in my mind that persons who had spoken in the debate understood what they were speaking about. I said that because, as I have said, the debate was pregnant with rhetoric which did not square with the provisions of the amending Bill.

I believe the Attorney General will have to agree with me on this. There is still an element of discrimination that remains. The Attorney General is saying yes, that it will be temporary because when we do the Constitution Reform we will tidy it up. If that was clear from the outset, we would not have had all of this grandstanding which sought to cloud the very intent and purpose of what was agreed from the outset in relation to this matter. All of a sudden people were getting hot under the collar about what was said on Sunday. I have to try and recall what was said on Sunday that could be so hurtful to somebody. I did not speak on Sunday, three ladies spoke and if after three ladies spoke they offended a lady, why should I get into that?

Asides.

Mr. D. J. H. THOMPSON: It is nothing to do with me. They can battle that out. I am not trying to outdo anybody. Somebody talked out 'out-manning' but I am not trying to outdo anybody. I have come in here to represent the people of St. John and I was not even looking at that international perspective but apparently it has caused offence.

Asides.

Mr. D. J. H. THOMPSON: If it has, I am sorry but it did not come from either one of us and people can outdo each other in whatever way they wish to do it on any occasion.

We are speaking about this amendment and what we are essentially speaking about is the disconnection because we are dealing with a serious constitutional amendment. We are dealing with the law, we are not dealing with propaganda, apparitions, illusion or political old talk because the impression would have been given, having heard certain people that tomorrow morning when this is passed, that a Barbadian woman sharing a similar age to somebody in this Chamber, who is studying overseas, for example, that their husband would automatically be entitled to citizenship and that is not what this is saying because this requires the people to cohabit in Barbados for three years.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, on a point of order. The Honourable Member is seeking to make a speech on a misconception. It is unfortunate that he spent his time out of the Chamber while I was speaking but seeks now to make a statement in relation to my speech. I indicated then and stand by it now that there are persons of my generation who, when the Governor-General signs this Bill, will have spouses who will be entitled to citizenship in this country and they would never have been entitled before this amendment. Sir, the reality is that while they might be those now who may have to serve the three-year period outside of Barbados there are also substantial numbers who will be entitled automatically because they live here, they are married to non-Barbadians and have been living here for more than the three years. I do not know what type of nonsense or hearsay the Honourable Member for St. John is speaking on but sufficing to say, Sir, that I realise that he has developed a habit of speaking on matters on which he knows absolutely nothing or relying on hearsay...

Mr. CHAIRMAN: Honourable Member, you have made your point of order.

Mr. D. J. H. THOMPSON: Mr. Chairman, the Opposition raises a concern, the Honourable Member for Christ Church West comes up with a valid Resolution. We do not know what we are talking about but the Members on that Side have acknowledged, as a result of our intervention on a constitutional matter, that it is a valid concern. That the requirement to cohabit in Barbados is a valid concern and the Honourable Member has proposed a further amendment. He would not have proposed that as an eminent constitutional expert unless it made sense. It did not originate over there, Mr. Chairman, the concern originated on this Side.

There was a second concern and this is the point I want to make. In a sense what you are doing is creating conflicting provisions in the Constitution even though there may be temporary because Section 6(1) refers to a woman whereas Section 3(a)1.b. refers to a person which includes a woman. As I understand it that section is only to apply to a man for the time being and when we amend the Constitution we will change Section 6(1) so that the benefit which accrues to women now, or the less rigorous procedure, would not apply and they would have to have a period of cohabitation.

As I have said, you have two conflicting provisions and both of those provisions apply to women when that is not intended because there is already a provision of the Constitution which applies to a woman who marries a Barbadian man. What you want in here is a man who has been married to a person who is a citizen or entitled to citizenship would thereby, through cohabitation *et cetera*, be entitled to citizenship in Barbados.

5.40 p.m.

The woman's situation is already covered by the existing Constitution. When you put this amendment into our existing Constitution, you have two provisions which apply to women. One in a sense supersedes the other, but the fact is that you still have two provisions. I do not think that it would be wise to leave the Constitution open to an interpretation like this. If you are leaving 6 (1) then you have to change the word "person" to "man" and proceed from there.

I do not know how, I am not a drafter. I agree with the Honourable Member for Christ Church South. I am not even attempting to draft, on my feet. This is a constitutional amendment. If we pass it as it is, it is going to create problems. I believe that whatever can be done to tidy it up, however best we can, it needs to be done.

Hon. D. A. C. SIMMONS: Sir, when I introduced the Bill, I explained that clause 3(a) (1) (b) as presently drafted was meant to deal with the situation of persons in Barbados who have been married to men in Barbados, non-nationals, married to Barbadian women. The most they can get is permanent residence. It is the other way around – non-national women married to Barbadian men have the right to be registered as a citizen.

I explained that figures that we have in the Immigration Department suggest that there are over 300 – just from 1996 – 1999, we have 240 non-national men who have been granted permanent resident status through marriage. There are all those before and there are those for this year who have applied and the department and the Constitution Review Commission wanted this matter dealt with.

We have put in the phrase "co-habited in Barbados" because of the proliferation of sham marriages. We wanted to make sure that was the policy that informed this.

Asides.

Hon. D. A. C. SIMMONS: Members have drawn to the House's attention that, perhaps, we could delete certain words and the brackets and I accept that. I think that will remove the doubt.

Honourable Members must read on the Bill. That right to registration is subject to qualifications and exceptions

which may be taken in the interest of security of public policy. That is to say, I can deal with the problem of sham marriages as an exception and a qualification.

If you go to the existing Constitution you will see that I have to prescribe it as an Act and it would mean that the Act most appropriate for prescribing in accordance with the language of the Constitution would be the Citizenship Act, Chap. 186. You will see in the definition in the Constitution what prescribe means. All I would recommend to the House is to accept the amendment proposed by the Honourable Member for Christ Church West.

