

THE House of Assembly Debates

(OFFICIAL REPORT)

SECOND SESSION 1999 - 2004

HOUSE OF ASSEMBLY

Tuesday, February 22, 2000.

HOUSE OF ASSEMBLY Pursuant to the adjournment, the House of Assembly met at 11:20 a.m.

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 for 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) Sir HAROLD St.JOHN, K.A., Q.C., LL.B. Mr. L. R. TULL, Q.C., M.A.(Oxon) Hon. Miss B. A. MILLER, (Deputy Prime Minister, Minister of Foreign Affairs and Foreign Trade) Hon. R. C. EASTMOND, B.A.(Hons.), Dip. Ed., LL.B.(Hons.), L.E.C., J.P., (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. Mr. N. A. LYNCH, B.Sc., M.B.A. Hon. A. P. WOOD, B.Sc., M.A., (Minister of Agriculture and Rural Development) Hon. R. R. FARLEY, B.Sc., (Minister of Industry and International Business)

Prayers were taken by Canon Father Ivan Harewood.

Mr. SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, February 08, 2000.

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg to move that the Minutes for the Honourable the House of Assembly for its meeting of Tuesday, February 08, 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: A message from the Honourable the Senate to the Honourable the House of Assembly. The Senate has the Honour to extend its compliments to the Honourable the House of Assembly and to reply to the message from the House inviting the Senate to appoint three Senators to a Joint Select Committee on Law and Order to sit, under the terms and reference set out in the message.

The Senate is pleased to appoint: Senator Jessica Odle, Senator Cyrillene Thomas and Senator Velma Newton, S.C.M., to constitute the Joint Committee with Members of the House of Assembly and to offer every good wish for the deliberations of the Committee, dated the 9th February, 2000, President of the Senate, Sir. Fred Gollop.

PRESENTATION OF PAPERS

Hon. D. A. C. SIMMONS: Mr. Speaker, on behalf of the Right Honourable Prime Minister, I am commanded to lay

The Value Added Tax (Refund) (F.A.C. Collymore Scholar Fund) Order, 2000.

The Value Added Tax (Refund) (Magwhite Marketing Enterprises Inc.) Order, 2000.

The Value Added Tax (Ronmar Holdings Limited) Order, 2000.

On behalf of the Honourable Minister of Labour, Sports and Public Sector Reform, I am commanded to lay:

Instruments adopted by the International Labour Organization at its' 87th Session held in Geneva from June 1 to 17, 1999.

FIRST READING OF BILLS

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg to move that the following Bills be read a first time.

Bill to amend the Sugar Industry Act, Cap. 270.

Bill to amend the Criminal Appeal Act, Cap. 113A.

The Fisheries (Amendment) Bill, 2000.

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

SUSPENSION OF STANDING ORDERS

Hon. D. A. C. SIMMONS: Mr. Speaker, Sir, I beg to move the suspension of the following standing orders for the remainder of today's Sitting 6, 16, 18, 20, 42(5), 43 and 44.

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

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

ORDER NO. 5. - A BILL TO AMEND THE CRIMINAL APPEAL ACT, CAP. 113A.

Hon. D. A. C. SIMMONS: Mr. Speaker, in dealing with this Bill, I am going to take the opportunity to deal with some aspects of crime in Barbados. I think I shall first deal with the Bill so that Honourable Members have a clear appreciation for the Bill and the circumstances that prompt the bringing of this piece of legislation.

Mr. Speaker, on 9th October, 1999, I indicated to the country then, during a press conference that the Government was developing a strategic plan against crime based on the implementation of 10 strategies which had been proven by international evidence to work. I indicated that the 10 points of the plan would be developed by the Ministry and would subsequently be published in a Green Paper on Crime after due consultation and presentation to Cabinet. The Green Paper is being worked on by the Task Force on Crime Prevention and later this year it will become available as a Green Paper inviting public comment.

Among the 10 points that I mentioned and indeed the last of the 10 points, was a strategy to develop greater consistency in sentencing practice. The reason for that goes back to a request that was made of me by the Head of the Judiciary of Barbados, the President of the Court of Appeal, the Honourable Sir Denys Williams, who invited me to enact legislation, such as the Bill that is before the House today. I discussed the matter with the Director of Public Prosecutions, and he too supported the enactment of a Bill to deal with unduly lenient sentences imposed by the High Court or the Magistrate's Court.

On 9th June, 1999, I wrote to the Chief Parliamentary Counsel in these terms and I quote, Sir.

"Both the Honourable Chief Justice and the DPP have drawn to my attention that under existing legislation there is no right in the prosecution to appeal against an unduly lenient sentence."

I requested a Bill to be drafted along the lines of sections 35 and 36 of the English Criminal Justice Act of 1988 where this legislation that we are bringing today is to be found as a precedent.

11:30 a.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

The present Bill before the House seeks to give a right of appeal to the Prosecution and is a direct response to the concerns of the Chief Justice and the Director of Public Prosecutions (DPP) of Barbados.

A draft Bill was drawn up and sent to the Chief Justice for his comments. On November 24, 1999, the Chief Justice wrote to the Chairman of the Law Reform Committee expressing his support for the legislation - I have the letter here - and proposing certain refinements to the draft. As a result of the Chief Justice's comments on the draft in November last year, the present Bill in my view is a substantial improvement on what was originally sent out. The present Bill has the full support of the Head of the Judiciary of Barbados. This is important, Sir, because in our system of law following closely upon the British system of law, it is the Court of Appeal not the House of Lords or the Privy Council who lay down the guidelines and principles for sentencing.

This brings me to a consideration of the role of sentencing. I have said, Sir, and I am going to repeat it and I am going to keep repeating it, sentencing is an important aspect of law enforcement. As I have said in here two or three weeks ago, the crime problem in society however, can and should be tackled by a combination of strategies of which sentencing is one and involves economic policy, social policy, educational policy and environmental policy.

Asides.

Hon. D. A. C. SIMMONS: You need to connect as the Honourable Member is saying. There has to

be a linkage among all of them. Strong sentencing policy can support the purpose and intent of legislation. Legislation by itself cannot solve a problem of crime and deviance. Legislation is one component in a holistic strategy to deal with crime. Legislation has a limited role. Criminologists speak of legislation in relation to crime prevention as tertiary crime prevention. Legislation can send a signal about how society feels about a particular type of criminal activity and it sends a signal about how the peoples' representatives feel about criminal activity.

In 1990, this country enacted the toughest laws on drugs and proceeds of crime in the Caribbean. A signal was sent to all segments of the society that as far as the legislators of 1990 were concerned, drugs was an area which we had to be tough on and as far as we could do - I am speaking about both sides of the House in 1990 - we put the harshest penalties for drug trafficking in the region. I am on record at international conferences as saying - and I have copies of the speeches - that I believe that the sentences that were imposed particularly in the High Court in response to that legislation had the effect of deterring certain traffickers from South America from coming to Barbados. I am not going into anything more but we have evidence that certain South American traffickers did not want to have any truck with Barbados because Judges were sentencing them to \$250 000 and life imprisonment or 25 years imprisonment. They may be using other strategies now. They may be using local operators.

In dealing with the limited impact that legislation by itself can have in terms of sentencing policy, in 1992, the then Government in response to a great upsurge in criminal activity passed amendments to the Public Order Act creating offences such as affray; fear of violence, harassment and so on and put on stiff penalties.

On May 12, 1992, the Democratic Labour Party (DLP) as Order No. 6 of that date brought the Public Order (Amendment) Bill, 1992. I was not in the House that day because I was ill and the Honourable Member for St. Joseph said that I was indisposed, and he made the main speech on behalf of the Opposition. The then Attorney General said that what that legislation was doing was giving statutory form, and I quote from page 1975 of the debate to common law offences such as:

“... unlawful assembly, rout, riot and affray.”

and he explained the theory behind the legislation.

11:40 a.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

Now, once this legislation is on the statute book, Mr. Speaker, one has to recognise that it is not an answer to all the problems which we face because the law itself can have a fairly limited influence in the control of public disorder and crime generally.

The Government of the day found it appropriate - I do not say expedient - to bring very stiff amendments to the Public Order Act because in May 1992 the Attorney General said at the bottom of page 1976 that we have to:

“... control group disorder and violence which is so endemic in our society.”

I am going to read a lot more from this because what was being said eight years ago is like déjà vu now.

When the principal spokesman for the Opposition spoke, the Honourable Member for St. Joseph at page 1977 spoke in terms I am hearing on the call-in programmes and elsewhere.

Paragraph 2:

“... a climate of fear has been created in the society and the reaction has been both vengeful and blood thirsty. There is public clamour for what I call judicial savagery and almost everyone who is calling in to the call-in programmes and speaking in public or writing on these matters seems to be calling for long sentences accompanied by beatings and hangings in appropriate cases.”

This was the Honourable Member for St. Joseph speaking about Barbados on May 12, 1992.

The Honourable Member for St. John spoke of ignorance that was going on at page 1983, not only on the call-in programmes and in the public debates but in:

“branch meetings of certain last class political parties.”

The Honourable Member for St. John at page 1984 on May 12, 1992 said this, Sir:

“A lot of young people do have skills. What they lack is the correct attitude to things like work, correct moral approaches to life generally, the concept of family life and those kinds of things.”

Let me put that in the record, Sir, that from as far back as 1992 the Honourable Leader of the Opposition was talking about family life and family values. He was bothered then, eight years ago. He asked this question at page 1984:

“Why is it that young Barbadian youth regardless whether they come from Chapman Lane, Ellerton or Gall Hill form these gangs or their criminal intents that the majority of incidents are taking place among either their own peers or friends?”

He said, Sir, there are:

“... young people who ... for no given reason would go over and be involved not in just skirmishes, normal gang skirmishes which we have all been used to, but in serious crime. Furthermore, some of them have gone so far as to stop children from other districts from passing through their districts to school and a whole range of other things.”

The Leader of the Opposition was commenting on the state of Barbadian society in 1992 and the attitude of young people. He finished off his speech, Sir, by saying:

“... I believe that the time is right in Barbados for legislation of this sort to protect youth from other youth principally.”

Now I said that it is like déjà vu. I am only trying to show what Barbados was eight years ago, what it is now and that the problem is with us not only here but regionally and I will come to that, in due course. The then Minister of Justice and Public Safety, Mr. Keith Simmons, at page 1997 said this in the second paragraph, Sir:

“... undoubtedly we are having a serious problem with young people. ... we cannot get people in Barbados to pick cotton. ... We have to admit that a lot of us are scared of the young people who come to work for us. We have to be frank about these things. People will tell you that they are scared to employ young people because they are not sure how they will behave and treat them. They are afraid of their whole mannerism, their approach to work and so on. ...

Sir, I believe that all is not lost with the young people. I still think that there is a very small minority of young people who are giving trouble. We have got to understand that parents by and large must take the blame for who the young people are. ... I still cannot understand that every time I see a young person who has committed a crime on the front page of the newspaper he is wearing designer jeans costing \$200 to \$250 a pair, shoes \$250 a pair, shirt costing around \$350, a gold chain for \$6 000 and he is not working anywhere. The parents are just not asking any questions. One has to conclude that the parents are really encouraging them in the foolishness.”

I am dealing with the state of Barbados. That was the state of Barbados in 1992. The police were armed as a response and the Government had to do what was necessary. One response of the Government was to toughen the legislation by amending the Public Order Act creating those types of offences with stiff penalties.

What the Bill before the House today seeks to do is to bolster public confidence in the justice system. Sir, ever so often sometimes every year there are instances where a case is reported, the person is convicted and the penalty that is enforced by the court appears to the public to be unduly lenient. The call-in programmes are hot. Letters are written to the Press and so on.

Over the years we have done nothing about it. I am not going to reflect myself in this debate on any particular case or cases but there are some very recent, some perhaps 18 months old, others a bit longer than that, where the public's view has been that the sentence imposed by the court has not been commensurate with the kind of crime committed.

11:50 a.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

Where you have the public response to sentencing questioning the efficacy of a sentence, there is the potential for the undermining of the justice system. People can lose confidence in the justice system. I want to tell you why I say they can lose confidence because that is a judicial test that has been developed.

We passed the Firearms legislation in here in August 1998 and it came into effect in October. Between August and October an amnesty was offered for people to bring in guns. Subject to memory, I think we got in 102 guns in the amnesty. The penalties set down by this House, and the Opposition I must say, asked for an increase in two of the offences from \$200 000 to \$250 000 and the Government acceded and amended on the Floor. Both sides sent a strong signal to those who have to interpret the law; those who have to impose sentences, that we, on behalf of the people that we represent were as far as we could do in our limited capacities in here, not satisfied with anybody getting a slap on the wrist for the use of guns in this society.

The use of guns in Barbados was foreign to our culture until the early 1990s and the proliferation of gun activity has continued. Some years it is down, some years it is up, but we are all concerned. Even if there are 60 offences involving guns in a year in Barbados, that is still too many for Barbados. We should not have one. We have not been accustomed to it. This society is not the Jamaican society. We sent a strong message. The police had asked for a stiffening of the penalties. It is for some of us almost

soul destroying after you go to great lengths to apprehend criminals to see that penalties do not reflect the gravity of the offence.

Having said that, let us also recall our judicial traditions. In the common law system the sentencing process is discretionary. Very rarely are mandatory sentences imposed. I can only think right now that I am on my feet of one instance in Barbados, if I research, there may be others but I can only think of one where there is a mandatory sentence - burning canes: no fine, jail - Cane Fires Prevention Act, 1978. I can only think of that one.

Asides.

Hon. D. A. C. SIMMONS: Apart from murder, yes. Murder is death penalty. Generally, in our legislative process we draft the legislation to allow the courts a discretion in imposing a sentence. I am submitting that when you draft legislation with strong tough penalties, you cannot tell the judiciary what to do. No politician should ever try to tell the judiciary what to do. It would be an interference with the independence of the judiciary. You can send a message that this is how we feel about it and you therefore expect a response.

The Chief Justice, as head of the Judiciary, has himself been aware of these fluctuations in sentencing policy and the cases which excite public comment and which appear to be unduly lenient and he has asked for this legislation to give the Court of Appeal an opportunity, in an appropriate place, to review the sentence and do what is necessary. I am going to say what the Bill provides by way of doing what is necessary.

Sir, this Bill, the Criminal Appeal Amendment Bill 2000 has to be read, however, in conjunction with the Penal System Reform Act, 1998, as part of a package to reform sentencing policy in Barbados.

Sir, you will recall when I brought the Penal System Reform Bill in November 1998, the Opposition congratulated me for the legislation because they had said that I was a 'lick and lock up' Attorney General and the legislation of 1998 was making a break in our sentencing policy with our colonial past.

Asides.

Hon. D. A. C. SIMMONS: Yes, go and get Stuart's speech and that of all of you who spoke on the November 1998 Penal System Reform Act.

Sir, we were making a break with our colonial past. Our colonial past had provided for three types of punishment: imprisonment, fines and from 1945, probation. The Act of 1998 which was proclaimed in April this year provides a range of non-custodial punishments ranging from absolute and conditional discharges to suspending sentences, community service order and curfew orders which in England are working well. They are having 90 per cent success with electronic tagging, combination orders and even mediation.

The purpose of those reforms was to modernise Barbados' penal system and make offenders pay for their offences by giving back something to society - a kind of restorative justice approach to sentencing. You have to read the principles set out in the Act carefully and you will see that we have so framed that

legislation as to make it clear to sentencers that imprisonment should be reserved for the worst types of offences.

12:00 noon

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

What we have used as the underlying philosophy of the Penal System Reform Act is the “just deserts” approach to sentencing. That is to say, Sir, that there should be a proper proportion between the offence and the punishment so that the prime determinant in the legislation is to ensure that the punishment that is imposed is what is deserved for the offence. Thanks for the use of the term “just deserts”, Sir. The courts are asked to have regard for and take into account in sentencing, the higher cause or risks by the offender the degree of his capability, aggravating circumstances and mitigating circumstances.

Sir, the Penal System Reform Act was the product of the Steering Committee on penal reform which was established in 1995, under the chairmanship of the Honourable Clifford Husbands, who was then a court of appeal judge, now Sir Clifford, our Governor-General. That committee reported. That report was laid in here. That report was discussed at length with the public in open forums and discussed in a special session at Sherbourne with the media to explain the operation of the new law.

Sir, that Penal System Reform, now an Act, Sir, was also one of the recommendations of the Task Force on Crime Prevention and we are beginning to implement the recommendations of the Task Force on Crime Prevention and that is just one. The diagnostic testing that is going on in schools is another. You saw only last week, a project being developed by the Task Force on Crime Prevention, with the Tall Ships people who own the Harbour Master, where we are identifying 13-year old’s in schools who may have problems or who are exhibiting certain signs and outward manifestations of behaviour that ultimately may predispose to criminality. We are taking them, together with the private sector of Tall Ships, in a project to work on them, now. That is one of the recommendations of the Task Force on Crime Prevention. That report of the Task Force is a document of this House and each of us have a copy of it.

When the report was published, we held a Town Hall meeting at Sherbourne Centre one night from 7:00 p.m. to 1130 p.m. and I chaired it. We had from Dr. Neville Duncan down to whoever else, 500 people and some were from the University in the large hall at Sherbourne to discuss the crime situation, what the report was saying and so on. Now, I keep hearing foolishness being talked about the Government needing to investigate the causes of crime. That report investigated the causes of crime in Barbados at a certain level. There are certain things you can do and that is one. What we did, was to take a sample of the prison population, use self-reporting techniques and we were able to extract from the 125 questions in the questionnaire, among the 110 prisoners, a number of factors which can be classified as criminal risk factors. We have been over that in here several times.

There is a connection between unemployment and crime. The biggest connection, however, is between drugs and crime. There is a connection between poor socialisation and crime. There is a connection also between an attitude of certain elements in this society, not to be gregarious, not to

involve themselves in associations, clubs and so on but to stay on the outside of legitimate society and perpetrate crime. All of that was found. It is in here. This Government has identified the criminal risk factors at work in Barbados. Let us get it clear.

The Nation newspaper published parts of the report. The recommendations, as I say, are being worked on but Members have to understand that crime is not explained by one particular factor. The best evidence is that crime is the product of a multiplicity of factors. Therefore, the response has to be also multifaceted, this Government, in recognition of the fact that the response must be holistic and integrated has tackled a number of those problems which have been identified in the report by scientific analysis.