Asides.

Mr. D. J. H. THOMPSON: There is a transitional period. There is no guarantee that that transitional period is going to last. I cannot guarantee nor can you that the Constitution amendments are going to take place tomorrow or next week – you said that on the outside, a year or two. That is why, as I understand it, all you are trying to do is to correct an anomaly that applies in relation to a man who marries a Barbadian woman who is a citizen or a Barbadian citizen who is a woman.

It is not intended to apply to a woman who marries a Barbadian man, because that individual is already covered by section 6 (1) of the Constitution. So if you are not amending section 6 (1) and you leave the word "person" it means that both section 3A(1)(b) as well as section 6(1) apply to women and that is not what Parliament, as I understand it, is intending.

I think that is what needs to be addressed. This section is to apply to a man. I know the word "man" may not be defined – I do not know if it is, under the Constitution or the interpretation, but neither is the word "woman" and it never caused a problem in relation to the application of section 6(1). Since it is only transitional, I believe that you need to be clear, however, that it is this section that applies to a man who marries a Barbadian woman.

Hon. D. A. C. SIMMONS: Sir, because the general word "person" is used it applies to man or woman.

Asides.

Hon. D. A. C. SIMMONS: Sir, I am going to accept the advice of the consultant, and he is a Barbadian consultant to the Chief Parliamentary Council. I want the House to follow me carefully. Include before the word 'cohabited' in line 2 the word 'has'.

5.50 p.m.

Asides.

Hon. D. A. C. SIMMONS: A person who 'has been married to a citizen of Barbados and has cohabited', include 'has'. Delete 'in Barbados' with that citizen. Delete 'throughout the period of three years'. Delete the brackets and the word 'or' and substitute 'for such period'. Delete 'longer'.

Asides.

Hon. D. A. C. SIMMONS: Sir, let me read the amendment.

"A person who has been married to a citizen of Barbados and has cohabited with that citizen for such period as may be prescribed immediately preceding that person's application will have the right to apply to be registered promptly, subject all those who..."

I beg to move then, Sir, that clause 3(a) (b), as amended, stand part.

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

Clause (2) as amended was called and passed.

Clauses (3) and (4) were called and passed.

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. C. EASTMOND, Mr. CHAIRMAN reported the passing of one Bill in Committee with amendments and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. D. A. C. SIMMONS, seconded by Hon. R. C. EASTMOND, the Bill was read a third time.

Mr. SPEAKER: The question is that this Bill be read a third time and may I remind all Honourable Members that for the purpose of this Constitutional Amendment, we will need to have a record of your votes individually. We will record your 'Ayes' and your 'Noes'.

The question is that this Bill be read a third time.

The results of the poll of that Bill for the third time, all Honourable Members unanimously said, 'Aye'.

Hon. D. A. C. SIMMONS: Mr. Speaker, I beg to move that this Bill be now passed and cited as the Constitutional (Amendment) (No. 2) Bill, 2000.

Mr. SPEAKER: The question is that this Bill be passed and so cited.

The results of the poll of the passing of that Bill. Twenty Honourable Members said 'Aye'. No Honourable

Member said 'No'. This Bill is therefore now passed and so cited.

ORDER NO. 7 – THE PREVENTION OF CRUELTY TO ANIMALS BILL, 2000

Mr. SPEAKER: The Honourable Member for St. Philip South.

Hon. A. P. WOOD: Mr. Speaker, I rise to move the second reading of the Prevention of Cruelty to Animals Bill, 2000.

Mr. Speaker, in recent times, we have seen a deterioration in the relationship between individuals in Barbados and certainly the relation between individuals and animals in this Barbadian society. This state of affairs, Mr. Speaker, has been a cause of concern for a number of individuals and agencies. Most notably, the RSPCA, members of the RSPCA and those concerned Barbadians over the inhumane treatment and abuse meted out to animals, particularly by the owners and those responsible for the care of those animals. This has impressed on the relevant Government agency the importance of updating or producing new legislation to prevent the cruelty to animals in this country.

Mr. Speaker, it was noted that the existing legislation which stood, believe it or not, from 1903 was not adequate to authorise agencies like the RSPCA or any other person to take action against offenders found to be committing certain acts of cruelty to animals.
6.00 p.m.

Mr. Speaker, when we look at the previous piece of legislation which stood since 1903, as I said earlier, we find that the penalties therein for persons found guilty of offences under that piece of legislation did not reflect present-day reality or justify the time and administrative cost incurred by the Royal Barbados Police Force, the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and, of course, the law courts. Mr. Speaker, the penalties therein were as low as \$24 for some offences, for other offences \$48 and in some cases a mere \$10. Obviously, Mr. Speaker, those penalties did not serve as a deterrent.

In responding to numerous calls, the Ministry of Agriculture and Rural Development established a committee under the chairmanship of the senior veterinary officer and that committee included representatives from the Royal Barbados Police Force, the Ministry of Health, the RSPCA naturally, the Veterinary Services Section, the Customs Department and other personnel from the Ministry of Agriculture and Rural Development. Following a series of meetings, a draft Cruelty to Animals Amendment Bill was

prepared. However, due to the numerous amendments proposed under the recommendations of the Chief Parliamentary Council, a decision was taken to prepare a new Prevention of Cruelty to Animals Bill, 2000 to replace the Cruelty to Animals Act, Cap. 128 of 1903.

Mr. Speaker, the proposed amendment as set out in the new Bill provides for additional definitions. It also deals with the inclusion of new sections, the deletions of some sections and it addresses the woefully inadequate level of fines which existed in the 1903 piece of legislation.

If we were to have a look at the Bill, Mr. Speaker, and go through the various sections or clauses you will get some idea of the inadequacies of the fines. For example, in section 3, which deals with the ill-treatment to animals, it is proposed to increase the fine for offences under this section from a mere \$24 per offender to \$1 000 in respect of each animal mentioned in the charge or to imprisonment for a term of 12 months or both.