Sir, unemployment has been reduced from over 25 per cent in 1993 to 10 per cent or below, today. One of my chores, as Minister responsible for Immigration, is to grant work permits to people to come from the other Caribbean islands to work in the construction industry, the sugar industry and so on. Honourable Members also know that is a fact and Honourable Members know that in each of our constituencies there are elements who just would not work. Work is available. Otherwise, I would not have to allow all these CARICOM people to come into Barbados to work but there are some in this society who are determined not to pursue a legitimate living.

Honourable Members on the Other Side in 1992, for example, Keith Simmons, were saying there are some who just would not work. We have to keep trying with them but we have to recognise it as a fact that that is one of the problems of this society. The vast majority of young people in Barbados are determined to live decent, upright, productive lives but there is a minority of persons who are determined to give trouble.

12:10 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

I told the Police in a discussion, and I will repeat what I said to them, that if they have to get tough with the criminals, get tough with them. Zero-tolerance for the kinds of activities that they carry on. I can say that but I cannot do it myself. I cannot pick myself up and go out and start rounding up people. That is not the job of an Attorney General. In fact, let me put it on the record because a lot of people do not understand the role and function of an Attorney General in relation to crime.

It has been established as law - and I am going to repeat it because I want the public to hear it - as far back as 1968 in the case, *The Queen versus Metropolitan Police Commissioner ex-parte Blackburn* that the role of the politician in relation to crime is only to set broad policy. The Attorney General cannot be involved in operational matters. I have never done it and I will never do it. I cannot direct the Commissioner of Police to go and arrest so and so, or to go and do this and that. I cannot do it. It would be ultra vires and I should be fired if I try to do it because I have to know my place which is at the level of policy. The Commissioner of Police and the Force are to carry out the necessary operations. Lord Denning established that ever since and it has never been questioned. I accept it.

Let me give you an example. The Constitution said that the Attorney General does not have anything to do with prosecutions under the constitution. That is the job of the Director of Public Prosecutions (DPP). I cannot even give the Director of Public Prosecutions (DPP) directions except in several limited instances under Section 79 of the Constitution. He is free and untrammelled and subject to no direction from any person whatsoever.

Let me give you an example of what I mean by policy. On Tuesday, February 24, 1998 there was a meeting at the Office of the Attorney General with the Acting Commissioner of Police, the Assistant Commissioner of Police responsible for crime, the Attorney General and the Permanent Secretary in the Office of the Attorney General. I wish to say up front that the Police Force knows that the two critical areas for their constant attention are drugs and the indiscipline of the public service vehicle operators. That is standard. The Cabinet Paper said the following initiatives were agreed upon at that meeting.

That the penalties under the Firearms Act be increased.

That the complement of the robbery/serious crimes squad be increased.

That there be an increased in operational exercises and searches.

We could say, as a Cabinet, that we want the Royal Barbados Police Force (RBPF) to increase searches and operational exercises looking for guns and drugs. We cannot tell them now and could not tell them then in February 1998 how to do it. We are not policemen. We are not trained as such.

That there be an increased in the number of uniform officers on the street and that members of the Police Band be used to assist the regular Force.

That there be a redeployment of Island Constables, particularly in St. Joseph, Christ Church, St. James and St. Peter.

The Task Force on Crime Prevention should develop a set of crime prevention tips for broadcast on

radio and television.

That rewards be offered for information leading to the seizure of guns.

Since February 24, 1998, that was set.

That the Royal Barbados Police Force use its Community Policing Programme to interact with groups of young persons "liming on the block" as well as to disperse them where there is a reasonable suspicion of illegal activity.

Those were the eight specific initiatives that were agreed upon at a meeting with the Ministry and the Royal Barbados Force as far back as February 1998 and endorsed by Cabinet arising out of this Cabinet Paper. Government can set the policy and we expect it to be followed through and carried out.

I am bound to say, that the Royal Barbados Police Force has been trying manfully, against great odds, to carry out those mandates set by Cabinet on February 24, 1998 but some of the odds involved the very people in this society who are calling for this and that strong action. You appeal to them to give information, they do not. We explained to them that the information is received in a confidential way and will be dealt with in a confidential way, they still do not give it. Effective policing depends to a large extent - I am not saying totally, I will tell you why I will not say totally - on the receipt of information. Take the guns, you get two fellows shooting at each other, which is the kind of norm that we are seeing, one is shot - he could have been killed - you go to interview him to ask him what happened and who did it and he refuses to say. How are you going to bring a case against anyone? There is nobody to give any evidence because the victim in that circumstance is himself a criminal and is seeking to cover up the criminal offence. That is why I said that the police is working against great odds.

We have problems with the mobility of the Force, and those are being addressed hopefully as soon as next week. I will deal with what we are doing with the Force next week when hopefully we can bring the Resolution. The Cabinet Paper is ready and it should go to Cabinet this week for a large number of vehicles and other things and I will tell the House about it.

Asides.

Hon. D. A. C. SIMMONS: No. It has to go through a process. You have to draft the Resolution. It is coming out of the Ministry of Economic Affairs because we are raising a loan from an international bank to support the loan. We will be re-equipping and re-tooling - I saw the word 'retooling' being used, that is a nice word - contemporary jargon - the Royal Barbados Police Force, the Barbados Defence Force, the Fire Service and the School Meals Service with new vehicles and it is all coming in one package hopefully by next Tuesday, so that the Government is responding within the limits of its financial capabilities. Undoubtedly, we have to make the Royal Barbados Police Force more mobile.

12:20 p.m.

Tuesday, February 22, 2000

Asides.

Hon. D. A. C. SIMMONS: We do not have enough now. I think we are getting 40 or 50 of them but I will give you the exact numbers next week. I am looking forward to seeing policemen riding motorcycles on the ABC Highway, one fellow between Warrens and the Norman Niles Roundabout, another fellow going on that stretch to the airport, some in St. Michael where the minibuses are speeding going to the Pine, My Lord's Hill, Silver Hill and so. We are using motorcycles because they can manoeuvre between the traffic because we have a problem now with the streets jammed with all the cars.

Aside.

Hon. D. A. C. SIMMONS: I am looking forward to seeing policemen go and stop traffic, deal with the driver on the spot and let us have a quick response.

The Honourable Deputy Prime Minister has been complaining to me and the Cabinet for at least three years about wanton parking on Broad Street, people blocking up the streets. We have a motorcycle cop who will come around and ask the person to move on. If he does not move on, he is dealt with.

We have to make the Force capable of responding. I cannot ask the Force at this stage to reach certain targets. People of Barbados talk. Do you see this? This is the Force Plan of the Royal Barbados Police Force for the year 2000-2001. It is called: "Policing the New Millennium." The members of the Law and Order Committee will get a chance shortly to discuss this with the Commissioner in the Committee which I have set up to keep law and order under review.

The Police Force of Barbados has a plan. The Press wants it? No. You talk about working against the odds? I will deal with you now. Everyday the Press highlights some foolishness. Anybody could call in to certain newspapers and tell them any wild goose story and they are prepared to publish it.

Sometime ago, on the front page of the Nation there was a story saying that the police had over 200 broken-down vehicles. I described it as the lie of the century and I repeat it. It was not true. They had 43, I think it was. I gave the figure. The police does not even have 200 vehicles. They have 165 licensed with the Licensing Authority. They did not apologise for that. That kind of sensationalism puts the people of Barbados, if not in fear, in doubt.

Look at what put them in fear? Two weeks ago splashed across the back page: "Child Kidnapped". People called in on the call-in programmes cursing the Attorney General all day long. No truth at all. No child was kidnapped in Barbados. The Nation newspaper has been made aware that that publication, given such prominence, was then a lie. They have not apologised. They are putting the Police under pressure. They are putting the country in fear by saying that a child was kidnapped when nobody was kidnapped but call in and tell them anything and they will publish it.

Aside.

Hon. D. A. C. SIMMONS: CBC is no better. I do not believe myself that they should have telecast the gory details of that unfortunate accident two nights ago on the news with the grieving families breaking down. I think that was insensitive.

We had a parliamentary party meeting last night but I understand that the news last night had a person with blood, or you could see blood stains as a result of the shooting in St. Philip night before last.

The Press is free. The Press must report. I am not going to say that the Press must not report crime because there is some criminological evidence that the reporting of crime in certain ways may have a positive effect, but I am saying that the Press must be more restrained in the way they report.

You know what they did recently? They get the daily crime reports and they carry the daily crime report showing that John Brown's house, Mary King's house, "tout moon bakaila's" house was broken into or jewellery was taken. They published that. Do you know what happened in Trinidad? The Trinidad papers got hold of that. Among the things they had published was that somebody stole a bicycle. A paper in Trinidad blew it up: "Barbados getting bad now in crime. They even 'thiefing' bicycles." You set up another country to make sport at your own by foolishness.

Now, I have here an analysis of the front pages and the back pages of the Nation. The Advocate's back is quoted, from January 15 to February 15. Let me give you an idea of what they do. I am taking my time with this so we will have lunch, I will come back, take fresh guard and start batting again.

January 15 - CELL BAN ROW.

QEH just called for clear phone rules.

Back page, this is the Nation:

January 15 - 2000 JAMBUSTER

Major changes for Crop-Over Congoline.

Let me deal with the Nation first:

"January 16 - DRUG ILLS

Bajans abusing antibiotics.

Back Page: STATION TENDER

1. Bidding soon for transfer point to Greenland.

2. DADDY'S GONE (Picture of a little girl looking at her dead father lying in the sand - suicide)

January 17 - ST. PHILIP PROJECT

Record Housing for the East.

Back page - SHAKE-UP

NHC to get house in order.

January 18 - BIG BOY ZRs NO!

Public servant-owned vans beating court system - Bolden

Back Page - MONEY MAKER

BARTEL nearly doubles half-year profits.

January 19 - Front page: 8% PLAN

Simmons: First payback by March 31.

Back Page: SHELL ONLY

Bottling of coconut water banned.

January 20: BATH SPLASH

\$1 billion tourism project for rural

St. John

Back Page - NO SHOW LLOYD

Windies meet Board without the manager.

January 21 - KIDNAP CATCH?

1. Cops hold man after bid to snare woman.
2. Baby shot in Shoulder.
3. Boy drowns in pond (and they show the photograph of the grieving relatives)

January 22 - 3 MISSING.

Search steps up for Miles Baptiste.

Back Page - FACE-OFF!

1. Thompson, PM may be at odds over Central Bank Probe.

2. Anal sex warning for teen girls.

January 23 - NO MORE TALK

Four to be charged with illegal

dumping.

12:30 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

January 24 - TOUGH COPS

Traffic Caution Go by the Rules

Man 33 and Raped, etc.

I am not going into all of them as it would bore you, but you must do an analysis and you will see that there is a clear propensity to highlight and sensationalise things that will excite public emotions. All I am calling for is reasoned and balanced reporting that recognises that we live in a small society and because we are a limited society we are prone to take on these outbursts of crime, we are prone to become fearful of crime.

I keep saying, particularly when I deal with the death penalty with people from overseas, like the Italians who came down here last year to talk to me about abolishing the death penalty and I chased them out. I keep saying to them that it is a different situation in a small society from a large one. I

gave the example. A man in England could go and commit the most heinous crime in Yorkshire. I get on the train at Tottenham Court Road and I read on the Evening Standard about the Yorkshire rapist or a woman reads it. When she gets off that train at Marble Arch she does not feel that she is going to come face to face with that person because the fear of crime is remote because of the sheer geographical size we are dealing with; but none of us should forget how this society felt when Hall, Roberts, Bradshaw and the lot in 1984 were terrorising this country going into people's houses and tying them up, killing Sisnett, before they were caught. By six o'clock every man was locking down because in this small society he was not sure where those fellows were going to be.

The impact, as I say, is greater in a small society than it is in a large diffuse country.

To get back to the main point that I was making in this Parliament, the police are operating under great odds. When the police catch people they do not get any credit for it. They do not get a headline. There was a man here. We knew who the man was. We were looking for this man...

Aside.

Hon. D. A. C. SIMMONS: We had a man here who was terrorising women, holding them up at gun point in car parks and so on. A very exquisite piece of policing by one policeman helped us to catch that man. I was looking the next day, after this man was caught for the headline - Got Him! or something like that. Nothing. Go and check it! No credit.

Since that man has been arrested all of those things, the potential kidnappings, the rapes and the threats of gun violence to women stopped, but the newspapers up to last weekend were still carrying stories talking about kidnapping when it is done. The man is arrested and they are still publishing that to create a climate of fear. It is no longer happening.

I am calling for more responsibility on the part of the Press. Get me clear. I recognise and support the freedom of the Press. I am calling for a level of responsibility.

You know, when the Firearms Act became law on October 1, 1998, the first thing the Nation's reporters did was to go to one of the gangs and ask them what they think about the law Simmons brought. What do you think they would say? "Man, we 'ent care about he. Man, we will show he something." The first thing that lady did was to go to the gangs and talk with them.

Last year, October, I said in here, and I will repeat because I am not afraid of anybody, that this Government not only reduced unemployment but they are doing things - I hope the Minister of Social Transformation speaks in this debate - he is doing things in his Ministry to work with the disadvantaged young people to help them to create programmes and projects, involve them in useful, wholesome, productive activity.

Government put \$1 million into the Pinelands and told them to work with young people across Barbados and there was a tide last year.

We had a spate of armed robberies. It took a little time to crack down on it. Eighteen were arrested from one district. I identified the district as the Pine area. Do you know what CBC did? They went to

those kinds of fellows in the Pine and asked them and with the lead story - The Men Cursing Simmons - for identifying them. Eighteen shown photographed on the front page of the newspaper. Over two weeks we caught them. They got bail and they go back to those same crimes so they are cursing me. When you are in public life, as I said already, you have to take the rough with the smooth. You have to accept these things. I thought that was bad, poor reporting.

Worst of all, this is the kind of thing we are dealing with that makes the job of all of us in law enforcement so hard. You cannot get people to reap the cotton. CBC goes and does a story as to why you cannot get people to reap cotton. They talk to a fellow who has on a vest shirt with guns or marijuana marked on it and CBC on their news gave this man prominence. Do you know what the man said? "Cotton? I 'ent picking nuh cotton. Cotton, wuh? If you want guns, check me! If you want weed, check me!" That, CBC put on television in the news. Do you call that responsible reporting? You are giving prominence to that?

You see in today's Advocate newspaper what the President of Guyana is saying about dignifying these criminals. I am calling on the Press to assist in the fight by reporting but doing responsible reporting. They only feel they have a story when they can tear down somebody. There is a saying, you know, and it is true of the Press in Barbados that if it bleeds it leads. If you have a story with blood and grime and gory details, flash it all over the front page, flash it on your television.

We have to become a more balanced and responsible society in every facet of endeavour. Sir, let me get back. I am going to make those excursions from time to time. I have a lot to say. We are dealing with crime. Sir, all this Bill is doing is giving the prosecution a right to apply to the Court of Appeal for the Court of Appeal to review what the prosecution considers an unduly lenient sentence.

12:40 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

We feel that just as a criminal has the right to appeal to the Court of Appeal even against sentence with the possibility that it can be increased, the prosecution should also have a right, where the prosecution is of the view that that particular sentence in that particular case, having regard to all the circumstances was unduly lenient.

I want this clearly understood. The Bill does not take the discretionary power of a court to impose a sentence. It merely provides that if a sentence appears to be unduly lenient, the DPP may refer the case to the Court of Appeal for the court to review the sentence. What happens when that is done? If you read the Criminal Appeal Report you will see how it is done. It is a very short procedure, a short form, you set out basic facts and that is that. In the Reports, what is put before the Court of Appeal is very often less than a page. It is no great complicated procedure. Once you refer it to the Court of Appeal, the Court of Appeal has discretionary powers, as I have said. It may squash the sentence and in place of that sentence imposed by the Magistrate or High Court Judge - it applies to both sets of the Judiciary - in place of the sentence imposed by the inferior court, the Court of Appeal may then pass such sentence as that court considers appropriate. A period during which a person is in custody pending review must be reckoned as part of the term of any sentence. Of course, it will be backdated to the date of the original sentence.

I want to finish this part on examination of the principle that would apply on a review. What would a Court of Appeal do when a matter is refer to them by the DPP? How do they approach the review? You have to understand a little of the jurisprudence. In England the Court of Appeal issues guidelines and helps develop tariffs for various sentences over time. We have never done that in Barbados. Perhaps it is something that we must come to in due course. When these cases come before the court in future, we will start the process of developing a body of jurisprudence on sentencing. We will be able to establish a set of tariffs over time unless the courts take it upon themselves to do their own. But in England the position is different. The Court of Appeal in a series of cases called Attorney General Reference starting in 1989, has built up the principles which apply when you go to the Court of Appeal. This is how the Court of Appeal must approach the question of a review.

I will put it positively rather than in the form of a sentence. The Court of Appeal will not intervene to interfere with a sentence unless it has been shown that there was some error of principle in the sentence of the trial court so that public confidence would be damaged if the sentence was not ordered. I will repeat it again: the Court of Appeal will not intervene to interfere with a sentence unless it has been shown that there was some error of principle in the sentence of the trial court so that public confidence would be damaged if the sentence was not ordered.

I started all this by saying that sentencing policy is a key element in law enforcement. That you need to have public confidence in all of the orders of law enforcement including The Judiciary, the Police and so on. What the Court of Appeal has established since 1989 is that if a sentence is unduly lenient public confidence would be damage. I have cases here if anybody is interested. I have brought down three cases where that principle has been established and reinforced. Therefore, the philosophy underlying this piece of legislation is to ensure that public confidence is not damaged by the imposition of sentences which are disproportionate with the gravity of the offence. I hope that Honourable Members understand that.

Mr. Speaker, I want to just close off the next five minutes and then return on a different note by assuring the public of Barbados that the Police Force and the Defence Force are working together in the language of the Prime Minister "to wrestle down crime to the ground". I did not know he used to follow wrestling but he knows about it. The Government is determined to use the strongest measures to bring crime under control within manageable limits. I again appeal to the public for their cooperation.

Now, I say we are using the Defence Force with the Police. In December last year, the Governor-General issued directions in accordance with Section 3 of the Defence Act to allow the Defence Force and the Police to combine in joint operation in the interest of maintaining public order and public safety. There is, therefore, a statutory basis for the cooperation between the two forces.

On a temporary basis, pending the arrival of the large package of vehicles we have made both forces more mobile. I am not going into any other details. I expect that operationally, the public of Barbados will see a greater visibility of the police and Defence Force on the streets and in the districts of Barbados. That measure is designed to restore public confidence in law enforcement ...

12:50 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

... and at the same time to allow for any preempted strikes that may become necessary. I know there was a time when it was anathema to speak of using the military and the civil power conjointly. That was a time when the use of military power was principally designed to deal with external threats posed by communism. Communism has gone since 1990. The threat to all societies in the world is now from ordinary transnational crime, particularly in the area of illegal drugs.

Only yesterday I was invited by the US Southern Command to a meeting of Security Chiefs in Miami between the 17th and 20th April.

Aside.

Hon. D. A. C. SIMMONS: Florida. But one of the agenda items for that high level meeting is this "To explore ways in which the military can legally support civilian leadership inviting non-traditional security challenges such as drug smuggling." That is an agenda item.

Internationally, it is being recognised that with the disappearance of the communist threat and the rise of organised international crime, there must be a rethink of the use of the military.

Last year, Sir, I spoke of this on 3rd May, 1999 at the 27th Triennial Conference of the British Commonwealth Ex-Services League meeting - the one that Prince Philip attended - and this is what I said and I quote, I will make this a document of the House:

“Although the threat of world war may have diminished particularly in the last nine years with the collapse of the Soviet Union, a new world phenomenon of illicit narcotic drugs has insidiously attacked the social fabric of most of our countries. It is an all pervasive scourge capable of destroying our human capital and undermining the security of small states. That combination of events - the end of the Cold War and the rise of illegal drugs - suggests a need for us to revisit the role and purpose of the military. The traditional role of the military now has to be refashioned and adapted to assist in the fight against drugs. As I see it, more and more of the military power will have to be deployed in tandem with or in aid of the civil power to provide countermeasures to organised transnational crime in defence of the legitimate society.”

After that speech, many of the delegates - and these were the high powered, retired people, for example: Major Generals, Brigadiers and people from all over the commonwealth - came to me and said that it was a very thoughtful point that I was making and we have to look at it. As I say, it is now on the international agenda for a meeting in Miami.

SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Mr. Speaker, it is now 100 p.m. and I am not finished. I therefore move that this House be now suspended for lunch until 215 p.m. today. Sir, I am obliged to you.

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

The question that this House be suspended until 2:15 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly.

12:55 p.m.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed.

Hon. D. A. C. SIMMONS: Mr. Speaker, when we took the suspension, I was closing off that part of my speech which was suggesting that with the collapse of Soviet Union and the disappearance of communism from international politics, we had to reconsider and revisit the role of the military particularly in small jurisdictions to determine whether it would not be sensible and appropriate in the interest of national security to use the military in aid of the civil power. I explained that that is now an item on the international agenda for April this year and I am glad that I had foreshadowed that in an address in May last year. Perhaps it is as well that I lead on from that to examine the question of crime in regional and international context.

Mr. Speaker, in 1979, Professor Leon Rabinovitch, the famous criminologist of Cambridge, international expert on criminology wrote a book in the polygon series with Joan King, entitled "The Growth of Crime, The International Experience". In that book, Professor Rabinovitch made the observation that even then in 1979 there was one phenomenon of an international character that could not be adequately explained. It was in the language of the book, the relentless upward spiral of crime in all communities in all countries whether developed or developing. That was 21 years ago.

What we have seen in the intervening 21 years has been an increase in crime and at times a decrease in crime. It has fluctuated but I believe that I can say with assurance to the House that in the last two to three years in many countries of the world, regionally and internationally, although overall rates of crime may be falling, paradoxically, certain types and categories of crime are rising: violent crime, sex crime and crimes involving young people. I think I have said in here before that Sweden is an example where the average age for crime involvement was 16 and now it is down to 13 or 14. Across Eastern Europe there is a massive rise in organized crime and violent crime. There is a similar pattern in Western Europe.

On 15th October, 1998, "The Times" newspaper of London published a summary of the British crime surveys which had just come out a couple of days ago. It showed an overall decrease in crime of 14 per cent but a worrying and marked increase in the certain categories of violent crime, sex crime and so on.

I brought to the House, a photocopy of a newspaper article in the Summer of last year which said that the British Government was going to receive a report which despite all that was happening in Britain, falling unemployment, there was a sense of feeling good in the society, not many issues for people to complain about.

2:20 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

Despite all of that, last year it was portended that there would be a steep increase in crime by the time of the next British general election and so it has happened and so it is happening now for anyone who

reads "The Times" on a daily basis. Jack Straw had two to three good years and all of a sudden there is an increased in crime. He responded last year by throwing money at the problem throughout the various policing district in England and it has not abated.

Sir, on January 9, 2000, "The Sunday Times" published the result of a survey which they had done of cities across the developed world. It is headed: "Condon" - who was the former Metropolitan Police Commissioner - "warns on vanishing police as new crime jumps". This is Britain.

For example, there are figures that are showing that British youths are the worst offenders in Europe for burglary and assault. Young people in Britain are offenders at more than twice the average level for their age group across Europe and the country has a greater proportion of young offenders than Russia, Croatia and Romania. Then there was a chart entitled "Cities under attack" rated in various orders. In respect to murder, Los Angeles is the worst in the world followed by New York, Berlin, Stockholm, Paris and Glasgow tied at fifth, Vienna, Toronto and Tokyo. It seems to me that they did not poll Johannesburg but we know that is one of the worst in the world. For burglary and robbery Berlin is the worst followed by Rome, Vienna, Stockholm, Tokyo, Copenhagen, London, Glasgow, Paris and New York. For car thefts Stockholm is the worst followed by Rome, Copenhagen, Glasgow, Los Angeles, London, New York, Berlin and Toronto. Next, you have rape and sexual assault, and assaults. Stockholm is the worst. I am not going to go through all of them but it tells a story.

Let us come closer to home. Two days ago we saw that Grenada was complaining about the increased in violent crime and were deciding to put more police on the streets in an attempt to deal with that. Two days before that, The Bahamas reported an upsurge of crime involving the killing of police officers. We know of Jamaica and we know of Trinidad and Tobago. Can we recall December 1998, when Prime Minister Anthony was Chairman of CARICOM? He complained about the level of crime in St. Lucia and said he would try to get the problem of regional crime on the next meeting of the Heads of Government. I think it would have been March 1999, but it did not go on the agenda as such but a directive was issued for Ministers responsible for national security in the region to meet. The meeting of regional ministers was the October 28 - 30, 1999. I did not go to the meeting in Jamaica, my Permanent Secretary went along with ACP Dottin of the Royal Barbados Police Force (RBPF) and Rev. J. J. S. Atherley, the Honourable Member for St. Michael West led the delegation. We just got the report last week and it is going to Cabinet hopefully this week, it is fairly thick and it is just the question of photocopying it in time. If it does not get there this week it would get there next week.

I should just mention how funny it is that when I gave the Press Conference on October 9, 1999 and announced the ten strategies that we will be pursuing, some of the things that I identified in the ten-point plan as strategies which work, three weeks after I announced them in Barbados it is interesting to note that the meeting heard from Dr. David Bailey, an international expert on crime and policing, and he described international crime control measures as consisting of some of those strategies. In other words, these are some of the things that the meeting of regional ministers were told, have been proven to work. Among them is community policing which is being done by the Royal Barbados Police Force and it is planned in the Force Plan which I held up here earlier today. I mentioned that in my ten-point plan on October 9.

Zero tolerance. Zero tolerance depends, for its success, on the attitude of law enforcement officers. I heard the Leader of the Opposition say in here that to his certain knowledge, law enforcement officers

would attend functions at the National Stadium and see young people smoking and do nothing about it. That is not zero tolerance. Zero tolerance implies that whenever crime is being committed of whatever magnitude, the law enforcement response must be swift, certain and decisive and so it depends on law enforcement attitude. We can say in here that all of us agree that there should be zero tolerance but the enforcement of that desire has to reside in the law enforcement operatives.

I have said to the Force when I addressed the Force conference in October 1998 - and I will repeat it - that we all are put in jeopardy very often when we are driving at night by youngsters riding bicycles without lights who, all of a sudden they come at you and you are in a dilemma. They must be dealt with by the Police firmly. If the police see it happening, they should not let it pass them. They should call them, take them in, charge them, do whatever they have to do because if they wink at it, it will fester and spread and becomes insidious because people then lose respect for law enforcement because they feel that they could get away with it.

Thirdly, Sir, the meeting agreed on targeting law enforcement. I describe it in the ten-point plan as concentrating upon policing that is problem oriented and working in problem oriented communities. This has been proven to work in Leicester in England. I am sure that the Force is going to do that. When we get that special vehicle package that is going to include a mobile station it will improve the capacity of the Force to allow it to set up in a particular area not only to work with the youngsters but also to be firm with them. This can work and I will tell you why.

Last year during the election campaign, I opened a gym in Silver Hill for young people in that area to exercise and to do body building and so on. The National Council on Substance Abuse (NCSA) funded it and the opening coincided with the election's campaign but what was significant about that was that the people of the area spoke in glowing terms and with great respect of the work that the police officers were doing in that area. One was Sergeant Woodroffe and the other officer was Stanton Proverbs, who is a famous Barbadian cricketer and they were doing a fine job there.

2:30 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

You can put him in the records of this House. He is doing a fine job. They were working and still are working with the young people in that area and had been able, by interacting with them, having dialogue with them, to change some of the attitudes.

I believe that fundamentally one of the problems with that group who are outside legitimate society that the members on the Other Side identified in 1992, and we still have with us in 2000, that minority that was spoken of in the debate of 1992, we need to engage them in greater dialogue. We have to try it.

I know the Force is determined to do it. In fact, the Force has not only developed the broad strategy for community policing but they have then broken down that strategy into 10 or 12 specific operational principles that will enhance the programme of community policing.

I want the country to know that the Royal Barbados Police Force, as part of this strategy in the year 2000, is going to intensify its efforts at community policing in a meaningful way. The Commissioner was speaking about it a couple nights ago on television and they cut him off in the middle of what he was saying. That is CBC for you.

Aside.

Hon. D. A. C. SIMMONS: They did that Wednesday night. They opened with me, an excerpt of the Press conference on the meeting of CARICOM Attorneys General last week. They gave me one minute. The second item was the Commissioner's. He was talking about getting the divisional commanders to work with communities and people to interact with. In the middle of the Commissioner's statement, they cut it. Do you know what they went to as the third item which got about five minutes? An old lady down in St. Andrew complaining that somebody was pelting things at her house. She had all the time. Those are the kinds of problems we are up against in this fight against crime.

Sir, one of the other matters that the meeting in Jamaica of October 28 - 30 agreed was that we need to increase private security. Let me put it another way. Private people ought to contribute to their own security. We cannot expect that any country, far less Barbados, can put a policeman in everybody's house, in every gap, in every street, in every hotel, in every business place in Barbados.

I made appeals to the private sector. Sergeant Howell, when he was in charge of crime prevention, held regular meetings with the private sector, supermarket groups, the petrol station operators and so on, giving them crime prevention tips, even issuing them with documentation, booklets or brochures on how they can enhance their private security. We did it at the banks and you would not believe that we have had robberies at banks and certain banks did not even have electronic surveillance systems.

This morning I spoke to the Prime Minister about a matter which I had listed in the ten-point strategy about increasing the ability of the private sector to better police its own business. I feel, Sir, and I said in October, that we should give incentives to the private sector to improve their own security.

What I have in mind is that we could give a tax break to companies and businesses which put in electronic surveillance systems to improve the security of their businesses and we could find a level. I know for some of those systems you can pay as much as \$15 000.

I asked the Prime Minister this morning if he would be disposed to doing that and he said, "Yes." I am therefore saying that my Ministry is going to put a formal recommendation to the Ministry of

Finance for favourable consideration that businesses which install electronic surveillance systems should be granted a tax write-off up to a specified amount. These are things that are done in other countries. It will be a strong recommendation from my Ministry. I know that there are persons who have offered, for example, vehicles to the Force and they want tax write-offs.

Aside.

Hon. D. A. C. SIMMONS: We can argue it out, Sir, but I am only saying that we had mentioned it in the Press meeting in early October and the response of the Prime Minister thus far has been favourable. We have time because I would expect it to be a budgetary matter. We have time to discuss it and refine it. The essential point is, Sir, that the private sector must become more conscious of security matters and assist themselves in the better policing of their businesses.

Mr. Speaker, having said what is the international scenario, particularly in relation to violent crime, I said this is what is worrying everybody involved in crime throughout the world, the increase in violent crime by young people.

2:40 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

Having said that, is it reasonable to expect that Barbados should continue to remain a singular island free from the other influences that are affecting regional societies and international communities, or do we not expect that having regard to the state of telecommunications that there will be infiltration of criminal learning processes into our system, into our cultures? In other words, what I am saying is that Barbados cannot isolate itself having regard to our communications network from what is happening in the rest of the world and therefore we have to ensure that our policing is always contemporary and is able to deal with some of these new criminal techniques that infiltrate our society from time to time.

Mr. Speaker, earlier today I mentioned as part of the holistic integrated strategy of Government that we have tackled unemployment and that we were attacking poverty alleviation through the Ministry of Social Transformation. The Government has done more and has tried to do more. The Government set up in 1995, 34 youth commissioners to go out and work with young people. We tried to get them involved with young people. We have to try a variety of strategies as I said this morning. I am sure the Minister of Education would explain what they have been doing, what successes they have been achieving.

In the Ministry of the Attorney General we have expanded the National Council on Substance Abuse. We took the initiative. The first Government ever to establish an organisation to focus on the problem of demand reduction. The National Council on Substance Abuse is working wonderfully well and we have gradually expanded the staff to give them greater capability to work. They are working in the schools. They are working in the prisons. I must say as Minister responsible that it is one organisation that I am very happy with. I think they are doing a wonderful job.

There is more that will be happening. As I indicated earlier, one of Government's policies which was sent down to the Force in February 1998 was to sensitise the public by having crime prevention tips and so on. I have given a clear instruction to CBC that at some point, at least between 7 o'clock and 8 o'clock, there must be a message on television that is anti-crime or anti-drugs.

Honourable Members would have seen the start of that campaign with Obadele Thompson. There are eight more being done now. We ought to have them all in place by March 15. The public relations people are working on them. In fact, today they were doing shoots with one of the sergeants from the police force with the dogs.

We are going to try through the medium of television to get the message across to people about how individuals can assist in crime prevention. I had a very interesting experience a few weeks ago in that at some friends. One of the ladies was talking about how she nearly lost her handbag in Julie'N. She had her handbag in the trolley that you push and she was pushing the trolley and rested it somewhere and went to a shelf. By the time she had turned there was a youngster who had gone with the handbag and we had to say to her, "But did not you remember that we had a crime prevention tape on television that showed that when you are travelling with your handbag, you have it over your shoulder and you hold it?" Again there is no consistency in a lot of what we are doing and we have to determine that we are going to be consistent otherwise the criminals are going to make sport at you.

Those crime prevention tips started in November 1998. CBC used to carry them just a couple of minutes before the 7 o'clock news. Then they stopped. They ran them for about three weeks and then they stopped.

Mr. D. St.E. KELLMAN: On a point of order. The Honourable Attorney General is misleading the House. He forgot that it was right after the end of December in January 1999 and it would have affected crime and violence.

Hon. D. A. C. SIMMONS: We have not heard him all day so he wanted a chance to bark.

I am not trying to politicise. The Leader of the Opposition in October said let us depoliticise the crime business. I said I would set up an all-party committee on law and order. Now that the Senate has made its nominations ...

Aside.

Hon. D. A. C. SIMMONS: The Senate only sent it down today. You know that too. You were in here and you heard the announcement. Now that they have done that we will have a meeting shortly before March 31, definitely.

Mr. Speaker, I mentioned today the uphill task that the police face. One of those is the question of personnel. There are varying views about what is an ideal number of personnel for the Force. What I can tell you is I am not getting into an argument with anybody. People can disagree or have opposing opinions. That does not mean that you are enemies. The Development Plan promulgated by the Democratic Labour Party in 1993-2000 represented that the ideal number for the Force in the year 2000 this year should be 1 500 persons. Now we are at 1 250 plus 225 special constables.

Asides.

Hon. D. A. C. SIMMONS: Sir, I want the public to know and the House that the Commissioner is actively looking at how we can enlist the best of the special constables into the Force. A submission will be coming to my Ministry and I have indicated to the parliamentary party as recently as last night ...

2:50 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

... that all it really requires to give us some more numbers as full policemen is for us to get the approval of the Minister of the Civil Service for the additional posts.

Let us say that the police decides they want 180 of those 225. We have to create that 180 posts but it would not be a great burden on the Treasury. Let me explain that, because a special constable now gets uniform as a policeman does, he gets the allowances like a policeman and the only requirement for Government would be to make up the difference between his existing salary as a special constable and the salary of a fully enlisted constable which I believe it is not a lot of money but those figures are being worked out. I have a sense that the public would support that kind of initiative. I know that the police want it. I also have a sense that the Government would be responsive to such an initiative.

Having said that, Mr. Speaker, we have an ongoing problem. I have tried to be frank in this debate, we have an ongoing problem. For some time now the Government of Barbados and Police Force have not been able to attract a large number of recruits. In days gone by, perhaps in the 80s there were more applicants than you had space for at the training course at the Regional Police Training Centre.

Asides.

Hon. D. A. C. SIMMONS: We are getting probably 25 at a passing out parade from Barbados. Ideally, we should be getting 50. There is that problem but do not let us forget. The more the society develops and progresses, the less attractive it is for people to do policing. That is a reality. The last Metropolitan Police Commissioner complained. Do you remember that Margaret Thatcher gave them massive increases and yet he recently lost 6 000 over a few years. Bermuda who have always tended to import police are now announcing last week or the week before that they are looking to recruit from outside Bermuda. We have to work on a programme. I am not saying Barbados is going to import people to be police. That may be something that we have to look at down the road but at the moment we have not considered it.

Asides.

Hon. D. A. C. SIMMONS: I know the problem is money. On the other hand, over the last five years, the police have benefitted from pay increases and increases in allowances. I hope that the negotiations that are going on for increase allowances now are speeded up and let us get them out of the way. Everybody knows the position of the office of the Attorney General. I have said it in October and I have said it since the Ministry got it in writing, that we support a regrading of the police.

Asides.

Hon. D. A. C. SIMMONS: It is in the records. At the same time Government has a clear policy that it is not going to do a partial regrading. The partial regrading of 1990, I do not mean to be pejorative, but the partial regrading of 1990 distorted the pay structure of the Police Force because only certain police benefitted from that. We have said that we are going to do a total regrading of the Police Force within the context of the overall regarding of the public service. That is the collective policy of the Government which I have a duty to accept. I also wish to make it clear that my Ministry responded to the Minister of the Civil Service to say that we support the total regrading of the Police Force within the context of the overall thing.