I will take you through, Mr. Speaker, on this part of the Bill to give you some idea as to how seriously we at the Ministry of Agriculture, in collaboration with the Solicitor General's Chambers, have taken this particular matter.

If we go to section 5, the penalty for tethering and abandonment of animals, there is a fine of \$5 000 for an offender or imprisonment for a term of 12 months or both. Provision is also made for the offence of cruelty to be committed where a person, namely the owner is having charge or in control of any animal without reasonable cause or excuse to abandon it in circumstances or is likely to cause it unnecessary suffering. The fine in respect of this offence is once again \$5 000 or imprisonment for 12 months or both.

One of the common practices in Barbados which is a dangerous one, and is an example of how inhumane some Barbadians could be, relates to dog-fighting. Despite the level of cruelty to those dogs, persons being quite inconsiderate take the opportunity to transport these animals across Barbados to play games. Mr. Speaker, bets are put on these games but the reward for those owners of the stronger dogs can be quite considerable.

Mr. Speaker, years ago in my village in St. Philip, this distasteful practice was carried out and from time to time members of the Royal Barbados Police Force could be seen coming to the location to, and as we say, 'scatter the crowd'.

Mr. Speaker, when we look at section 6 of this Bill, recognising the seriousness and the cruelty to these animals, the penalty for such offences as fighting of animals or baiting any bull, is to be increased from a mere \$24 to \$10 000 or imprisonment for 12 months.

Some may say that this fine is a little excessive but we need to send a strong message to those persons who seem to think that a comfortable living can be had at the expense of the safety of animals such as dogs.

Mr. Speaker, as I continue, I go to section 8 of the Bill to the compensation for cruelty. We are proposing that the level of compensation payable under this section for abusing, ill-treating, beating or causing any damage or injury to an animal, be increased from a mere \$48 to a sum not exceeding \$5 000.

The Bill also addresses the conditions under which impounded animals are kept. Mr. Speaker, whereas animals that are kept in private homes or whether they are impounded, require adequate levels of water and adequate levels of food, we are making it mandatory for persons who are responsible for making the necessary contributions to make sure that these animals are well kept so that the fines for failure to provide sufficient food and water to an impounded animal is recommended to be increased from \$5 to \$500 for every day the offense continues.
6.10 p.m.

Section 10 of the Bill, Mr. Speaker, addresses the use of condemned animals. In the 1903 piece of legislation the fine for persons using animals which are condemned stood at \$10. We are suggesting that that be raised from \$10 to \$500 per day for each day of use.

Section 11, Mr. Speaker, deals with torturing or unnecessary suffering. Once again we are here proposing that any person found guilty of torturing or causing suffering to an animal under this section is subject to a fine of \$2,000 or a term of imprisonment of 18 months instead of the mere \$48 which existed previously.

Mr. Speaker, from time to time we at the Ministry of Agriculture get complaints for conditions under which animals are held while being transported. That is something which we need to address as well. Section 12, Mr. Speaker, addresses that. Under this section, it is proposed that the fine for the torture or unnecessary suffering of animals in transit be increased. Notwithstanding the fact, Mr. Speaker, that some of these animals might be on route to the abattoir, I have been told by those who are qualified to know that the animals should be transported in good condition. They should not be subjected to conditions that would cause them to be under too much stress, because when the animals are killed, Mr. Speaker, this shows up in the quality of the meat. It is very important that notwithstanding the fact that the animals are headed to the abattoir that we still should treat them humanely as possible. We are proposing that the fine for torture or unnecessary suffering of animals in transit be raised to \$500 instead of \$15 for the first offence and \$1,000 instead of \$24 for all subsequent offences.

Mr. Speaker, this Bill also includes a provision that seeks to give an authorized person the power to enter and search premises where that person reasonably suspects that animals are being kept in a manner that is contrary to the Act. As I said earlier, new definitions appear in this Bill and one of those definitions, Mr. Speaker, relates to authorised persons. It gives the Minister of Agriculture the latitude to determine who should be an authorized person in this context. We have also included in this Bill offenses for obstructing those authorised persons from carrying out their work.

Mr. Speaker, some will say that this Prevention of Cruelty To Animals Bill, 2000 is a little late but some may say that it is timely. We recall that just a couple of weeks ago, Mr. Speaker, an example of the most inhumane treatment of animals in Barbados came to the surface. Those of us who have an interest in matters of this type found that it was nothing short of an outrage, Mr. Speaker, to see the condition of those innocent and precious animals at that location. This reinforced the efforts which were made all along by members of the RSPCA and other concerned Barbadians that we needed to do something with the 1903 piece of legislation and specifically relating to the structure of the fines.

It was important, Mr. Speaker, that we revised those fines upwards to a level that would act as a real deterrent for persons who might even want to contemplate treating animals in an inhumane way.

Mr. Speaker, when we look at section 20 of this Bill and I am glad that it is here, it deals with the continuance of pending proceedings. This is a transitional provision that seeks to cover any proceedings which are currently before the law courts. I am happy, Mr. Speaker, that this Bill takes care of those cases which are currently being dealt with by the law courts. I hope that any person who is found guilty of offences of cruelty of any form as contained in this Bill will be given the full weight of the law.

Desirable as these changes are, Mr. Speaker, what I would like to see is that there will be strong enforcement of the law in these cases. We in this Honourable Chamber are seeking to do what is in the best interest of the animals and the public of Barbados. We will make the laws here, but having done that, we want those responsible for the administration of the law in this country to do their work in a very assiduous manner so as not to diminish the value of our work in this Honourable Chamber.
6.20 p.m.