This is a Government, Sir, which tries manfully to keep its promises. I am assuring the police that in the context of that regrading they will be properly handled in the context of the total regarding of the public service. We also recognise that in order to attract and retain personnel they must be adequate remunerations.

Sir, there are few specific initiatives that I wish to discuss with Honourable Member. I spoke last week on wire tapping and I am not going to repeat. That is going to be a regional position. The legislation will be developed, we hope by June by the CARICOM Secretariat and we are going to strengthen the hands of the Commissioners of Police throughout the region with wire tapping legislation in a judicial and controlled environment but we have to go to court as it cannot be arbitrary. It cannot be done on the basis of hunch because, fundamentally, there are rights of the individual in our respected constitutions which have to be respected and those rights can only be derogated from in certain specific cases where there is good evidence to support an application for wire tapping.

Sir, I am concerned about the indiscipline among public service vehicles drivers and the attitude of certain young people on the streets, some of the language and so on. We have some old legislation that we have to deal with. The Highways Act has some foolish fines in there now, Sir. Ten dollars for indecent language on the highway and so on.

I have had a discussion with the Ministry responsible for Public Works and Transport and I have given him a note to ask the lawyer in the Ministry of Public Works and Transport to go through the Highways Act and make proposals to Cabinet with respect to increasing the penalties under the Highways Act. All of this is in an attempt to bring some discipline in Barbados. Secondly, to examine the existing regulation under the Road Traffic Act which relates to public service vehicles and the playing of music.

I want it clearly understood that I am not against the operator of a public service vehicle having a

radio in his vehicle.

3:00 p.m.

Tuesday, February 22, 2000

Continuation of D. A. C. SIMMONS:

I believe he and the passengers are entitled to hear the news. If we are getting bad weather, to get the bulletins. If there is a blockage on a particular highway, to hear Sargeant Johnson say, "well do not take so and do, we had a bad accident, divert ..." People are entitled to that base of information but I am not for the playing of recorded nonsense, called 'dub' which passes for some people as music. I have not found anybody yet who can score on a music sheet for me some of the foolishness I hear.

Early in January on Liberty 98.1 at 9:00 p.m. a Sunday night ...

Aside.

Hon. D. A. C. SIMMONS: The Sunday night that we had the retreat on the Constitution Review Commission, going through the recommendations coming home from retreat, persons including a Senator, reported to me that she heard on CBC, Liberty 98.1, a dub thing saying, "If we cannot get the herb, burn down the canes." Another one spoke saying that "Your mother is a whore and if your mother is a whore, do this and do that ..." Mr. Speaker, do you think that has any right on the airways of Barbados? As far as I am concerned, the tapes which have those kinds of things on them, are not to be in public service vehicles and I ask the Minister responsible for the Public Works and Transport to bring the legislation to prevent tape-recorded music being played.

I gave CBC instructions about the playing of that kind of music after I had the report.

Aside.

Hon. D. A. C. SIMMONS: I do not get a chance to listen. I am going to tell you all something privately. You all do not know what happens in some of the places of public entertainment in Barbados either. We are not dealing with them but the Ministry of Transport and Works is responsible for the Road Traffic Act, not my Ministry. I will draft the legislation. I will advise but I am not advising to take out anything out of anybody's vehicle. I am not advising that and I am saying you can have a radio but you cannot play that nasty tape-recorded music. It is as simple as that.

We had a problem with licence plates. These are the problems. We have 63 000 private cars and 10 000 other vehicles in Barbados - 73 000 and the police have had the devil's own job keeping up with a licence plate on a car tonight and tomorrow night you see the same car with a different licence plate. The police have broken that racket. The Police have cracked that racket and they have about four or five men charged but we have to look at ways of preventing that and I know that the Force is discussing with the people in MTW and so on how we can deal with it.

Mr. Speaker, let me wind up the second reading of this Bill, I believe it was my duty to speak to the people's representatives in this House about what we are doing in respect of the crime situation. There are areas of criminal activity which are of concern and have been of concern for sometime, guns which inspire fear in people, burglaries, in particular, those two and drugs, of course. Well, the drugs and the guns are related. If anybody doubts that, look at the number of times we have intersected boats with large quantities of drugs.

For example, last year at Bottom Bay a boat from St. Vincent had a large quantity of marijuana. I cannot remember the poundage, a lot of it and two Vincentians and two guns and that has been the pattern. There are the drugs, there are the regional criminals and there are guns. You have to analyze what is going on.

Sir, it is tough for all of us in law enforcement. We are trying to do our best to reduce the supply and the demand for drugs but at the very bottom of it all is an emotion of greed and a desire for money without working for it, all over the world.

In the British Times January 9, 2000, "Britain is quietly turning into a drug culture". There was a whole story on drugs in Britain. They had 46 murders last year involving drugs and to tell the truth it is really a depressing sight to visit their prison or young offenders' institutions. They are over populated with black youths. When I went to Feldon, the young offenders' institution in 1997, I could have cried. As they came passed all I saw were these young black Britons consigned to life of crime, like a kind of waste land of hopelessness and despair.

I am not taking on those who would wish that we consider legalisation of drugs. I want it clearly understood, do not write me about legalising drugs in Barbados. I will destroy the letter and put it in the wastepaper bin. Do not telephone me or seek an appointment with me about legalising drugs in Barbados. I am not entertaining it. Do you know why? Because the international community as recently as June 1998 at a special session at the U.N. convened to deal with drugs, maintained that drugs are illegal and must remain illegal, 189 countries of the world. All of us were there: Cuba, Singapore, Sweden, all said that drugs are illegal and I do not want to hear from anybody else telling me otherwise. The international community has taken a stand on that, Barbados was a signatory to that convention and we have to uphold our international treaty obligations.

Sir, before I finish, I want to say just a few things. I believe, as I told the Police at the Force Conference in October 1998, that crime prevention can be proactive and must not necessary be reactive.

3:10 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

It has worked in New York. This is the book that tells the story. You just have to be tough with them up front and start with the little things. One of the first things Bratton did was to get on a train and saw some fellows doing foolishness, he himself as Commissioner, scrambled two and carried them in, imposing upon them there and then that they were in charge. That is what he did.

I know that I am going to rely on the Royal Barbados Police Force (RBPF) to be firm about criminal activity. We are going to try within the limits of Government financial capabilities to give them the necessary resources soon. This House voted \$152 000 in December for special equipment for the Anti-crime Unit but something else has happened recently which I am not necessarily speaking about. Next week hopefully, once the Resolution is ready, we will come with the big package. I have discussed with the House some of what we would be doing and I am going to leave the full discussion about some of the improvements to the Force until then because I do not wish to anticipate the debate. I just wish to give the Police the assurance that, last night we had a full turn out of the parliamentary party and all Honourable Members on this side are fully committed in supporting the police on tough policing for Barbados.

Asides.

Hon. D. A. C. SIMMONS: We wish to give the police moral and financial assistance and backing. I will expect the police on their part to respond. I believe the Opposition is also with us in terms of support for this.

Asides.

Hon. D. A. C. SIMMONS: I think it was Thursday when I was going home that I heard on my car radio the Honourable Member for St. Lucy, in his own voice, saying that he congratulates the Attorney General for what he is doing for the Police but in here now it comes six years too late but we were not in power six years.

Asides.

Hon. D. A. C. SIMMONS: Anyhow, I am not picking at those things. I am grateful to the Honourable Member for his generosity but as I said, in this job you take the rough with the smooth. There was a period of time in Barbados when crime came down from 13 000 to 10 000. It is still down there hovering around 10 000 but there are those little areas of guns and burglaries particularly, that are worrying us and we are going to make an attack on them. That is why I invited the Commissioner of Police and the Assistant Commissioner of Police responsible for crime here today to hear the attitude of the House to crime in Barbados so that they can impart to their officers what we are hearing. We get a lot of information as MPs. We interact with our people at a level where we know what their concerns are and so on and I hope that Honourable Members will speak freely in this debate.

Sir, I have spoken for a long time, but as I said, I had a duty to speak in here about the Government's approach to the crime problem and the Force's response. I want the public to be assured that the Royal

Barbados Police Force is not any - Lionel Craig would use the words, "Nay, nuh, Police Force," - that is perhaps the best description. It is not that thing. The Royal Barbados Police Force is the only Force in the western hemisphere that has got international accreditation among all other Caribbean States.

Asides.

Hon. D. A. C. SIMMONS: Not now, two and a half years ago, as a result of all that has been done for the Force in the last few years starting with the computerisation of the Force in October 1995. The Force has produced this document, the Force Plan for the year 2000.

Asides.

Hon. D. A. C. SIMMONS: They passed 900 standards to gain accreditation. You know that the Press have never written a story on what the Force has achieved and what it has done. This Force Plan shows the quality of personnel in the Force who has the ability to think strategically and to develop a document of which Barbados could be proud. When I put this against another one that I have here - I better not hold up that - from another regional country, chalk and cheese.

Asides.

Hon. D. A. C. SIMMONS: Mr. Speaker, I wish to just remind Honourable Members of where I stand. The actual legislation that has spawned this debate is a very simple Bill in its concept it is a Bill which has been asked for by the Chief Justice and the Director of Public Prosecutions (DPP) of Barbados to enable us to have some consistency in sentencing policy and to give the discretion to the Court of Appeal if it thinks that a sentence is unduly lenient to deal with the matter as the court thinks appropriate. That really is the Bill in a nutshell, Sir.

Mr. Speaker, the Government of Barbados in the last four to five years that we have been in office has tried to secure the economic underpinnings of this society. The time is now right and ripe for us to make a concerted, strategic and determined attack on the social problems which plague this society.

3:20 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

The Government is fully cognisant that there are linkages which need to be established to ensure a coherent social policy and has set up a committee, like the Planning and Priorities Committee, a Cabinet subcommittee together with certain public officers as the Committee on Social Policy to ensure, in the language of the British Government of today, that Government is “joined up” - that is the buz word in Tony Blair’s Government - that we have a joined-up policy in relation to social matters so that one Ministry does not go off doing one thing, another one does something else, or a similar thing, and the twain does not meet. We can develop a cohesive and coherent social policy.

I finish by asking for the support of Honourable Members for this Bill. I also appeal to the young people for Barbados to think about their future before they commit themselves to a life of crime, to ask themselves what they want out of life, to see how they can achieve their goals and live their dreams in an honest, decent and productive way. I appeal also to those in gangs to disperse the gangs, to lay down their guns and rededicate themselves to a decent respectable life. I feel I have a duty to make that appeal and I do so.

Mr. Speaker, I am obliged to you, and to all Honourable Members. I beg to move that this Bill be now read a second time.

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

Mr. D. J. H. THOMPSON: Mr. Speaker, the House is called on today by the Honourable Member for St. Thomas to give its support and to debate the Criminal Appeal (Amendment) Bill, the purpose of which is to permit the Director of Public Prosecutions to appeal sentences which are too lenient and to refer those sentences to the Court of Appeal and also to permit the Court of Appeal to vary those sentences.

Perhaps, I should start with the legislation itself, Mr. Speaker, but before I do that I believe it is necessary to say, having watched the painful discourses and heard them of the Honourable Member for St. Thomas over almost the past six years in this Chamber, that he has come to try to grapple with the problems of crime.

I am still of the view that the Government sends mixed signals on the issue. I think extremely mixed signals were sent in the last General Election but that the opportunity presented itself thereafter for the Government to very quickly settle down and focus on one or two key elements of a strategy to deal with the problem of crime, violence and drugs in Barbados, but that in reaction to some of the panic that is occurring in our community, the Government has gone off in several different directions. No single direction had been given the kind of focus which is going to be extremely important to bring this matter, as the Prime Minister said, to wrestle it to the ground, assuming that is what he wants to do.

In human nature and human and social issues, I believe Barbados has had many instructive periods in its history and the Honourable Member for St. Thomas will do well to recognise that in the time of one of our greatest economic crises, just nine years ago, to my mind, the reason why Barbados was successful in achieving its goals even though there may have been many ways and routes it could have taken, it was because the Government discovered that the prime impulse of the Barbadian people at all levels was the defence of the exchange rate. They were therefore willing to make any sacrifice, accept

any reasonable policy and even some unreasonable ones, the object of which was to ensure that, at the end of the day, that as a country we could defend the exchange rate and that the parity of the Barbados dollar to the U.S. dollar would not change.

I urge the Honourable Member for St. Thomas, in his attempt to deal with the problem, to seek that point of departure and to find that turning point. There will come a time in all of the soliloquies that he delivers that finally the crowd will listen to what he is saying and perhaps he will be able to move on with the confidence that is necessary. It is not an easy job. I do not think anybody on this side believes that it is easy.

The Honourable Members on that side have not made it easier for themselves because they have misinterpreted both the political actions and statements of their opponents and, to some extent, as I say in reaction to the panic, they have gone off in a number of directions without thinking through the results of each of their acts. I am going to deal with this one in particular today in due course.

I will go on to say that when I look back at the last major crime debate, to show you how far we have come in Barbados, a debate that focussed on crime in which a private member's resolution was brought by the then Shadow Minister, Maurice King, and in which Parliament responded to a resolution from the Opposition, that it was the most acrimonious debate in recent times that this House of Assembly has seen.

The Honourable Member for Christ Church South was a member then. The things that politicians said about each other and the partisan way in which the matter was dealt with, including accusations made by politicians to and about each other, would demonstrate that we have come a long way in terms of debating it, in terms of the views of the respective parties in relation to dealing with crime. Even though I still believe that the Government stands indicted for the way in which it dealt with the issue of crime in the last election, the fact that it trivialised it, it was a point of comic relief and, to some extent, believe still that it will turn out to haunt the Democratic Labour Party when, in fact, the obverse is happening.

Despite that, I wish once again on behalf of the Democratic Labour Party to say that the Government can expect our full cooperation and support for sensible and focus measures to deal with the problems of crime, drug abuse, violence, but more importantly, that a focus on the causes of crime would receive our full support in here.

With regard to this piece of legislation, the reason why I would accuse the Attorney General of halfway measures on this is because I believe he knows what the Opposition's response is going to be. While the DPP should be afforded the opportunity to appeal a lenient sentence, my own view is that the judges and magistrates should not be permitted to get away with not giving reasons for the sentence which they impose from the outset.

Part of the problem in our system is that there is a very cavalier approach to sentencing and because of that cavalier approach to sentencing in which people are not able to detect what factors a particular presiding officer has taken into account in imposing a sentence, you would find that very often not in response to a logical scenario, but in response either to public pressure or emotion, the DPP may end up appealing what is viewed as a lenient sentence when, in fact, the reasons which the judge would give

for such a sentence may be quite legitimate and reasonable.

3:30 p.m.

Tuesday, February 22, 2000

Continuation of Mr. D. J. H. THOMPSON:

I believe that at all levels of public life where responsibility is given, at any level, it must be accompanied by accountability. I do not think the Commissioner of Police should act in any matter without being able to identify clear reason for his action. I do not believe judges should be allowed to impose sentences or to decide without providing clear reason for their decisions. Likewise, I have always felt and repeated in here that where Ministers give directions whether to statutory corporations on matters of policy that those directions should be laid in Parliament so that the Parliament of Barbados and the people can determine the extent to which the Ministers are acting responsibly and at the end of the day they will be accountable to this Parliament.

I believe the Attorney General will tell you that on the number of occasions that matters have come before this Chamber we have consistently said that we need major reform in Barbados, heralded by changes to the Constitution. As well, it must come from the top in which public officials - except in matters of Defence and Security but even in those matters I think it is vital too - must be required to give reason for their decisions and avoid a situation where people can call in on call-in programmes everyday or where because those reasons are not given you can get a ludicrous situation where the Head of a Government could say that presiding officers slap people on the wrist and give the impression that it is those persons, both the presiding officers and the people who were slapped on their wrists, who are responsible for the high level of crime in Barbados. That is nonsense, Mr. Speaker, Sir. I heard that issue from this Party's chief philosopher and leader on television some time earlier this week or last month.

The Government therefore is trying all ways to throw responsibility elsewhere and to abdicate from its responsibility to have a focussed programme to deal with the problems of crime with leadership at the highest level which is not indulging in excuses which in itself is not pandering to those elements in the society which believe that you can lay the problems of crime on any one sector but on the kind of leadership which is going to accept responsibility and put before the country a focussed programme to

deal with crime.

All of a sudden now we are hearing that if you bring legislation for the DPP to appeal lenient decisions that that is going to start to deal with the problems of crime in Barbados.

Aside.

Mr. D. J. H. THOMPSON: Not from you. It has not come from you. At the end of the day you have to accept responsibility but it is just like the issue of the Caribbean Court of Appeal and the view propagated that we want a Court of Appeal in the Caribbean to hang people because some old men descended from our colonial masters have a conception of justice which is better and less barbaric than our conception of justice.

Mr. Speaker, Sir, it is all of those mixed signals together with the things that we have been telling our young people consistently about exploitation and about the attitudes that they should have that have contributed very much to the sorry state in which we find ourselves in the year 2000 in relation to the problems of crime and violence. Even when we do not realise that we are sending these signals we send them.

I remember when we had a debate and I think that Miss Barriteau speaking to the Barbados Labour Party Women's League recently had to point out that the comments made by the former Attorney General the Honourable Member for St. George South in relation to men in the household and the liberties that they should enjoy as kings of the castle and so on have, in fact, led to a situation where there are people who actually believe that legislators in Barbados were wrong for bringing strong domestic violence legislation back in the 1990s, that we were wrong for bringing strong legislation to deal with sexual offences.

I was an advocate then and say that I am still one that the virtual complainant should be permitted to give evidence in camera and that the legislation needs to be amended to permit this because there are far too many instances of either unreported rapes and acts of violence against women in this country or, alternatively, that as the matter progresses fear and embarrassment and all of the other emotions which affect women at the time of giving evidence come into play and at the end of the day the trials do not proceed as they should.

It was members on that side who opposed it. I remember distinctly. The Minority Report on In Camera Hearings was written by myself, Maurice King and Maizie Barker-Welch but it was the Barbados Labour Party that provided the majority along with the two members of the Democratic Labour Party to resist In Camera Hearings. I believe that this as well as some very loose, arrogant statements made from time to time, both at an official level and otherwise, have contributed down through the years.

When you look at where it started in 1984, the then Prime Minister, Tom Adams, was arguing that drug crimes were decreasing and giving the impression that drugs were not something to be worried about. The police were telling him that then just as they were telling the Attorney General, Maurice King, that there were no gangs. When he repeated it, the impression was given that he was making some ex cathedra statements and with gravitas which should haunt him for the rest of his political

career. Meanwhile, when you get into that state of denial the situation gets worse and worse.

In the last general election part of the strategy of some political operatives was to walk around in everyone of those street corners where young men gather and sell illegal drugs in this country and told those young people that the Democratic Labour Party was on a campaign to have them locked up and that that is what the crime and violence message was all about, locking up young people for smoking and selling dope. That was the foundation of the message which the members of the Barbados Labour Party and some of their strategists were out there promulgating in the last general election.

Those conflicting signals again have contributed to the kind of scenario which we have in Barbados in the belief that one political party would be lenient in the way it approaches the issue of the sale and use of drugs whereas another political party is not and people do not view the perspective coming from this Parliament or from political parties as being a unified one and one of consensus. It is my view that that is extremely unfortunate and that is why in October last year I felt that it was important that all of us demonstrated together our concern about the problem of crime to seek to erase the element of partisanship. It is a pity that it was not viewed in that light. Nothing wrong with that.

Mr. Speaker, Sir, Government has come to its wisdom and calls on the Opposition now to support it. Fortunately I am here. I am not listening to Sparrow at the Gymnasium. I am not at my own birthday party enjoying myself. I am in here doing the peoples' business and if the Government asks me to participate in such an event, even if I thought it was gimmickry, I would try to look beyond the gimmickry as best I could and as I have done from time to time to participate in the interest of Barbados. I believe all of us on this side and certainly the Honourable Member for St. Lucy and other Honourable Members would share a similar perspective, and I think that is extremely important.

To return to the question of the culture accountability I believe that as a step preparatory to the introduction of this legislation that you need to have a culture out there in which presiding officers do not need legislation to do it but as a matter of course deem it as necessary to provide reasons for the sentencing decisions that they give.

Aside.

Mr. D. J. H. THOMPSON: The law changed at one point. I remember and I suspect that was for the purposes of facilitating the work of the new Court of Appeal.

3:40 p.m.

Tuesday, February 22, 2000.

Continuation of Mr. D. J. H. THOMPSON:

What I am saying is that I know that there are still many situations in Barbados in which presiding offices impose sentences either that people feel are very strong or some that they feel are very lenient without giving reasons for the decision. One of the factors that cause people to either get on call-in programmes or respond to matters in this way is because they do not understand the reason for the decision made by the presiding officer. It is vital and important in the protection of the interest of our system of justice and in the protection of the interest of the individuals on whom the sentence is being imposed that those factors are fairly set out before the court.

I would urge the Attorney General if that particular amendment to the legislation could be done, I believe, maybe by a practice note ...

Hon. D. A. C. SIMMONS: Mr. Speaker, on a point of order. There are rules which are being drafted to support this legislation and we can put in the rules a requirement for the trial officer to give reasons for his decision. I give the Honourable Member that assurance.

Mr. D. J. H. THOMPSON: Yes, I think it would be a good development. It is something that the British has followed. They have introduced new approaches to sentencing in which written reason for the sentence imposed must be given. They have also gone, in respect of some statutory corporation in the way that we have suggested constantly, that Ministers would be required to give and lay in Parliament the directions that they give to statutory corporations because all of these form part of the policy. A successor magistrate, a successor judge or a judge functioning in another court should be able to refer to other sentencing approaches used in other courts and to distinguish those from time to time so that if you have facts that are similar but there are some unique or special scenario which gives rise either to a more harsh or lenient sentence, that the presiding officer will see it as his duty to distinguish his decision from those previous decisions that have been made. Make it easier for the Court of Appeal, make it easier for those persons who call in on the call-in programmes, make it easier for the society in general to understand what is happening and therefore enhance accountability throughout the country.

Hon. D. A. C. SIMMONS: Mr. Speaker, on a point of order. While we are on the point. I know that I had brought a piece of legislation providing for the giving of reasons. In the Bail Act, we are waiting for the Rules to be printed now by the Government Printer. That should come into force in April. In the Penal System Reform Act itself in Section 35 in relation to custodial sentences it says that

“(1) This Section applies where a persons is convicted of an offence punishable with a custodial sentence other than one fixed by law.

(2) Subject to subsection (3), the court shall not pass a custodial sentence unless it is of opinion

(a) that the offence, or the combination of the offence and one other offence associated with the offence, was so serious that only such a sentence can be justified for the offence; or

(b) where the offence is a violent or sexual offence, that only such a sentence would be adequate to protect the public from serious harm from the offender.”

It goes on:

“(4) Where a court passes a custodial sentence it is the court’s duty

(a) in a case not falling within subsection (3), to state in open court that it is of the opinion that either or both of paragraphs (a) and (b) of subsection (2) apply and why it is of that opinion; and

(b) in any case, to explain to the offender in open court and in ordinary language why it is passing a custodial sentence on the offender.”

Sir, I have put it in the law already where they have to give reasons in open court for custodial sentences but we can look at it and see if it meets all that the Honourable Member wants.

Mr. D. J. H. THOMPSON: I had a recollection that it was there. I certainly knew it was there in the Bail Act that the reason for bail not being denied must be given. As a matter of sentencing policy, there are some countries in the world where judicial officers are actually trained in sentencing where the Government has a review programme for sentencing once a year. There are some countries in which that is much criticised because people view it as an encroachment by the Home Office on the responsibilities of judicial officers. We have even had situations in some countries where the Chief of the Judiciary had said that he would like sentences to be imposed in such a way in certain kinds of cases. Again, judicial officers have resisted that because they feel that they should have the widest possible discretion and that discretion should not be fettered or interfered with by either policy consideration or by the directions of somebody other than the officer himself carrying out his duties. It is a controversial area but I think that as long as Government makes it clear that the reason for imposing this requirement is to enhance accountability in the system and is also to ensure that persons functioning in a judicial or quasi-judicial or administrative capacity are required to give reasons for their decisions so that the system is transparent and open.

Mr. Speaker, Sir, in the course of the debate today, the Honourable Member for St. Thomas went back on some old ground. I did not think it was necessary but I believe that if you went back to 1985 you will find similar argument being adduced. At that time the Opposition moved a Resolution saying that:

“WHEREAS there is great current consciousness of crime in Barbados;

AND WHEREAS it is essential that public confidence in the ability of the Police Force to function professionally and efficiently should be maintained and not destroyed by partisan political considerations;

BE IT RESOLVED THAT this House express its support for the efforts of the Police to controlling

lawlessness and criminal activity in Barbados and of the Government for its efforts in ensuring that the Police Force is adequately equipped to perform its function.”

That was back in 1985 on January 22. In that debate, at that time the then spokesperson on behalf of the Opposition who was Mr. M. A. King, made the point that it was important and necessary for Parliament itself to affirm its faith in the police force. At that time the Opposition felt that a very constructive statement of affirmation should be made by Parliament because they were conflicting viewpoints between the then Attorney General, the then Prime Minister and the then Commissioner of Police and people were interpreting these conflicting views as contributing to the problems of crime.

Now, every now and then statements may be made by the Commissioner about the number of officers he would like to see in the Force. The Attorney General may say, I do not know if he has said it publicly, that he does not think that that is what is necessary and the public may interpret this to be a disconnection or a point of rivalry or whatever ...

Hon. D. A. C. SIMMONS: Mr. Speaker, on a point of order. I wish to be absolutely frank and honest about this. I was asked about that matter of maximum number needed and I said I did not want to get into a numbers game, I did not think we needed 800. I said do not let us get into that, let us start to recruit the 225 first. Perhaps 500 might be the number but the development plans says we should be at 1 500 by now.

Mr. SPEAKER: Five hundred more?

Hon. D. A. C. SIMMONS: Five hundred more to the 1 200 we have there. The Commissioner and I have not been in any disagreement. I had not seen what he had written at the time. I have shown him the file to show that the file never came to me.

Mr. D. J. H. THOMPSON: Sir, what at that time appeared to be a difference in opinion, the Opposition sought to intervene to try to resolve that difference in opinion. Now, at that time the increase was not being seen in relation to violent crimes. The increase then was in relation to personal property like robberies, thefts, burglaries and that kind of thing.

3:50 p.m.

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Continuation of Mr. D. J. H. THOMPSON:

But what the Opposition was trying to say then, as I repeat now is that we tend to delude ourselves into believing that because in one very common or pervasive area, that there has not been a phenomenal increase in crime, that there has been an overall reduction and we should tout that as an achievement of the Police Force.

As crimes get more serious, you will probably find that the lesser crimes, get less reported. In a country like Jamaica, people do not always bother to report robberies and thefts because they have greater things to worry about. That was a country that at one time was overtaken both by drugs, political gangster style and other types of killings. Therefore, we cannot speak in 1999 about crime the same way as we could have spoken about it in 1991 and there is obviously a difference between what was happening in 1991 and what was happening in 1985.

The Attorney General therefore has to bear in mind, Mr. Speaker, Sir, that the comparisons over time do not mean the same thing. This is a country - or perhaps even in the world - it is happening in countries that were once peaceful in which we are starting to get used to things that at one time would have caused every Barbadian to lock themselves into their house at night. Some of the kinds of crimes that we are seeing, once you see them once as Heraclitus, says, "you do not dip your foot into the same river twice", so if you see it and hear about it, the next time you hear about it, you are less surprised. The third time even less surprised, the fourth time you may turn a blind eye to it and the fifth time, it is only if it happens to you that it becomes an issue.

It is in this creeping way that drugs have overtaken the Barbadian society in the way that it has and that is why it is quite possible that policemen at the Stadium or at football matches - and I saw what Danny Gill said and I agree with him wholeheartedly - have to turn a blind eye to those situations because they cannot deal with them. And with the best will in the world and even with the Attorney General's advice in here today, it is going to be well nigh impossible for two policemen at the Stadium with 6 000 young people to deal with a scenario of those young people smoking dope.

There are parts of Barbados and in the City which, if you pass through them on a Friday evening, you do not see the police at all but where there is a thriving trade in drugs and other things, things that there was once an even more thriving trade in before drugs came on the scene. But, you would express horror to see the number of older school children who are also actively involved in that kind of thing.

Therefore, Mr. Speaker, Sir, what I think the Honourable Member for St. Thomas should do is avoid those comparisons, not to get too bogged down. The Opposition has its functions. The Opposition is to keep the Government on its toes and criticism must not be equated to politicization because if there is a valid reason for criticizing, the fact that it comes from the Opposition should not mean that it is viewed as politicization. I am not saying that that has been the case in recent times because I think there has been a general acceptance about the upsurge in peculiar kinds and vicious kinds of crime that we have not seen before.

Back in 1985, the then Attorney General got very upset about the Resolution because his view was that since there was only one Government, any Resolution that spoke to Government was a Resolution that was of necessity, critical of the Government. That kind of sensitivity would not help us deal with the problems of crime in Barbados.

In the 1999 Manifesto of the Democratic Labour Party just as for those on that side who were members of the Barbados Labour Party in 1994 ...

Aside.

Mr. D. J. H. THOMPSON: That would not include the entire Back Bench but some of them, our Manifesto dealt very pointedly with the issue of crime and violence. At that time, Mr. Speaker, Sir, we felt that it was important to implement concrete plans to deal with security in neighbourhoods, homes and families. We reiterated our concern that the Government was not providing the level of leadership that was necessary, that the view of the Government was that crime is not responsibility of the Government.

We were saying that the first responsibility of the Government is to protect the lives and well being of citizens. I believe that until the Government comes to understand that that is its first and most important and significant responsibility, then it is not going to focus on the kinds of things that need to be done to deal with the problems of crime.

We felt then, Mr. Speaker, Sir, and it has been proven in today's debate - just by listening to what the Honourable Member of St. Thomas said at the beginning of the debate he said - that there is a direct connection between the economy of the society, the social policy, the environmental policy, the sentencing policy. It appeared to me that one could only conclude when he had finished speaking that on all of those fronts the Government was failing and it was that that was responsible for the high levels of violent crime that we are being faced with in Barbados today. I am basically taking it straight out of his mouth.

Sir, that is why in 1999, we felt that the Government was not committed to helping youth understand the difference between right and wrong, that they were pandering to an element in the society which was contributing itself to the high levels of crime. Mr. Speaker, we felt that the Government needed to build a sense of community opportunity and responsibility and that the mission of the Government leading into the 21st century and coming out of that election was to stress that after all, we are our brother's keeper.

Our mission, Mr. Speaker, Sir, as identified at that time was to invest in our people, particularly our young people and to provide a safe and secure country for all of our citizens and we said then that we would implement aggressive policies from this Manifesto to protect youths from drugs and violence and to help them reach their fullest potential. I heard the Honourable Member's ten-point plan and forgive me for saying it ...

Aside.

Mr. D. J. H. THOMPSON: No, I have seen it already. I read this Manifesto and would have seen it before because a lot of the suggestions ...

Aside.

Mr. D. J. H. THOMPSON: No. I am not saying you plagiarized it, because there is nothing new under the sun but in ...

Asides.

Mr. D. J. H. THOMPSON: No, I am reading from 1999 and so are you.

At that time, Mr. Speaker, Sir, we had to reflect, although it is not as important now, that in 1994, the Barbados Labour Party fought the election campaign on the issue of crime.

Aside.

Mr. D. J. H. THOMPSON: Yes, 1994. 1991 was on the IMF. The 1994 election was fought...

Aside.

Mr. D. J. H. THOMPSON: Go and read your Manifesto. No. No. Very much on the centre of the debate was the problem of crime in Barbados and you indicated then that fighting crime was a core part of Governments. The pledges that were made in 1994 were to reduce crime, protect young people from the scourge of drugs and hang convicted murderers. You said you had met your silver jubilee of pledges to the electorate. All of those were pledges in relation to crime in 1994, not in 1999. All the pledges that you listed, the 25 things that you had done since being elected and yet despite that we had still faced a large number of problems in relation to crime in Barbados. And as I said in 1994 and in 1999, one of the two political parties raised at the centre of the policy debate the issue of crime. In 1994 our response was not as trivial as the Government's response was in 1999 because we accepted that crime was still a problem.

Mr. Speaker, Sir, in 1999, in a very short space of time people have come to recognise that the streets of Barbados are not safe, that children are more exposed to violence and drug abuse, that ordinary citizens in Barbados are dying as a result of cold-blooded executions, that gunmen and cutlass wielding drug pushers and robbers had been attacking people even in broad day light. People sleeping in their homes have had bullets ripping through the houses at night and they themselves cannot work out or understand why this kind of thing should be happening to them, even in the remotest districts of Barbados, where one would not expect that kind of thing to happen, it has been happening.

4:00 p.m.

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Continuation of Mr. D. J. H. THOMPSON:

Therefore, Mr. Speaker, I believe that if we do not bring the kind of focus to bear on this that we brought to the solution of our economic problems in 1991 and that we brought to the solution of other major national crises that we would have faced previously and if we do not bring the kind of national leadership to it that is necessary, then at the end of the day this society will fall apart completely. There are some people who are already predicting that.

There are some people who feel that the Government is not using its mandate or the skills that it has been able to apply in other areas to deal with the problem of crime whether it is the cause of crime or whether it is crime interdiction in relation to drugs and the commission of crime and punishment. Therefore, Mr. Speaker, at the end of the day we can have great prosperity in Barbados and all of it could be very quickly and swiftly wiped away if people start to believe that they can do nothing about crime and that traditional Barbadian values cannot be restored.

When you go outside of Barbados to places like New York City where the City Council under Mayor Giuliani made a great effort to deal with the problem of crime and when you start to hear Barbadians living outside of Barbados in those kinds of cities raise crime in Barbados as a concern, not because of what they read in the newspapers, but because of what happened to them when they were in Barbados, then it means that we have a problem. As political leaders we are always very reluctant to go outside of Barbados and raise it.

The Honourable Member from St. Lucy and I went into a barber shop on Saturday in Brooklyn and he went into the back to where the ladies were having their hair done and a number of them raise concerns about crime. That was actually the first time in all of my travels outside of Barbados that I came upon a group of Barbadians who felt so concerned about crime that instead of raising other matters like the Value Added Tax (VAT) and lawyers and all of the other things that they have raised down through the years, the principal issue that they raise at that time was the issue of crime and that is a grave concern to us.

Therefore, Mr. Speaker, in 1999, what we opted to do was to outline a six-point plan to deal with crime. The first pledge was to put more and better police to work for us. Mr. Speaker, the Honourable Member for St. Thomas 'pooh-pooh' us on that but I made the point that we would be dealing with community police and I want to stress this, we have been able to take people practically off the streets and make them island constables with very limited training. There are also people out there that you can go outside of the 65 years limit to attract those who could be recruited and made to be involved in community policing programme in Barbados. This country has a large number of returning nationals trained in social work. We also have a large number of young people who have been trained and who are involved in counselling programmes and so on. It is necessary to get that kind of programme going again in Barbados. I agreed with the Honourable Member for St. Thomas 100 per cent.

I repeat for the third time in this Chamber that when we had a resident beat police officer - his picture

is actually here - in the community of Gall Hill in St. John, he made a tremendous difference there. It is the police who started the basketball, netball and volleyball programme in St. John. They opened back up the dirty disused Gall Hill Community Centre which the Skill Training Department had practically destroyed and got the young people playing table tennis again and they were active in the community. As soon as that Resident Beat Police Programme broke down and the officer was reassigned we had one murder involving young people who are involved in organised activity. They are not outside of the mainstream, playing for a first division St. John football team, the first ever in the history of organised football in Barbados, and a month after the team has been promoted two of its members are awaiting trial at 'Glendairy' Prisons.

This morning I heard of another incident in the vicinity in which someone died as a result of a stabbing incident. I am saying it is because there are no effective community programmes in those areas either coming from the Government - meaning the social agencies - and the fact that the police Resident Beat Programme has been shut down has meant that by and large in an area that you have facilities, you cannot undertake the major kinds of programmes that need to be carried out.

Therefore, we said within 90 days we will like to see 300 more community police on our streets and in our neighbourhoods. We want to see better trained, equipped and compensated policemen. I look forward to the day when our police officers would be hearing that yes, as a special category of workers whose terms and conditions deserve special review that the police officers in our country beyond others would be given the kind of compensation that they deserve. If we continue at this rate, the Police Force as a whole is not going to attract the kind of recruits that will be necessary to carry out either the Government's ten-point plan or the Democratic Labour Party's (DLP) six-point plan. As long as you have a situation where the people whom you are recruiting are not trainable and do not have the ability to do the kind of policing that needs to be done in Barbados then you are not going to get results from the programmes that you put in place.

I fear very much that people view the position of police officers at the bottom of the professional scale in Barbados and as a very dangerous job in which the moral of the institution is low, in which the levels of compensation alone and the risk are high and they do not see policemen in the same way as our parents would have seen them in the 1960s and before that. Something needs to be done to ensure that the police get the most advance technology and training available, that all the computer and communications systems are upgraded and that the police are involved specifically in social work training to strengthen community policing. That was the first pledge that we made in that Manifesto.