I know the officers of the RSPCA are very comfortable with what we are seeking to do by way of this Bill and I also know they will share what I have just said in relation to enforceability. Those officers have been working very hard to

protect the health of animals in this country and I want to take the opportunity in this Honourable House to applaud them for the good work that they have been doing over the years.

I also want to applaud them for the persistence with which they address this particular issue of updating the 1903 piece of legislation.

Mr. Speaker, I commend this Prevention of Cruelty to Animals Bill, 2000 to the House and it is my wish that the fines contained therein would act as a real deterrent to those persons who treat animals in an inhumane way. I beg to move that this Bill be read a second time.

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

Mr. D. St. E. KELLMAN: Mr. Speaker, I rise to speak on this Bill and to make an observation from the beginning and that is that it is very strange that this Bill would have a definition for animals and the word "monkey" is not included. I do not know if it has been an oversight or whether there was no discussion with the environmentalists of the country. What is rather interesting about this Bill is that a couple weeks ago while dealing with a Bill relating to the NCC, I brought into this Parliament discussion about the monkeys and I was severely criticised by the Other Side and it is clear to me that they knew what they were bringing in this particular Bill.

Hon. D. A. C. SIMMONS: On a point of order. The Honourable Member is out of order to anticipate legislation. It is contrary to the Standing Orders, and the criticism that day was that he was making a lot of monkey talk about monkey business.

Mr. D. St. E. KELLMAN: It is clear to me, Sir, that the Honourable Members on the Other Side knew their intentions and it is not by accident that the word "animal" does not include the monkey.

Hon. D. A. C. SIMMONS: Sir, the Honourable Member has failed as usual to pay attention to the language of the law. The definition of "animal" in clause 2 says:

"animal" includes any horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, cat, dog or any other animal.."

Sir, we refer to that as applying generic rules, meaning of the same genus or the same kind.

Mr. D. St. E. KELLMAN: Mr. Speaker, I am very glad that no less a person than the Honourable Member for St. Thomas who happens to be the Attorney General spoke on this particular matter. It is rather interesting that there is an

ongoing debate in this country about cruelty to animals, and the main animal that is being spoken about at this point in time happens to be the monkey. The Barbados Labour Party cannot find it fit to put "monkey" in and would tell me "any other animal" would cover the monkeys. What is amazing about that, Sir, when I researched to find out the persons shooting the monkeys it frightened me. They do not want to offend their friends but you will hear about dog fights and cock fighting. When you witness a dog fight or a cock fight, who do you see?

Aside.

Mr. D. St. E. KELLMAN: It is true some might look like you but they are not all monkeys.

Mr. Speaker, let us not downplay this particular point. Even though it might be covered because "other animal" could include the monkey. It is rather interesting that "dog" is included, that "cock" is included and the "monkey" is not included. Everybody in Barbados knows who shoots the monkeys. There is a particular group of people who take their guns and go around shooting monkeys but you go to a cock fight, Sir, or you go to a dog fight and tell me if you do not see a different type of person around dog fights and cock fights. But of those people who can shoot the monkeys, strip out the young ones from the bellies of the mothers, there is no mention.

It is rather strange, Sir. If we are going to be passing and amending legislation we should not go around in circles to achieve what we want.

Aside.

Mr. D. St. E. KELLMAN: Will the new Bill do that? I would still have loved to see the "monkey" in here for the simple reason that those people who take their shotguns, and you know who owns the shotguns, would know that we are after them too and not only the fellows on the street who have the dog fights and the cock fights. This Bill really seems to be aimed at them. It is a serious thing.

Mr. Speaker, Sir, I also want to say that this Bill comes at a time when we are dealing with a particular problem and I would like to warn the Minister of Agriculture now on this particular matter. Even though I support this Bill we have a serious problem in this country as it relates to cattle. There are a lot of people in Barbados who wanted to supplement their incomes, who kept and reared cows and now they have found themselves in a serious predicament where they have spent thousands of dollars to keep these particular animals and they cannot find a market for those animals.

Even though I sympathise with the Government because I do not feel it is all right for anybody to ill-treat the animals, we must also look at the other side where you have

said to people to get involved in agriculture and you will provide a market and all of a sudden that market has been removed from the people. That is a consideration. I do not know how the Minister will solve this particular problem but he must also take this into consideration because I know of constituents of mine who had to put advertisements on the radio stations of Barbados to get rid of their cows. They actually gave them away because they were becoming a liability and they could not find a market to sell the cows.

We, as parliamentarians, even though we want to be reactive, must also be proactive and must recognise that if we have helped to create a situation that we must solve that situation without using the heavy hand.

Aside.

Mr. D. St. E. KELLMAN: What is amazing is that the Honourable Member for St. James North understands that with globalization coming in, it is going to be more difficult for the farmers of Barbados to get rid of their cattle. I am glad that he mentioned it, because he wants to find out if I understand how it relates to world trade and how it relates to the dumping of meat on the market which will affect the people of Barbados.

Mr. Speaker, we find a situation in this country where the farmers are suffering. The question is how are we going to help the farmers of Barbados? Are we going to just come to Parliament and bring a Bill which says that if a man does not have money to feed his animals anymore that we are going to lock up that man?
6.30 p.m.

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, on a point of order. I hate to do this to the Honourable Member. The real section of importance in this Bill is Section 3. In that section *mens rea* is specifically and expressly written into the section and you will only be liable if the act is done wilfully and deliberately. There must be some intent, some mental element associated with your act, Sir.

Mr. D. St. E. KELLMAN: Mr. Speaker, you know the lawyers like to use words, so that was another case of lawyers using words. The truth is that if a man does not have money to feed his cows they will starve. The question is, what are you going to do then?

I am wondering if the Ministry of Agriculture could come up with a scheme, the same way they deal with stray cows, whether they can also look at that aspect to solve the particular problem.

Sir, I am also offended by Section 11. I hope Section 11 is not to prop up the abattoir because it seems to me that Section 11 is hitting at backyard slaughtering. I hope that this is not put in here to deal with backyard slaughtering.

Asides.

Mr. D. St. E. KELLMAN: Just because backyard slaughtering is not in a Bill does not mean it does not relate? Must you see everything to understand what is going on?

I am saying, Mr. Speaker, that we have to be very careful because it is clear to me that in this country a lot of people believe that all of a sudden we should dump everything that we are accustomed to doing and jump on bandwagons. We also have to be very careful that the environmentalists do not come and tell us that we must also add certain insects to this Bill. Sooner, rather than later, you will hear that this Bill is not wide enough and that there is also cruelty to insects.

Asides.

Mr. D. St. E. KELLMAN: I said insects and I am going to elaborate on that. I am saying that we also have to guard ourselves against the environmentalists because....

Hon. R. R. FARLEY: Mr. Speaker, Sir, on a point of order. I hate to interrupt the Honourable Member when he is making his presentation but he is misleading the House deliberately. On behalf of the small people that the Honourable Member for St. Lucy is sworn to – at least he was sworn to them up until this moment when he departed from his chosen path of protecting the interest of small people – to import into the meaning of the Bill, that Section 11 concerning torturing of animals required for food, suggests that backyard slaughtering automatically means torture. This is to indicate a clear lack of understanding of the process. Indeed, Sir, much loving tender care is usually exhibited by small individual farmers and the stock that they attend to for food. The old people always tell you not to let the animal suffer. Apart from the people who transport them on the road tethered and almost choking, which is an offence in this Bill, you will never find a small person from the country letting animals suffer before slaughtering for food. The process of butchering is usually swift so that death is instantaneous and no torture is permitted, Sir.

I will not let the Honourable Member libel the small people that he used to defend by implying that backyard slaughtering automatically means torture and will, therefore, find people guilty under Section 11 of this Bill.

Mr. D. St. E. KELLMAN: Mr. Speaker, I must congratulate the Honourable Member for Christ Church East for getting back to basics. I thought three years ago that he had forgotten everything about backyard slaughtering. It is quite clear to me that if this Section 11 is ever used against the backyard slaughterers that I will get the support of the Honourable Member for Christ Church East. It is good to know that in the year and-a-half that he has moved

downstairs he has been able to take some good advice from me and he is now back to basics. He is away from the boardroom and is now back to the backyard. I am proud of you.

Mr. Speaker, I am saying that we have to be very careful that this particular section is not put in here to work against those backyard slaughterers. I remember well, Sir, the last time the Health Act was amended that a section was inserted and no discussion went on it because that particular section was specially geared towards those people who operated backyard slaughtering. You have the Health Act being amended, now you have this Act being amended and I am going to say this, Sir, slowly the law is being used to destroy the process that was used to educate most of the young, bright Barbadians who have been able to develop in Barbados off the backbone of backyard slaughtering.

I thank you, Sir.

Hon. D. A. C. SIMMONS: Mr. Speaker, I wish to clarify some of the uninformed infusions of the Honourable Member for St. Lucy. Sir, I want to deal first with the backyard slaughtering because I can see this thing being distorted as he wants it distorted and put out to the public.

Backyard slaughtering is dealt with under the Markets and Slaughter Houses Act, Cap. 265 of the Laws of Barbados.

His party, in 1964 when Mr. Errol Barrow was Prime Minister, brought legislation in here. I am not criticising the legislation, it is a piece of legislation that clearly recognised the cultural traditions of Barbadians who have grown up on engaging a piece of meat, for example, engaging five pounds of pork.

Sir, in 1964 recognising that backyard slaughtering was a cultural tradition in the country, so as not to outlaw it, Parliament passed legislation which was the amended Act, 1964, No. 49. It says this:

“13. (1) Every person who in the City of Bridgetown or within five miles of any public or licensed slaughter-house slaughters any animal intended for the food of man elsewhere than at a public slaughter-house or licensed slaughter-house shall be liable on conviction by a court of summary jurisdiction to a fine of fifty dollars.

(2) Every person who sells or offers or exposes for sale in the City of Bridgetown or within five miles of any public or licensed slaughter-house fresh meat of any animal (other than imported fresh meat) not slaughtered at a public slaughter-house or a licensed.

slaughter-house shall be liable on conviction by a court of summary jurisdiction to a fine of one hundred dollars.” So you had a five-mile radius.
6.40 p.m

Asides.

Hon. D. A. C. SIMMONS: Section 11 of the new law does not deal with that situation at all. It does not deal with slaughtering or for the purpose of the sale of foods. I want to make that point, Sir.

We worked very closely with the Ministry of Agriculture but particularly, I want to place for the records of this House, the assistance that I got with this Bill as recently as the day before Kadooment, last week Sunday morning at my office at the Ministry of Home Affairs at 9 o'clock, Mr. Wayne Norville of the RSPCA was down there working with me to finalise this Bill. He brought a number of important insights which we were able to use to refine this Bill and get it to the state that it is at.

Its essential purposes are, first of all, to repeal a law of 1903 which is not concurrent with today's conditions. Secondly, to make sure that the penalties for cruelty to animals are more realistic in today's environment. Thirdly, and, most importantly, the purpose of this Bill is to enable the Minister of Agriculture to authorise persons to go and seize and remove animals which are suffering or have been caused unnecessary suffering by neglect and wanton cruelty.

Prior to the Bill there was no authority for the Ministry of Agriculture to act. Now the Minister can merely write in the exercise of the power vested in the end of clause of the Act – I hereby authorise you Wayne Norville of the RSPCA to go and do whatever you have to do – using the appropriate language. You can authorise RSPCA, an Island Constable and of course, a Police Constable has authority at law, already existing. He does not need any special authority. Those were the real purposes of the Bill to reduce cruelty to animals.