The second pledge was to provide tough punishment for violent criminals and drug lords. I do not repent or resile from that position and I do not care who goes out there to say to young people that the Democratic Labour Party (DLP) has a strong policy on this. There are some people - and I am neither a psychiatrist or a psychologist - for whom any kind of addiction whether it is to food or to alcohol or to illegal drugs or whatever is a very dangerous thing. While people walk around and say that the vast majority of young people - they say it is 52 000 of them, according to Mr. Gale, who are using marijuana - are not involved in criminal activity, there is also a sense in which given a state of frenzy activity, those people can be changed from normal law-abiding citizens, except for the use of marijuana, into marauding gangs of young people.

We have seen this time and time again in the debate in which we permitted the organisers of crop-

over bands to police the bands as they were going down to Spring Garden. We raise this issue because we have seen time and time again where one act leads to a series of other scenarios. People build themselves up into a frenzy and then at the end of the day somebody loses their life or many lives may be lost. Therefore, we feel that tougher jail sentences should be imposed on repeat drug offenders, provide the leadership to fight crime at all levels and enforce alternative sentencing programmes for juvenile first time offenders. Some of these things have been done.

4:10 p.m.

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Continuation of Mr. D. J. H. THOMPSON:

I am pointing to what we felt needed to be done for the purposes of this debate.

The third point was that crime needed to be eliminated by dealing with the root causes of crime. We propose to rebuild opportunities for our youth, create new good jobs and eliminate causes of crime, teach children the difference between right and wrong, and expand sports and cultural programmes for young people.

No one should underestimate that in every community in Barbados we need to have a strong extra curricular programme. There are far too many young people in Barbados who are exposed between the time school ends and when their parents get home. During that time they find themselves in the company of older young men who they look up to, many of whom are involved in drug pushing or drug using, many of whom are involved in gambling and other kinds of pursuits.

I have passed through many parts of Barbados between the hours of 3:00 p.m. and 5:00 p.m., as I say, particularly in rural Barbados when parents cannot get home early, you see youngsters in the road playing cricket and around them their older brothers involved either in gambling or smoking dope, or doing other things. It is therefore sending a message to them about the kinds of things that they too should be doing. They also get to see during that time the large number of people who are benefitting financially from the use of illegal drugs and from gambling without doing any work all day long.

When politicians pander to that kind of thing because they feel that they are out with the boys and the boys like them and they could walk around without a gun because nobody is going to trouble them, and they get some gratification about feeling that they are connecting with people who otherwise would not talk to them, instead of standing for certain strong principles and actually introducing programmes in the community to save the next generation from that degradation, then they are not doing us any good.

Part of the problem is that there are many politicians whose first boast to you is how well they get on with the fellows, while they stand up and the fellows are around them smoking dope and engaging in all kinds of other activities which are wrong.

I believe and I have always believed whenever I am involved in sponsorship of anything in St. John at

the beginning of the programme I lay down the rules for my sponsorship. I cannot lay down the rules for their behaviour but if they can ask me for the sponsorship, then it means that the kind of nonsense that you see going on at a lot of these activities which receive our support and for which we are the only people involved because everybody else has ran away for fear of being in any way connected with many of these young Barbadians, then I have had to make it clear that they would not be benefitting from sponsorship.

I think we have to make sure that there is a concerted effort on our part. I believe it is because of the lack of resources made available directly to the number of football teams, cricket teams and so on in Barbados, that at the end of the day they have to depend on individual politicians to support these programmes.

We come into contact with them. The police come into contact with them. We develop levels of respect and trust but then we do not use those contacts that we have to impress upon young people the kinds of standards of behaviour that are expected of them. I believe that is something that needs to be looked at because the first person they will run to when problems occur is their parliamentary representative who is to provide them with a lawyer, get them down to the court, call back every day to find out how they are doing and so on. That does happen. I say there are many politicians who get a great sense of gratification out of feeling that they have connected with the young people because of the relationship like that that they have built up.

The fourth point, Mr. Speaker, was to protect our children from guns and drugs, enforce drug free zones for schools with severe punishment for anyone carrying illegal drugs in the zone of safety, enact laws completely banning firearms on school properties, establish a crime prevention programme that works with law enforcement officials, public and private schools, family services agencies, the media, the business community, the Church, the neighbourhood watches and non-governmental organisations.

In that regard the point that the Honourable Member for St. Thomas makes about crime prevention, too little attention is paid to that. All that the police can mount in that regard is to provide you with an officer to talk about crime prevention at a neighbourhood watch meeting. They have a system that they will help you identify property by marking them and there are other little things they can do but the country needs to have a nationally mobilised programme to deal with crime prevention.

The ads in relation drugs are just one aspect of it. Those are very often targeted at the people who are likely to use drugs. There are some forces behind those people, including mothers and grandmothers, fathers and grandfathers, and others who are benefitting from it. This whole culture has taken over the society in a very big way. It was being predicted 15 years ago as likely to happen if we closed our eyes to it.

The two last points are to restore safety and security to communities. We believe it was necessary to launch a series of town hall meetings in all communities, to engage the public in discussions related to substance abuse, violence and crime prevention, examine our patrols and deployments to determine if our police are being utilised for maximum effectiveness, and to stay in touch with the people that we represent.

In that regard the Honourable Member for St. Thomas spoke about a large number of gatherings that

he addressed. Sometimes you are addressing these events and at the end of the day you are shouting in the wind and even one or two of them without a focus ...

Hon. D. A. C. SIMMONS: On a point of order, Mr. Speaker. If the Honourable Member is referring to the 'National Consultation on Crime' and on the Steering Committee's Report, the Crime Prevention Report which identified the criminal risk factors, I only chaired the meeting. I let people talk, the 500 people who came to Sherbourne Centre. I let them talk and express themselves about what we should do about crime. I was not talking at them at all that night. I was listening to them.

Mr. D. J. H. THOMPSON: No, I am not disputing that. I understand that. I am saying that even had you talked to them in a situation like that, you are talking to the people who are already in organised activities. You are talking to people who are already concerned about it who may be opinion leaders, who may be the people who call in on the call-in programmes, people who are sufficiently energised to participate, but there are also a large number of other Barbadians, 500 out of 250 000 Barbadians living in Barbados and then all of the others identified which will make another 30 000 living outside of Barbados but who are active in organisations and so, is a drop in the bucket.

What needs to happen is that in almost every organised activity, as well as town hall meetings for which, hopefully, you would not have to get the Public Order Act permission, that you would be able to go out and engage the public in discussions, particularly in relation to the substance abuse and other matters like that.

I remember in the 1970s and 1980s the Community Development Department, Clyde Gollop, used to go from youth group to youth group talking about contraception.

4:20 p.m.

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Continuation of Mr. D. J. H. THOMPSON:

Hundreds of young people who were in organised activities would come out to hear Clyde Gollop dealing with those issues. I do not know what impact they had but the point is that it was a model for getting people involved in discussion on those subjects.

Finally, Mr. Speaker, Sir, leadership in fighting crime at all levels which means that at all levels in the society an example must be set in relation to the issue of crime. A country that does not deal with corruption in government, a country that does not deal with white collar crime, a country which is split by hypocrisy in which those at the bottom are either being terrorised for small activities that they take part in while at the top of the society others are able to escape the rigours of the law, will not succeed with any crime policy.

I believe that the Honourable Member for St. Thomas should be mindful of that, because part of the perception is that there are people at the top levels of the society who are constantly able to escape the rigours of the law and that when the law is applied that it is applied only to those at the bottom.

I believe that that outline incorporates some of the points which the Honourable Member for St. Thomas had in his ten-point plan but, at the end of the day, it still requires a focus and at the end of the day the Government has to convince everyone of its members. I heard the Honourable Attorney General say that all of the members say that they are going to support the tough measures by the police but I have heard some very conflicting statements on that side whenever people talk about tough measures from the police. I would be very reluctant to believe that every single member on that side has yet bought into a policy of tough policing.

There are some people on that side who whenever the issue comes up of tough policing only point out the instances where tough policing has led to hardship as distinct from those instances where it has produced good results.

I believe that once we are sending conflicting signals on issues such as this and as long as politicians believe that they can say that it is only the Attorney General, that is Simmons, so you do not have to listen to him I have a different approach to you all or I am the most liked politician in my community because I can sit down with the boys and when they are smoking dope I can drink with them and talk and they understand me. Meanwhile at another level people are trying to restore some balance to the society and seek to ensure that we can move ahead with a successful plan to deal with crime.

As long as you have that scenario, you will not achieve anything. Therefore, I think the most important statement the Attorney General could make is that he sincerely believes that all of his members have bought into the strategy and that they, too, whenever the occasion arises are going to assist in getting the nature of that strategy outlined and defended.

In 1985 the then Prime Minister was pointing out the differences between the crime statistics, in the same room, he was pointing out the problems of crime statistics and saying how little crime had risen in Barbados compared to these other countries and then in one of his first speeches to the Parliament, a Mr. O. S. Arthur said that he wanted to deal with that particular aspect of it at page 1819. He said:

“The argument in relation to relativities is ... a pointless argument.”

I was surprised to hear this because I have heard some information emanating from his office about relativity in relation to crime before.

“The argument as to whether our Police Force is equipped in the same way, per capita, as other countries’ police forces is a pointless argument. Also, the question asked as to whether our rate of crime is similar to, lower than, or higher than that of other countries is a pointless argument. Those are pointless arguments, because we are a society in which the people, for a long period of time, have been made to feel relatively safe and secure, and a very small increment in the rate of crime, in the context of a society where the citizenry have always felt safe and secure, can have a more pronounced impact than one in which crime and violence is rampant. Indeed, those types of societies, such as Jamaica, have evolved defensive mechanisms, a fortress mentality, in absorbing rates of increases in crime.”

That was in 1985 and the Honourable Attorney General still every now and again lapses into those pointless arguments of pointing out what the crime statistics are and also what the comparisons with other countries are so as to indicate that we are not as badly off.

He did go on to say that what was necessary as we said in 1999 was a restoration of strong communities, the introduction of a national youth service, which the Democratic Labour Party did introduce in 1991 and where we have youth who are interested in progress to reduce the level of crime and violence in the society.

In that particular debate, and I stress this only because it is extremely important, the level of division in Parliament, both within political parties and across party lines was much more severe and people felt that accusations of problems with crime were accusations against a political party. The only accusation that we levelled and it is the most important one against the Barbados Labour Party is that it has by and large failed to offer national leadership to the problem of crime. Despite the many statements of the Honourable Member for St. Thomas, it does not seem that at all levels of Government there is the same commitment and tenacity to deal with the causes of crime in Barbados, that it does not seem that there is the same commitment and tenacity to solve the problems of low morale in the Police Force and the under-resourced Police Force. There does not seem to be that tenacity and commitment to his ten-point plan to community policing and therefore every month there is a new announcement of a new initiative, none of which seem to be having the kind of impact in the society to reduce the levels of crime and the levels of violence. I do not feel that either police accreditation or some of the other boasts which the Government makes have anything to do with our ability to deal with the problem of crime.

The statement that the Honourable Member for St. Thomas made at the beginning was that economic policy, social policy, environmental policy and sentencing policy among others, all impact on the level of crime we are facing in Barbados.

4:30 p.m.

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Continuation of Mr. D. J. H. THOMPSON:

I agree 100 per cent. I am saying that to the extent that crime is rising that all elements of policy are failing to respond to that problem. Therefore, it is only when you have national leadership which is going to take all those elements together - what do you call them, join them up?

Asides.

Mr. D. J. H. THOMPSON: Join them up but with that focus that we will start to deal effectively with the issue of crime. As I have said before, despite the humour, despite the barbs which are thrown at the Democratic Labour Party about our position in relation to the problem of crime, we will continue to ask for support for the Commissioner of Police and for the brave men in the police force in Barbados. We will ask them to undertake their duties with humanity and fairness and we ask support for the other areas of law enforcement in Barbados which have to grapple with this very difficult problem.

Thank you, Mr. Speaker.

Hon. R. R. FARLEY: Mr. Speaker, I rise to lend my support to this measure before the Honourable House. I must say, Sir, that this legislation is but one aspect of the measures which are proposed. I must congratulate the Honourable Attorney General for a fairly full explanation of all that is planned.

Sir, this approach is very much in keeping with the 1999 Manifesto of the Barbados Labour Party in which in the summary was outlined that the strategy would include a scientific analysis of the crime problems; ameliorating social and economic conditions; improving the functions of the police and judicial system and reform of the penal system. From time to time throughout his stewardship he has taken measures of which this is but one and with more to come to do just that.

I listened with some interest to the Honourable Member for St. John. I believe that you could not possibly have found a wider fork in his tongue as he spoke. I believe, Sir, that he could not possibly have been referring to the Barbados Labour Party when he indicated that Members from our side were telling people on 'the block' before the last elections that it was the Democratic Labour Party who wanted to lock them and stop them from smoking their marijuana and so on and therefore they should vote for us. When it was on the Honourable Member's Party platform - the Honourable Member himself would not say these things - but it was on his Party's platform in response to the tough position laid down by the Attorney General when we had the programme to move the guns off the street that we were advised by someone on his side, "do not remove the tools of the trade of the youngsters."

Mr. D. St.E. KELLMAN: Mr. Speaker, on a point of order. The Honourable Member is misleading the House and he is misquoting whoever he is trying to quote.

Hon. R. R. FARLEY: Thank you very much, Mr. Speaker. I was not quoting, I was simply capturing the gist of what was said. Sir, the fact of the matter is that the Attorney General was not given the support at that time for his efforts to crack down on the guns before us.

Sir, this matter of crime is one with which we are all concerned. I would trust that the Opposition, in this case, is not merely trying to be consistent rather than correct. It is my estimation, Sir, that having laid so much on the line as far as having a single election strategy on which all their campaign was mounted 'Crime and Violence' that they are trying to be consistent rather than correct. The effort is being made here today, Sir, to take an approach of 'I told you so' rather, Sir, than really coming to a serious position on what is to be done.

Sir, if we were to take a serious look at the situation which faces us today we will recognise that whilst we are going to take tough measures which are required to deal with immediate situation in terms of crimes committed, crimes that need to be prevented, crimes that need to be solved, that the fundamental structure, the fundamental operation of our society has to be reformed. Those reforms are of a longer term nature than can be effectively dealt with by this single action.

Sir, from my perspective, we have to start from the basics. It is well known that the decay in civility - civility, Sir, is merely just the sum of those things which we have to do in order to live together - the decay in civility over the process of time is directly related to a creeping increase in criminality. Over the years, Sir, in the name of tolerance in some cases, Sir, in the name of freedom and rights and so on, this society has allowed for such decay in civility. Whether it be in the level of litter in Barbados, whether it be by way in terms of the way people maintain their communities and their surrounding, the way they treat one another as friend or the way they treat one another as stranger, those matters left unchecked over the last generation are now coming back to create what is almost in the nature of a parallel society whose norms and values may not be exactly reflective of the vast majority of persons in the society and who, in fact, carry on their own well organised structured activity by way of crime within the society.

Sir, it is also fueled by an individualism which can only be described in very simple terms as a 'me first' philosophy. The sociologist would have us believe - their research is proven in other places - that crime is directly related to economic deprivation. That is not the case in Barbados. In Barbados crime is directly related to greed.

Asides.

Hon. R. R. FARLEY: Crime is directly related to greed. A selfishness, a 'me first' approach to life, because it is not only unemployed people that are involved in crime. There are persons who are employed and who are yet involved in crime. They do it as if they are doing overtime, Sir. Their overtime is, in many ways, more lucrative than their regular time activity. There are persons at different levels within the society who are involved in crime.

Our approach to crime is not a matter as the sociologists will tell us we have to deal only with one aspect of society. It permeates the society, Sir. In fact, if we really and truly address this in the long term we have to deal with the restructuring and repositioning of the values within the society.

Sir, there are some unfortunate spin offs of this crime situation, Sir. There is, of course, the general concern for safety and so on but over the last 20 years there has been a willingness throughout the society on the members of the general public to turn the other way to many of the things that happen.

In fact, there have been many occasions on which Governments have tried to uphold the law and maintain order when the very public would come out and cry out in the strongest fashion whether in the matter of trying to impose some discipline, in terms of parking on the streets, whether it be by way of speeding on the streets, whether it be by way of blockage of sidewalks whether they be in Bridgetown or elsewhere or whether it be by way of conduct of any unlicensed activity. Those are some of the issues, Sir. Those are some of the things that have brought us to where we are.

The approach of this Government is not just a matter of fighting the spectacular crimes as reported in terms of the 'drive-by-shootings' in terms, Sir, of the gun play which may erupt in one place or another from time to time, Sir, but also dealing with the root causes of crime because it is the longer term solution for which we are aiming.

Sir, this legislation today is really set within that particular context as one of several tariffs penal reform, the judiciary and the like.

Asides.

Hon. R. R. FARLEY: Mr. Speaker, the Government therefore is clear on what we want to do.

Sir, I want to raise one point before we move on. One of the things that have evolved over time is that with the way that crime has been reported, two things are happening. First of all, there is an impression that there is much more of it and that it is worse than it really is.

4:40 p.m.

Tuesday, February 22, 2000

Continuation Hon. R. R. FARLEY:

Sir, it is not, but the way in which this issue is being reported, one would imagine if one were to only go on the basis on what is happening in the newspapers that in truth and in fact you cannot walk the streets of Barbados. In fact, I remember the Opposition, I cannot forget them, but they said that the low numbers in their meetings in January 1999 were because people could not come outside, they were unsafe.

Asides.

Hon. R. R. FARLEY: They would have come to ours. I do not know if we had better protection.

When I travel around Barbados, Mr. Speaker, I have no protection other than the Lord, Sir. The Lord goes with me but the reality is that what happens arising out of those reports is, first of all, the impression that the society is ungovernable, that it is not safe to walk around but also, and that of course is the Leader of the Opposition to create that impression, but, Sir, a number of things over time have happened. The Press also tends to highlight these incidences as they occur in areas. Over time a number of residents in particular areas of Barbados have found themselves disadvantaged by the perception which has been created about certain areas of Barbados as a result of these reports. Now that becomes, in time, a self fulfilling prophecy. So you start in year zero which would have been a good 20 years ago, you report that there are these disturbances in area X, Y, or Z and over time, you so turn the public minds against those areas that when young men and young women from those districts apply for a job, without an interview, without anybody seeing them, sometimes employers immediately think, "Wait a minute, wrong community, this person must by definition be untrustworthy." So 20 years later, which is like today, we are reaping some of the fruits sown, inadvertently so ...

Asides.

Hon. R. R. FARLEY: Sir, I do not want to call the areas. We all know the areas which, over the years have been highlighted in the media because of some disturbances that have occurred. Fights break out between a few young men here and there and they are highlighted. Other fights may break out in other areas that might not be highlighted but the fact is that over years where persons are not able to obtain jobs or other advancement opportunities by virtue of the address which they give, then where are their options? How do they feel as if they are part of the society? This creates a propensity towards even further deviance because if you do not feel as if your aspirations are met by the wider society by which you operate, then you look elsewhere.

Sir, I would therefore want to urge the media to be sensitive in their approach to these matters. Yes, report the facts. It is your duty to report the facts but let us also be balanced. Let us also ensure that the good work which emerges out of those same districts in which these problems are reported, gets mentioned.

I want to deal, Sir, with some of the specific matters raised by the Honourable Member for St. John. I am glad to see that they are supporting our drive to provide more resources in the fight against crime. The difference between the very practical, very thought out and reasoned approach of this administration and what was a promotional, marketing and propaganda exercise which was repeated in this House again today by way of the Honourable Member for St. John's recitation of the full text, his Manifesto. For example, Sir, he still wants to let us believe that he could provide 300 policemen in 90 days, as was their claim, when in fact it takes 180 days to train one policeman.

Aside.

Hon. R. R. FARLEY: In fact, Sir, over two years ago, the Commissioner of Police noted concern about the fact that he could not get the number of recruits that were required to fill the spaces available at the Regional Police Training College. The question is, Sir, how therefore would the Honourable Member for St. John be able to find and put these people in place in this very short time?

Mr. D. J. H. THOMPSON: Mr. Speaker, Sir, on a point of order. I would not have blown the \$400 million from the VAT. I would have spent it upgrading the Police Force and their salaries so that Barbadians would feel safe and secure in their homes.

Mr. SPEAKER: No point of order, please.

Hon. R. R. FARLEY: Mr. Speaker, the Honourable Member is into secret deals and so on, Sir, but we are talking about the fight against crime. Shortly the Government will be coming with another aspect of its programme today is the legislative side which we supports for the provision of additional resources, the vehicles, the communications equipment and so on and I would not preempt that, but to say as well, Sir, that other aspects which require examination on the legislative side, this Government is not unmindful of the concern which must be expressed for the victims of crime.

The Attorney General has already indicated to the public some of his proposals and details to follow concerning certain assistance to victims but there is a body of opinion, and indeed it is something which occurs within the judicial system in the United States, which I would trust that the Law Reform Committee and others involved in the justice system would look at.

What about the opportunity of the victim or in the case if the victim is deceased, for the family to have a hearing at the point of sentencing. I know in the sentencing arrangement within the United States in the judicial system that a view is taken, it is not binding on the judge, but a view is taken. A submission can be made at that time and I believe that this will go hand in hand with what is being done today. What is being done today by way of this legislation is just balancing the scales a bit. As it stands now, Sir, an accused and convicted person who is dissatisfied with his sentence, has the right to appeal. What right the victim has or the state acting on behalf of the victim? At this point in time none, Sir, and this is why I support this legislation.

One of my constituents was the victim of a most vicious and brutal attack to which some persons believed that the sentence was inconsistent with some others of that nature.

4:50 p.m.

Tuesday, February 22, 2000

Continuation of Hon. R. R. FARLEY:

I do not know whether the victim was satisfied or not but with the legislation the option would be there, if they wish to exercise it for it to be done. At the end of the day, between the Prosecution and

the victim they would be able to determine what they propose to do but all that is being done is for the scales of justice to be poised a little better.

Sir, I would trust that arising out of this exercise of the Court of Appeal being more active in the review of sentences that a body of decisions and directions would be developed over the years which would help in establishing sentencing guidelines throughout the judicial system because the public must have a high degree of confidence in the judicial system in terms of transparency and in terms of sentencing. Very often, if we listen to what the public has to say, they are confused in terms of the outcome, that is the horizontal equity between the type of offences committed and the nature of the sentences which are imposed. I believe that over time with those judicial guidelines ...

Asides.

Hon. R. R. FARLEY: Sir, I want to make another plea on behalf of the victims. The victims of crime in this country are not the only individuals whom crime affects but our concern is also for the burden placed on the victims families as a result of crime. I believe that the social service agencies have to be more aggressive and more assertive in terms of performing the supporting roles and they must work hand in hand with the criminal justice system to ensure that where as a result of criminal activity where families are robbed of a bread winner and robbed of a person who provided the love and nurturing, that the State through its agencies can step in and provide assistance. The matter of the punishment of the criminal will not be enough compensation for the dislocation and disruption placed in the lives of families.

Sir, getting back to the matter of the Police. I would like to make one or two points before I wrap up. I believe that the Police Force is doing a reasonably good job under the circumstances. The Royal Barbados Police Force was faced with an even more severe situation in 1993. Many forget that in 1992/1993 the crime situation got to the point where a travel advisory was issued against Barbados by the United States of America but through the work of the Police we were able to reduce the level of crime.

My observation though, Sir, is that in the focus of tackling some of the most serious crimes in Barbados that a number of little things appear to have slipped through the cracks. I want to add my voice to a point that was raised where concern was expressed about the policing of what would appear to be small things but which speak to the general order of the society, for example, parking in Bridgetown. Sir, very often I have to approach Bridgetown coming down Lower Bay Street and there are cars parked very comfortably in an active lane in front of a laundry on the one side and a large hardware store on the other side. Sometimes there are not only cars but trucks and forklifts and so on in an active lane in the middle of the day. I, as a law-abiding citizen, feel aggrieved because I know that if I were to miss and drop my little car in front of the bank to ease in to get five cents or in front of a hardware store to get a light bulb, if I were to miss and not go in a car park I would be the unfortunate one to get reported, so I am going to the car park and I will walk.

Sir, I wonder where is the police presence when people are in an active lane or two active lanes where there is danger and this has been proven. There were societies in which the police focus on the hard crime and ignored the little things and it created such a perception of disorder that one could get away with little things and the hard crime which the police were pursuing actually became worst.

I would want that the additional resources which are being provided to the Royal Barbados Police Force to be used not only in the fight against what is considered to be hard crime but also in the general efforts to restore a sense of order into the minds and the thinking of our people because that would provide a major contribution towards the orderliness of the society.

Sir, we also have to look at how we deploy our resources. It is my view that some of the functions which are performed by trained and experienced police officers can be provided by civilians. For example, some of the chauffeuring work which is done in terms of the vans that transport prisoners, apart from an officer providing protective services, the actual job of driving can be done by civilians.

Sir, have we explored as other Forces have, the matter of the full civilianization of the communications and office function within our local police force? Every effort has to be made to allow the police ...

Hon. D. A. C. SIMMONS: On a point of order. The question of civilianization has been explored. I mention it before. Civilianization is done in the control room and the communication room and if we continue the process of civilianization we may end up ...

Asides.

Hon. D. A. C. SIMMONS: Not at all. One area that we need to civilianize is the workshop. We need some civilians up there who are good quality workmen.

Asides.

Hon. R. R. FARLEY: Mr. Speaker, I would want in closing to urge as well that the additional resources which will be provided for the Royal Barbados Police Force will be used in reintroducing community policing. I am pleased to say that I still have the resident beat officer in my area but there is a need for increased vehicular patrols through residential communities in Barbados. That is a fact indeed and I trust that the resources would facilitate that.

In closing, I also want to make the point that individuals and companies operating out there must take responsibility for their own security. By that, I mean that there are too many businesses which rely exclusively on the protective services of the police to protect their cash and assets. They have not bothered to introduce electronic security. They have not bothered to hire security firms or manpower for that purpose. It is that lack of awareness and the lack of commitment to the protection of their own interest which has put severe strain on the Royal Barbados Police Force. I would want to finally urge that by way of expansion of that point that they need to be an increased in the level of training provided to private security guards working for firms in Barbados.

5:00 p.m.

Tuesday, February 22, 2000

Continuation of Hon. R. R. FARLEY:

I am not convinced that in terms of the protection of business and other governmental services even, that the private security officers receive the full benefit of training which could be made available. Again, Sir, if they were to perform their full function, this would free the police to do their serious work in maintenance of law and order and the prevention, detection and the solving of crimes.

Mr. Speaker, I am pleased to support this particular legislation which, I trust, will give the victim a little greater voice and a little greater weight as we try to balance the scales of justice between the wider society and those persons who from time to time may run afoul with the norms and values of the society. Thank you.

Miss H. E. THOMPSON: Mr. Speaker, Sir, I rise to support this piece of legislation, although I am not persuaded that it is going to be significantly helpful, but I support it insofar as it is one attempt at dealing with what is the national perception that there is a very serious problem with crime and violence in Barbados, to use the phrase coined last election by the Opposition, and I regret that I have to use it.

There is a serious national perception that the Government either by deliberate intent or inadvertently, and that is the perception, has ceded our streets and communities to the 'bad boys' and to those who are the perpetrators of crime and violence.

I think that the issue to which we have to advert our minds today is whether or not there is in fact a problem of crime and violence in Barbados; if there is a problem, what is the magnitude of the problem; if there is a problem, what are the solutions to that problem.

What is Government doing to satisfy the public that their real and genuine and seriously held fear is being addressed? Let me turn to the statistics to attempt to answer that question by seeing how the national perception aligns with what the statistics show.

Overall, crime in Barbados is down. In 1998, there were 10 094 reported crimes. In 1999, 10 199. So the percentage increase is 1 per cent or in real numbers, 105. But when one looks at the specific crimes, the crimes that drive fear into the hearts of old ladies, the crimes that affect people standing up at the bus stop waiting for the bus, the person who is driving along in his or her motor car who will have something stolen from him or her, or have the car itself stolen, let us look at those crimes and see what the statistics tell us.

In relation to murders, in 1998 there were 20. In 1999, there were 23. By January of 1999, there was 1 murder; January of 1998 - 1 murder; January of 2000 - 1. But what happened between January and February, I do not have the exact figure but from newspaper reports alone there has to have been at least 5 in the last 2 weeks.

Robbery: The incidents of larceny from the person which involves some measure of violence in the commission of the crime In 1998 - 295. In 1999 - 414.

Assaults with intent to rob: In 1998 - 22. In 1999 - 27.

Burglary: I am not going through all - from dwelling houses, I am talking about the ones which affect people in the conduct of their everyday lives. Burglary from dwelling houses, the perception that in your own home you are not safe, in 1998 - 1 699 and in 1999 - 1 993. In January of 1999, there were 185 burglaries from dwelling houses but for January 2000 - 256 have been recorded so far.

Theft of motor vehicles: In 1998 - 191. In 1999 - 282. Theft from motor vehicles have remained roughly the same. In 1998 - 457 and in 1999 - 463.

Shoplifting: In 1998 - 385 and in 1999 - 402.

Offences with firearms: In 1998 - 150 and in 1999 - 205.

These statistics help to answer the question whether or not the fear that people have of crime and violence is about a perceived problem, whether it is merely the media's fanning of a fear that is not held with any sufficient justification. Those statistics tell me that whether we accept it or not the perception out there is grounded in reality and that we as a Government have to address that problem.

How do we do that? I would seek, if I may, to make some suggestions and to look at what my own perception of the issue is. In my view, the proposition from the Attorney General that there should be compensation for the victims of violent crime is to be lauded because every citizen now feels that he or she is likely to be the next victim and, therefore, if we are going to compensate victims, that is to be commended.

At the same time, I would wish to urge for the second time in this House that since the police officers are the first line of defence in what clearly are escalating and serious problems that they too must be entitled to some degree of compensation when they are injured in the line of their duties, trying to protect the average citizen from robbery, from assault, from crime of any sort and from being murdered. The police deserve some kind of compensation so that they know that when they go out there, should they be injured by the man wielding the cutlass, by the man wielding the gun or by the man with the knife, by the man who like one constituent of mine said, "Miss Thompson, I am prepared for the police to shoot me down. I know I goin' to dead." He is not 25 years old. His vision for his life path is death. So when at 25 years he does not perceive that his life has any value, he does not therefore believe that mine has value or yours have value or the police officer who is confronting him, that his life has any value, and he will take him down if he has an opportunity.

If the police are going to be called on to defend us, then they must be properly remunerated. The issue of the salary regrading has to be dealt with as a matter of urgency and a compensation plan has to be put in place to protect them in the line of their duties and to ensure that if they should fall and suffer severe injury or die that their families - some of them have young children - are not left suffering. I repeat that call and urge it on those who are the members of the Cabinet and have the power to put these things in place.

From this Back Bench I can say all the things that I could not have said before. It is a wonderful position to be in.

What is the impact of the level of crime on the average citizen? My office is on Broad Street. Everyday I am talking to vendors, to taxi drivers, to old women who are stopping me on the street. People in communities now fear that if they are at the bus stop that they are at risk, that if they are in their houses ...

Asides.

There are children now born in Barbados who hear the sound of gun shots in their communities day in and day out, a sound that was alien to me who grew up on Baxters' Road which was considered to be a rough area.

In Barbados that is not the kind of society we want, and unless we put a stop to what is happening and put a stop now, these things are going to get worse, because when you grow up with the sound of gunshots as part of the social norm of your community, then really you have a very skewed view of what life is like, your innocence as a child is ruined permanently in a very significant way.

The middle class are beginning to feel that the things that they have worked for and are sometimes one or two salary cheques away from losing - the car, the house, the material things - that these things are going to be taken from them by force and that if they try to defend them they will lose their lives in the process.

I go into my community and as it starts to get dark people will run out and say, "Miss Thompson, it is getting dark. Why you don't go home? Lock the car door! Listen, wind up the windows!" All of this because people are afraid somehow that they are going to be harmed.

The 'bad boys' feel, 'we rule things', because they do not believe that any serious measures are being put in place to deal with them. When they can dominate the front page of the newspaper, well, then it means that they are achieving their means of terrorising a whole community.

5:10 p.m.

Tuesday, February 22, 2000.

Continuation of Miss H. E. THOMPSON:

The people of Barbados are looking to this administration that won such a significant majority in

1999 for strong and decisive action and they are not getting it on this issue. There is great dissatisfaction out there among the people of Barbados. I hear it everywhere: "What is the Attorney General doing? All you getting from Simmons is talk."

Mr. SPEAKER: Please, Honourable Member.

Miss H. E. THOMPSON: I beg your pardon, Sir. I am just repeating what people are saying.

Asides.

Miss H. E. THOMPSON: I do not know who the person is. I am just saying, Mr. Speaker, Sir, that that is what is being said out there. We cannot laugh it off as Mavis Beckles. If people in a community are saying that about those of us who were elected a mere 16 months ago, what they are signalling is a level of dissatisfaction with our performance in an issue that is of great relevance to them that we are not truly addressing.

The Honourable Member for St. Thomas during the course of his remarks indicated that they are several root causes for crime. If that is so, we need to have a multi-pronged policy approach to the solution of crime and violence in the country. How are we dealing with drugs and crimes which he says are some of the causes? How are we dealing with unemployment and crime? It is not enough to say that the Government is creating jobs and unemployment is down because the reality is that there is a core of persons out there in the society some male, some female, who have no skills, who are not going anywhere to get skills, who are being left behind in this social well-being that we are seeking to create? The reality is that absence of skills makes them largely unemployable in a job market that is demanding better trained and more highly skilled and highly trained individuals. How are we dealing with those persons who are unemployable? How are we giving them the skills to ready them for the job market? Most of all how are we dealing with the attitudinal problems that rest inside of their bosom that causes them to behave in the antisocial ways that we tend to be contemptuous of? That has to be part of the solution.

If poor socialisation and crime are related, how are we dealing with the socialisation issues? How are we dealing with the social issues? How are we dealing with the community issues? Where are we going in relations to social transformation? What are the multifaceted approaches to this problems that we are developing and offering to the society? How do we deal with anti-social behaviour and crime? How do we deal with the general indiscipline and its escalation to more serious crime later on? How do we deal with lack of cooperation with the police by the citizens and crime?

I have made the point already that where citizens complain that policeman come into their community and behave in arbitrary or aggressive ways, do not be surprise then when something goes wrong and they come back to get cooperation and to ask questions, nobody is going to answer them because the relationships that need to be forged to get that cooperation is nonexistent.

Are they in place at this time existing policy initiatives which will impact on the seismical causes of crime and what policy initiatives are going to be put in place to deal with the issue of crime and violence? How are we going to call in aid all of the social organisations which are losing their place in society - the family, the church, the school - all of the institutions which do not have the same strength

and cohesion that they had 10, 20, 30, 40, 50 years ago? How are we going to so rebuild those institutions - the clubs, the social groups - so that the fabric of the society is woven in such a way that it become the safety net for all our citizens, so that people do not feel so alienated from develop, so that people do not feel so left out of the benefits that they see inuring and accruing to other, that it reaches the stage where they feel they have nothing to lose and they do not care who they attach or what they do? That is what it comes down to that they are persons out there who have become so callous, who feel that they have nothing to lose, that it does not matter anymore what they do. What are we doing to deal with that problem?

The public needs to hear consistently, in a coherent way what is the policy that the Government is putting in place. Not a piecemeal approach. What is the comprehensive package that the Government is going to develop and articulate to the public for the solution to these problems? They cannot be mono-focus. The focus has to be large.

We have, in my view, not only to develop, announced and articulate a clear strategy but we have to keep citizens informed about how they can help protect themselves from crime. What can I do as a home owner or a motor vehicle owner to ensure that the risk for crime against me is reduce because I have so protected myself that that happens as a natural consequence? What is going to be the legislative framework that we use to put measures in place to deal with this problem? I want to make the point that it cannot be legislation alone because it is a fallacy to think that stiff penalties alone will solve the problem and will effect change.

Yes, the society wants to see strict penalties, yes, they want to see uniformity in sentencing. They want to see people come to justice without delay, they want to see judges and magistrate make decisions which are unassailable because of their high quality of law and intellect and so on but legislation alone will not solve this problem.

We have to look at the wider criminal justice system. We have to look at social programmes. We have to look at mobilising communities. We have to look at the issue of crime prevention in its entirety and we have to look at equipping the police force and boosting their morale so that instead of people hustling to get out of the police force and we cannot attract people in that people will want to become policemen because they will view the job that the policeman has as important to the rest of the society, that it will give them a self-esteem and self-worth rather than demoralise them so that they will get up everyday whether than being on sick leave forever and want to go to work to do their job. You can only do that by protecting their remuneration package, making sure that you attract quality people and give them the kind of package which will cause them to stay and generally do things which will boost their morale. It is not only motorcycles nor the repair of stations even though these may have some impact. It is about incorporating the social organisations.