I am going to tell the House one other thing before I sit. I have asked the Attorney General of Trinidad and Tobago, last week, to send me a copy of their recent legislation that deals with the outlawing of pitbulls. I will be working on that legislation during the vacation with the Ministry of Agriculture.

Asides.

Hon. R. R. FARLEY: Mr. Speaker, I want to applaud the Minister of Agriculture for bringing this Bill. It is my reading of the situation that one can gauge something of the level of the consciousness in a society by the way that it treats its animals.

I believe, Sir, that any society which would today claim to be civilised and would want to claim to have a high degree of development is a society which must have that reflected, Sir, in the way that it treats animals.

Sir, I want to reflect on the fact, that perhaps is also unfortunate, that we would need to move to have a legal solution to what should be a solution in terms of our way of life. In a by-gone day, in Barbados, there was a greater respect and a greater sense of awareness of the care of animals. Therefore, it is unfortunate that we should have to go this route to achieve these ends.

Sir, it is my view, also born out of my experience, that providing children in our society with the opportunity to interact in a very close and constant level, Sir, with animals, taking care of animals, is an important part of their development. I believe, Sir, that those children who are exposed to the care of animals display, in their adult life, a greater respect for life. They have a greater sense of responsibility and a greater appreciation for the softer things in life.

None of us, Sir, who has been raised in the country or who had otherwise had the responsibility to raise or to be involved in animal husbandry, can forget that sense of discipline. You cannot want to have imposed on you a greater sense of responsibility at an early age than you often had to forego your comforts and your pleasures, in order to ensure that the animals that were placed in your care were taken care of, whether it be getting up early in the morning, Sir, to tie out the sheep and remembering to stop cricket, or to come home from school to tie in those sheep in the evening. Whether it was making animal provisions for your dog, which was about to have puppies and to ensure that they were protected from the sun, rain, vultures and any other dangers or whether it was, Sir, in the area of poultry. Whether you were sophisticated and you had a 'fowl pen', Sir, or whether you were less sophisticated and you had 'free-range fowls', in those days known as yard fowls, Sir, you had to know where their nesting places or were to go and seek out their eggs, Sir. Whether it was a larger scale operation of raising a herd of cows – whether for milk or for meat, Sir, the bottom line is that children who were raised in that experience had a greater appreciation for the need to care for those animals and the respect of life of those animals. I believe in our society today that we would do well to give our children experiences. Whether it is by way of animals raised for food or just domestic pets.

Unfortunately, Sir, today there are some children who do not know what it is to raise a cat or do not know what it is to cuddle a dog. Their perspective on the place these animals have in our society is a bit warped. I believe, Sir, that by extension it could also have some repercussions in terms of the way they approach life in general, including human life.

Sir, I want to reiterate the point which I raised on a point of order concerning the perspective of people who raised animals, small people who, obviously, have a more intimate relationship with their animals than persons who raise large birds, and the whole issue of backyard slaughter, Sir. Sir, there is no coincidence between backyard slaughter and torture of animals. Some persons not connected to the process may consider paradoxical that anyone can be considered humane or be treating animals humanely but yet slaughter them for food. There are many people, Sir, if they had to engage in backyard slaughtering or slaughtering in an abattoir or seeing meat being slaughtered would not eat meat.

The bottom line, Sir, is that the generally agreed principle, and the vets will bear this out, is that even though you are moving animals to the point of slaughter, you do not tether the animal or otherwise cage it, that you cause muscle damage, blood clotting and suffocation. That is what section 11 of the Bill speaks about.

6.50 p.m.

Sir, I am making the general point that it would not even enter the contemplation of a person who is involved in animal husbandry to inflict those conditions on animals even when they are going to the point of slaughter. But, Sir, I want to indicate that there is a need for greater responsibility on the part of several persons who are involved these days in animal husbandry.

When I was growing up, Sir, and you were given the responsibility of looking after the cow or the sheep you knew that one important responsibility was to ensure that it was properly tethered. We have the situation in which there are more cows and sheep roaming around more freely than there were many years ago. I also have the situation in my constituency where one of the hotels in the area very often has to get the assistance of heavy moving equipment to remove some cows which regularly wander off from a nearby field where they are not properly tethered and they end up in the swimming pool. So as the cows enter the pool, the guests scamper and then the property owner has to go to the expense of pumping and cleansing the pool and the like. There is a large open field nearby so there is more than enough room for those cows, if properly tethered, to be able to enjoy the green grass of Barbados and for the hotel and its guests to enjoy the comforts.

Sir, there is also the situation where there are people who live in certain areas of Barbados where the covenants to the land which they buy and where the Town Planning permission which they get to build houses, indicate that they cannot keep these animals because of the close confines and obvious distress to neighbours. But, Sir, persons are able to move into those areas and tie lots of cows and other animals which very often are left unattended and lacking in basic care, much to the distress of the animals and the persons,

who themselves as property owners are restricted from undertaking such activity themselves. Therefore, Sir, there has to be greater care and concern displayed by these individuals.

Sir, there is a fundamental point which we cannot ignore. We all know there is a great connection between animal health and human health. So that even for those persons who themselves may not be into the upkeep of animals whether it is a pet or of another nature, we have to be all concerned about the whole issue of animal health as it affects human health. We can better control the political situation mentioned when all animals are in care of individual households, but, Sir, the dangers, which are now well documented, that are posed by flies, ticks, worms and other parasites and can be transferred from animal to animal and from animal to human beings is really exacerbated when there is a large stray population of animals.

Therefore, whatever care you may take of your animal at home, Sir, using the various tick and flea powders and control measures – I do not want to call commercial names but we all know the ones that we get from the vet, the anti-parasitic compounds – if they are stray dogs in the neighbourhood with ticks and flies, your efforts will soon be undone. All of us know that the great plagues of Europe were caused by flies going from rodents to people and back. The Honourable Member for St. Michael South Central will know much about that so there is every reason, Sir, why all of us have to be concerned about the care of animals in our society.

Sir, no where is the lack of care and love for animals displayed as in the whole area of dog fighting. The Honourable Minister spoke about the whole issue of the cruelty inherent in the process but where the act of cruelty is compounded, is in the treatment which is meted out to the dogs after they have gone past their best. It is not unusual for these animals which are themselves dangerous, Pitbulls and other species, to be left to roam neighbourhoods unattended. Sir, very often, when the dog is injured and can no longer earn money by fighting, he is let loose as a stray by unscrupulous owners. This means that your children and mine and the children of this country generally, are left exposed to very, very grave danger.

Sir, for those several and various reasons, I want to applaud the Minister of Agriculture for updating this legislation on cruelty to animals. I would hope that arising out of the stiffer fines which are in this particular Bill that we will not be exposed, either to the increased danger of disease by an increase in strays, or by the danger from the dangerous breeds of dogs. I am glad to hear the Attorney General is taking steps in that direction and I hope that we, as a society,

will take the opportunity to once again to raise the consciousness of our children and to give them the very happy and pleasant experience which those of us, who have had the honour and privilege of being involved in animal husbandry at an early age have had.

I commend this Bill to the Honourable Members and it is with pleasure, Sir, that I support this Cruelty to Animals Bill, 2000.

Hon. R. C. EASTMOND: Mr. Speaker, Sir, I rise not only to commend modernising the law and reiterating our commitment to the prevention of cruelty to animals but I also rise to look particularly at the clause 6 of the proposed legislation. Clause 6 deals specifically with the question of a person, keeping, using or managing premises for the purpose of fighting, training or dating bulls, dogs and suchlike.

Sir, as far as that particular provision in clause 6 is concerned, I was horrified some years ago to hear that in this illegal business of dog fighting, persons had gone out in the outback where they thought they would not be easily detected and established a mini stadium by which they would provide the premises and the accommodation for the very dirty and vulgar practice of the dog fighting and sometimes cock fighting.

Mr. Speaker, Sir, we must not only deprecate dog fighting in any form, we must also look to the fact that fighting dogs and all that goes with it could engender a measure of depravity. I understand that on location there is illegal betting and sometimes threats of violence over dishonoured bets. I understand too, that in secluded parts of Barbados, this thing is something of a spectator sport where people turn up in their scores to watch it. I am therefore also attracted to the provision, clause 6(3) which says any person who in any manner encourages by his presence or aids the fighting or beating of any bull, dog, cock or other animal commits an offence.

Sir, the notion of 'who in any manner encourages by his presence' means that the deliberate and willful spectator who is on premises or location giving moral support to the pastime, who is either involved as a spectator deriving perverse satisfaction or looking to gamble on which dog or dogs will win, is now liable to an offence punishable by a maximum of \$10 000 or imprisonment for a year. I welcome this particular provision. There are healthy pursuits in this world.

7.00 p.m.

There are pastimes in this Barbados which we can voluntarily pursue without being so inordinately cruel to innocent animals, without being so depraved as to go betting,

gaming, hollering, and suchlike at illegal activities like cock fighting or dog fighting.

Honourable Members on this Side who have read law would know of the famous case which they learn in their first six weeks of studying law, of the R. vs. Coney. Everybody who has read law knows that if you are present by chance as an innocent bystander, not actively encouraging or participating in the activity, then you have a defence. But I rather suspect that bearing in mind that the locations of these fights are in secluded areas where you must commute some considerable distance, that almost every attender and spectator at a dog fight is a willing participant, even if not as a dog owner, certainly as a person lending moral and other support to this nuisance. Mr. Speaker, it should have been dealt with long ago.

The other dimension to the whole matter is that persons who see themselves as habitual dog fighters – because some owners of dogs see themselves as the fighter urging on the dogs, like how you would have a jockey riding a horse and motivating the horse – often get the dog to do particular deeds and a lot of these people having lost a dog fight, then look now to see how to play with the genes and increase the strength of the dog so that they can then go and get stronger and more vicious dogs. I understand now that the popular practice is to employ pitbulls. A callous, vicious thing called a pitbull is often used to fight dogs.

Now, in an ordinary mismatched between a 'pot-starver', a mongrel and a pitbull, the 'pot-starver' or mongrel has no chance so they are disposed of totally. But in a heroic fight between two vicious pitbulls, not only are we going to get cruelty to the very pitbulls, but since pitbulls are known to be uncontrollable, the very participant is at risk because pitbulls in this country have been known to turn on their owners even when their owners have been benign and kind to them.

I am going to welcome and support any legislation which the learned Attorney General brings to get rid of the pitbulls from Barbados. We have had enough of them. I saw one recently, the purpose for raising it could never really be determined, but I suspect that the true owner was hoping some day to fight it in a dog fight, but he reared this thing on his premises, he left one day and went down the road and heard a massive alarm in the neighbourhood and lucky for him he did not go too far away and when he turned back the pitbull had turned on his elderly mother although he lived in a kennel at the house where the old lady was living for years.

Pitbulls seem not to have any loyalty to owners, to occupants of the premises they live on or to anybody and they are very dangerous. The very look on their faces suggests that they are vicious brute beasts, lacking in pulchritude but with a particular vicious temperament and

even as we contemplate doing something about them in Barbados, they are often used in this very nasty nuisance called dog fighting.

As I conclude, the Honourable Member for St. Lucy seemed to suggest that they were problems and as he did on more than one occasion in the past, he pleaded a very special case for the inclusion of monkeys. The section to which he alluded really is dealing with animals typically domesticated.

In addition, Mr. Speaker, I think the Bill here is clear on its own face for the purposes to which it is delegated. It is crystal clear. I believe it is going to go some considerable way toward making sure that we are friendlier and nicer to animals bearing in mind that there is a theory, that even a child who is learning to love and care an animal seems to benefit from the interaction of the loving care to that animal.

As I bear in mind the clarity of this piece of legislation, I am attracted to something uttered by Lord Donaldson when he was Master of the Rolls in a deciding case called *Merkur Island Shipping Corporation vs. Laughton and others*, cited as two appeal cases of 1983 at page 570.

Lord Donaldson as Master of the Rolls made bold to say and I quote:

“The efficacy and maintenance of the rule of law, which is the foundation of any parliamentary democracy, has at least two prerequisites. First, people must understand that it is in their interest...”

It is in the interest of this whole society that we suppress cruelty to animals.

Secondly, as I continue to cite Lord Donaldson, he said:

“In the community as a whole, people should live their lives in accordance with the rules and all rules and they must know what these rules are.”

After tonight and after this particular Bill completes its passage through the parliamentary process, no Barbadian can plead ignorance of the law. The last law on this was passed long ago and has lapsed through trends in terms of the application, because I do not know if it still applies, it is a 1903 law. No Barbadian can now say that he or she is unaware of this law. No Barbadian can also say that this law is unclear.

Those Barbadians who are prone to ill-treat animals and leave them suffering in the country whether on the beach, whether on pastures or whether beside the road, must now know that this Government is serious in its commitment to bringing the type of governance to this country that all

would welcome and the type of governance that properly balances the many interest.

Nothing in this Act prevents the humane slaughtering of domesticated animals for the purposes of food consumption. Nothing in this Act prevents an owner from lawfully controlling his dog or his cat, but this Act is sufficiently serious to make sure that we develop a new consciousness that just as we respect human lives we are not going to be wantonly and deliberately cruel to animals.

In regard to the prize-sport events which I referred to earlier in my contribution, namely dog fighting and cock fighting, I am sure now that the message will be taken all throughout Barbados for all to know that those activities are illegal and dangerous and that this Government is committed to stamping them out.

With those observations, Mr. Speaker, I am thankful to you.

Hon. R. D. MARSHALL: Mr. Speaker, I join this debate with a short intervention really just to look at two areas.

It has been a practice in Barbados in recent times for owners of old racehorses, instead of putting the animals to sleep, to pass these animals on to young men in the country for free.

These young men take the horses and they ride them. They are not in a position financially to take care of them by way of feed. These horses are tethered on the land of others, they do not have the attention from the vets and so on. When these animals become worn-out and sick, these young men – they are not in position as I said to find medical attention for them – leave the animals there tethered on the pasture. There were two occasions in the constituency which I represent, in the St. Stephens-Grazettes area, where a horse was left overnight on the weekend. On Monday no one came to feed the horse and the constituents called me on the telephone and told me that a horse was there and it seemed as though it was dying. By the time we got to the horse and we asked around about who the owner was, the horse was dead.
7.10 p.m.

Another situation arose in the Grazettes area again where a horse stood on its own and died overnight. This is a practice that is continuing in this country and I would hope that the laws which we are looking at today take care of these people who treat these animals in such a way.

Another area that I would like to mention is the tethering of animals along the highways. The Spring Garden Highway is one such area where tethered animals are left sometimes for days, and the owners refuse to go and give

them water. In the past, those animals used to be given water two and three times a day, but nowadays these animals are left and in their quest to get water they pull up the stakes and break away from the bush where they are tied and they find themselves on the highway. I have found that on many occasions they have collided with oncoming cars. I saw in the newspaper sometime ago someone was complaining and I also had a phone call inquiring about what one should do about a cow which comes across the highway at night. This is a situation that exists. As I said, I do hope that the Minister of Agriculture would be able to take these perpetrators to court in order that they would adhere to the laws of this country.

I thank you, Sir.

Hon. A. P. WOOD: I rise, Mr. Speaker, to wind up this debate. Let me thank all Honourable Members who made their contribution to the debate. Just let me say also that I share the view of the Honourable Member for Christ Church East when he said that it is nothing short of a shame that Honourable Members here have to impose such stiff fines to get persons who are owners or guardians of these animals to do what is expected of them. Given that things have deteriorated to the point in this case in respect of how humans relate to animals, if this is what it takes for us to be a little more humane and more caring for the animals, then we have to go this way.

Mr. Speaker, most of the contributors focused on section 6 which dealt with the cock fighting and the bull baiting. Some may say that the \$10 000 is fairly stiff, but this practice is so distasteful. The Honourable Member for St. James North is correct that it is a bit of a spectator's sport. I myself years ago when I did not know any better, Mr. Speaker, I was drafted into a team, not at the level of betting but, just as an innocent spectator. What I saw, Mr. Speaker, did not give me any encouragement whatsoever to return a second cock fight.

Mr. Speaker, this piece of legislation is timely. I sincerely hope that these fines are stiff enough to act as a real deterrent. As I have said, we need to get back to the

days when we treated animals as though they were our sons and daughters. At this point, Mr. Speaker, I beg that this Bill be read a second time.

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

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. G. A. CLARKE, the House resolved itself into Committee, Mr. D. CARTER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee.

Hon. D. A. C. SIMMONS: Sir, I propose that this Bill in Committee be taken in parts rather than by section.

Mr. CHAIRMAN: If there is no objection, let that stand.

Part 1 was called and passed.

Part 2, Clauses 3 to 15 were called and passed.

Part 3, Clauses 16 to 18 were called and passed.

Part 4, Clauses 19 to 21 were called and passed.

On the motion of Hon. A. P. WOOD, seconded by Hon. R. D. MARSHALL, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

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

ADJOURNMENT

Hon. D. A. C. SIMMONS: Mr. Speaker, that concludes Government Business for today. Sir, I am pleased to inform the House that this is our last sitting before the summer recess. We are returning on October 10th. 7.20 p.m.

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