Now that I have said ZR drivers.

5:20 p.m.

Tuesday, February 22, 2000

Continuation of Miss H. E. THOMPSON:

Now that I have said ZR drivers inadvertently ...

Aside.

Miss H. E. THOMPSON: That is the point. You have to bring with the marginalised. It is not the people who are in the mainstream who are going to be guilty of antisocial behaviour. It is those people who are socially ostracized who are socially marginalised and it is those persons who perceive that the society has nothing to offer them. How are we developing a policy package that reaches out to those particular individuals so that they do not see antisocial behaviour as their only recourse.

Let us not fool ourselves, the incidence of crime in Barbados is, in my view, under reported because the woman who is in her bathroom or in her bedroom and a peeper comes, she does not necessarily call the police. The person, when men come and masturbate outside their doors, or grease down themselves and push themselves through the bedrooms, a lot of that is unreported.

Aside.

Miss H. E. THOMPSON: I do not see any criminal statistics in relation to perverts, Sir, but there are a lot of them.

Somebody was giving me a story, and I do not mean to become anecdotal, where they were on a ZR and the conductor repeatedly sought to get the fare from a passenger who would not give it and finally he came to the point where his stop was and he got off at his intended destination - pulled out a gun and said to the conductor and the driver, "You don't know that I would so-and-so shoot you for the so-and-so \$1.50." Now, that was not reported because the driver drove off. Nobody was shot or injured so there are incidents every day which help to terrorise people, which help to drive people in fear. Everybody on that ZR van, of course, went home and told a friend, who then told a couple more friends.

There is a perception going about and people are talking about these incidents which are not necessarily reaching the press, which are not necessarily reaching the police because they are unreported. The people feel sometimes that the police is going to take too long to come or if it is not a major offence, they are going to worry with it. Somebody comes and tampers with the lock on your door, if they do not get in and you feel you can put on another bolt on the door to your house, you may not necessarily call the police so there are lots of attempts and incidents which are also going unreported which speak to the issue of whether or not there is in fact a problem with crime and violence in Barbados.

I think that in January 1999 we took the right approach. We did not let the Opposition terrorised the public with foolishness. However, when one looks at the statistics, it is clear that there is a problem about which we all need to be concerned and as a Government, it is our duty to find the solution to the problem. That is why we were elected.

I take no comfort in the fact that the Honourable Member for St. Thomas read from a speech made in 1992 because I must confess to you that all it said to me was that things were really bad in 1992, things

had worsened in 1998 and that nothing had happened in the interval to effect amelioration. That is all that he said to me, that the same conditions that existed in 1992, exist now, eight years later and under a new administration label and we must effect change. That is what people are looking to this administration to do.

Let us not forget that the things the Democratic Labour Party can get away with, this administration cannot. Let us start to respond to what are the issues of concern being spoken about by the man in the street, Sir, that has a spill over effect of what kind of society we believe we live in, what our expectations are for ourselves and for our children and how comfortable we feel as we go about our daily lives because these are critical issues for the average Barbadian.

A former Attorney General of this country once said, when the entire public knew that he was wrong, that there were no gangs in Barbados. Let us not now as an administration say, as I have heard people say, "Oh the problem is not as bad as the Press and others are making out. It is being overstated." Let us not say that because the problem is bad. It is very bad and we need to deal with it before it gets worse. Let us understand that from saying that there were no gangs in Barbados, the social problem emanating from the existence of gangs has now reached the stage where in Barbadian communities there are alien communities existing and I am talking about places like Beirut, Vietnam and Los Angeles and Hollywood and the Red Sea where you dare not go, where if you speak out, your family is under threat and your limbs and lives are at risk.

People do not feel that the Police Force has either the resources or the willingness or the support to intervene and protect them. When a person calls and says there is a man at my door with a gun, the police will tell you, "I am sorry, Mam, we do not have any cars." And they turn up three hours later, that has been my experience, or they come the next day, or sometimes they do not come at all. If that happens, people are not going to cooperate and give the Police information because they believe that it will, in the end, cause them to be at risk and we have to be deeply cognizant of that.

If now, we have alien communities in Barbados: the Red Seas, the Vietnams and the places of that ilk that I have already mentioned, what is the next step? What is the next phase in the depressing development ...

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

Miss H. E. THOMPSON: ... of this antisocial behaviour? We have to put a halt to it and we have to put a halt to it as a matter of urgency. I wish to say, Sir, in the two minutes remaining to me, that in my view there are three issues of which the Government is taking a pounding in the court of public opinion.

Sir, there is a perception - and on another opportunity we will be able to look at whether that perception accords with the reality as I am attempting to do today - the perception is that sufficient space is not being created for the small man and that is reinforced even if you attempt to enforce the law by moving vendors off of the bridge, without at the same time providing any place for them to sell legitimately. When you move them off the bridge, where are you asking them to go and earn a living, if you do not at the same time provide somewhere for them to work from. That is the point.

At the same time, they are Barbadians and they are saying that other people who are not Barbadian by

birth can block whole main arteries into town specifically Bay Street and nobody appears to shut them down or to move vehicles from at their doors. The small person believes that increasingly there is no space for them. That is the one issue on which we are taking a pounding.

The second issue on which the Government is taking a pounding is the fact that increasingly, people are feeling that access to land is not for the average Barbadian or even for the black Barbadian and that those persons who have access are allowed to behave in a way that we as Barbadians could never and would never behave and to treat us with a level of disrespect that is unacceptable in the country in which our navel strings are buried.

5:30 p.m.

Tuesday, February 22, 2000

Continuation of Miss H. E. THOMPSON:

The third issue on which this Government is taking a pounding is the level of crime and violence in the community and the fact that there is a perception that Government is not adequately addressing it.

I make these remarks out of genuine concern for the Barbados Labour Party (BLP) administration for which I fought in 1999 and out of my love for Barbados. I know that I have not spoken in a way that would give everybody great pleasure but that is not what I was elected for. If the party does not take note of what is happening, it would be to our detriment.

I am much obliged to you.

Mr. D. St.E. KELLMAN: Mr. Speaker, I rise to speak on the Criminal Appeal Act and I must first start off by acknowledging that there is a particular problem with this Act which I will like the Attorney General to address. It is easy to come to Parliament and to say that you are going to allow the Director of Public Prosecutions (DPP) to be able to appeal sentences but I want to know who will foot the bill of the accused person when this particular case has to go to the Court of Appeal. I know the Government has not thought of this because they have been bringing legislation to this Parliament without thinking about the far-reaching consequences of the particular Bills and Acts that they have been bringing to this Parliament. It is not as easy as one may think to just get up one day and because Trinidad and Tobago is saying something, to rush to your Parliament to beat Trinidad and Tobago legislators and bring foolishness without thinking about the effect it is going to have on the accused. I am not saying that I support some of the sentences that are handed down in the courts in this country but there must be another way in which we can counteract this particular problem.

You cannot tell me that in 1974 when politicians were allowed to appoint judges that nothing was

wrong with that and all of a sudden politicians are 'big shots' and they are going to decide whether a sentence is right or wrong. Mr. Speaker, this is a dangerous precedent because we are sending the wrong message to the criminals in Barbados. What we are telling the criminals in Barbados is that the judges are ignorant and that they do not know what they are doing and that we the politicians look at the matter although we do not even see the cases but yet still we are prepared to pass a judgement on somebody who is supposed to be qualified to do the job. Mr. Speaker, the same thing happened with the police. Government amended the Police Act and I warned them in here that the foolishness that was printed by a colonial master should not be allowed to come back in the Police (Amendment) Act and now I see people disrespecting the Police. You know why, because we as legislators come in here and do a lot of foolishness. We do not even think about what we are doing ...

Mr. SPEAKER: Honourable Member, do not get too carried away. Honourable Member, please, please. I do not believe that the actions of Honourable Members in here can be termed as foolishness and I would kindly ask you to withdraw those words.

Mr. D. St.E. KELLMAN: Mr. Speaker, once you have ruled, I am prepared to abide with your ruling but I also expect in this House that when the opposite is shown that the ruling is wrong that somebody gives an apology to me in this House too and I am not necessarily referring to you on this particular case.

Mr. SPEAKER: Alright, you proceed please.

Mr. D. St.E. KELLMAN: I am saying that we are giving ammunition to the criminals in this country and we do not even know it. When the criminals walk around and pick up the Police (Amendment) Act and see the foolishness that is in that Act, it gives the criminals the impression that they can employ lawyers to go to court and pull down the policemen and now we are giving the criminals the same ammunition to give to their lawyers to pull down the judges. I am saying that if you have a problem with the sentences that are being handed down that you need to speak to the Director of Public Prosecutions (DPP) and ask him to have a discussion or seminar with the judges to find out why they are handing down these particular sentences but to come ...

Asides.

Mr. D. St.E. KELLMAN: I am saying that this is a serious matter. This same thing happened in Trinidad and Tobago and it is causing bare confusion down there and now we are about to do the same thing. When the Attorney General in Trinidad and Tobago talked about resuming hanging, we rush and wanted to do that too.

I am saying that nobody in here could convince me that when the Director of Public Prosecutions (DPP) appeals a particular sentence that the higher judges will not come to the same conclusion as the lower judge did. I want you to produce evidence to tell me that it would be overturned. I also want this House to understand that the Government is also admitting that they have a problem in how they hire judges because if one looks at the number of judges on the Bench, one would see that all of them would have been appointed by the Barbados Labour Party Government (BLP). I would like to know why and how they were appointed because if you are questioning their competence to give judgment, something is wrong with the appointments. I am serious about this. Mr. Speaker, you appoint somebody as a

judge and then you turn around and question their integrity to give a judgement. This is a serious matter.

Mr. Speaker, it is rather interesting that in the 1992 debate dealing with the Public Order (Amendment) Act the spokesperson for the Opposition at that time said that the legislation was too piecemeal and unscientific and that it was too long in coming. That was some six years ago. They knew that six years ago and six years later they are now here presenting the same amendments on a piecemeal realisation form. It seems to me that when you are in Opposition, it seems that you feel that everything can be done in one day but when you get the Government it is a different matter. I would like to tell my comrades in the Democratic Labour Party (DLP) that this cannot be the policy of the Democratic Labour Party (DLP) that whatever you are prepared to stand up and talk about, you must be prepared to do and that matter ...

Asides.

Mr. D. St.E. KELLMAN: I am glad that you said that the Democratic Labour Party (DLP) does not have a policy and I am going to show you the party that does not have a policy now. You are always walking into my trap and you will always be pounded for doing it.

5:40 p.m.

Tuesday, February 22, 2000

Continuation of Mr. D. St.E. KELLMAN:

Mr. Speaker, the Attorney General of this country said that the crimes being created in Barbados are being done by people who came back here that were shipped here from America, Canada and all those countries. The Attorney General said that and I know he will not dispute that. Let me give him a break to come in here.

Aside.

Mr. D. St.E. KELLMAN: I will repeat it for you. The Attorney General said in this Parliament that the serious crimes being committed in Barbados are committed by the people who came back here that were shipped back here from the United States, England and Canada.

Hon. D. A. C. SIMMONS: On a point of order, Mr. Speaker. That is not true. The Honourable Member is misleading the House. I would wish him to point to the time when I said that because I have never said that. I said that we have no evidence of deportees being involved in crime in Barbados. We had one or two. The last one was the man in Bay Street called, I think 'Murder' was his nickname.

There was a case in St. Joseph with some break-ins about two years ago. Those were the only two

that I knew about. Other people might have been saying that. In Jamaica and Trinidad there is that evidence but we do not have that body of evidence yet for me to label deportees with being seriously involved in crime in Barbados.

Mr. D. St.E. KELLMAN: Mr. Speaker, the Attorney General like statistics. He said only two. Two out of how many? What percentage is that? That is a great percentage. The number of people committing crimes in Barbados and you put them over the population you cannot get a greater percentage than that, so do not tell me about any statistics. As you come you are coming up my street.

That is interesting. In this Government that was said and the American Government was lambasted because it sent people down here on planes and the Attorney General said they did not even inform him they were coming.

Hon. D. A. C. SIMMONS: On a point of order, Mr. Speaker. That is true. Prior to signing the Agreement for Shiprider with the additional Memorandum of Understanding, that is true, that the Americans used to send people here and all you would know is the same the same day they were coming you would get a message that 'So-and-So' is arriving on the BW 425 at 500 o'clock or whatever. All that has changed because there is a Memorandum of Understanding which has been established between the Government of Barbados and the Government of the United States for advanced information.

Mr. D. St.E. KELLMAN: It was also said, Mr. Speaker, that those people came down here and taught the criminals how to commit certain crimes and that the type of criminal activities going on in Barbados was foreign to Barbadians. That was also said in here.

Now, hear the Prime Minister a couple weeks ago that the reason why we are having crime in Barbados is because repeat offenders, who happen to be Barbadians, are being slapped on their fingers and they are back in society. Which one is correct? I want to know from this House whether the Prime Minister of Barbados is correct about his analysis on crime or whether the Attorney General and the other members who thought it was those criminals from overseas, if they are the ones that are correct.

I need to be specific, Sir, because the only way we can come to a fair conclusion is if we are given the statistics to prove whether the crimes are being committed by the people who were normally in Barbados or whether the crimes are being influenced by people outside. Strange enough I tend to go along with the Attorney General on this particular matter because the type of warfare that I am seeing in Barbados is foreign to Barbados. It is the type of warfare that used to be in New York, the type of warfare that was in certain Caribbean islands.

The funny thing about Barbados is that all of a sudden there are certain Caribbean islands you cannot talk about because people feel that they have a particular connection to the islands and you should not talk about them. I am saying if any Caribbean island has an influence on Barbados we must be prepared to call a spade a spade.

I am convinced in this country that the type of foolishness I am hearing on the radio stations telling young boys what is better and what is worse now, and what you thought was good is bad now is foolishness. Listen to some of those songs and you wonder how they could get on the radio stations.

No wonder HIV is so high in Barbados because the type of culture that is being practised on the radio stations is not something good for Barbadian youngsters to listen to.

Do you know what is also wrong in this country, Mr. Speaker? It is the lifestyles that youngsters are being allowed to see. I have a situation and I have already told this House about this particular problem when we were dealing with the Penal Reform Bill where a youngster, eight years old, when asked by his teacher what he would like to be in life, he got up and said three interesting points, and I am asking the Police Force and the Attorney General's office to study this particular case because if you study the social effect of what is going on on the West Coast we would understand what is impacting on our young people.

This is it, Sir. The youngster said he would like to play for Brazil and Real Madrid. He said the next thing he wanted to be is a government minister to fly away free, and the last thing he would like is to have a villa on the West Coast and drive around in a limousine and have "nuff" money. An eight year old youngster said this and that is no lie.

I am saying, Sir, that if a youngster at this age can be thinking like this, what do you think about the other youngsters on the block? They want "nuff" money. They want a limousine. They want to fly around like Government Ministers. Do you know why? Because every single young man that lives on the West Coast of this country what he sees everyday are people coming here, acquiring large buildings, putting them down as if money is nothing. Tell me what culture are you creating in Barbados? That culture is foreign to Barbados and you do not expect people to have aspirations? The problem is there might be wrong aspirations.

I am saying that the type of people that we are inviting to Barbados are the wrong people. They are sending negative influences on our young people but yet still we are prepared to blame the judges. What we have is a serious society problem and we need to stop piece-mealing things. One minute it is the judges. The next minute it is the Police Force. The next minute it is the ZRs. We need a total policy of what is going on in Barbados. The next thing they will blame the Minister of Education and say it is the schools. Stop the foolishness. Let us deal with a serious problem in a serious way. The more you lick up and lock up is not going to solve the problem because we are seeing things that are foreign to Barbados.

Let me tell you something. I have a friend in here who believes that all-inclusive tourism is the best thing for Barbados. It is foolishness. Do you know why a lot of people come in here in this country on all-inclusive tourism packages? Because they believe they can come in here and get certain things. I am saying that those people who used to come to Barbados before, they came to Barbados because they liked the people and because they liked the country, but some of them are coming now because of a habit and preying on all-inclusive tourism, and guns are related.

Aside.

Mr. D. St.E. KELLMAN: I am saying that and nobody will stop me from saying that. Our crime problem has increased because of the type of tourist we are getting in this country. Anybody who wants to doubt it is fooling themselves.

Aside.

Mr. D. St.E. KELLMAN: As you make a serious point you are cursing somebody. That is the problem in this House. It lacks the ability to think logically and straightforward. I am saying that when we have people who used to come to this country and drive around and would go into the normal shops and so on, we had a better tourist. I am asking the Board of Tourism to carry out a survey between the all-inclusive people and the other people, find out what they like about Barbados, why they are in Barbados and what they do not like about Barbados and you will get some interesting statistics. Get proper surveys.

Aside.

Mr. D. St.E. KELLMAN: You know you tourism fellows once you get tourists you are not interested in the country anymore. It is the profit line, but we have to protect Barbados. We have to make sure that a guy who feels that he can come to Barbados and once he comes he does not care anything else about Barbados, he does not care about whether the country is developing or not that is not the tourist we want in this country.

People can criticise me as much as they want. This is Barbados. This is the place I will remain. I have no reason to live elsewhere. My children must be able to live here peacefully and I have a role to protect them. All those who want to have double passports, double visas and all of that to live other places, not me. This is the rock I staying on and I will protect this rock.

I am saying, Mr. Speaker, we must recognise that in order for us to achieve what we want, we must be prepared to adopt a policy that is Barbadian. We need not hunt through the Caribbean and just because a Chief Justice in Trinidad or an Attorney General in Trinidad says something that we must feel it sounds pretty and bring it to our Parliament.

I am not saying that the Attorney General of Barbados is doing that because I know he is very much anti that particular person. There are some people who seem to be reading the Trinidadian papers and every single thing that is going on in Trinidad and Jamaica seems to be coming to Barbados.

I am grateful to the Police Force because even though they were deprived of vehicles, even though they had to use the broken down vehicles from the Ministry of Agriculture, they were still prepared to do their work.

5:50 p.m.

Tuesday, February 22, 2000

Continuation of Mr. D. St.E. KELLMAN:

I am a bit angry because I do not like people setting records at the expense of other people. People deprived certain sections in the public service and pooled the money for six years and then gave them all one time, not even gave, promised them, and then talk about records. While the criminals are driving around BMWs and Mercedes, the police are out there begging the Ministry of Agriculture for broken down vehicles.

A next thing, Sir, a very important point was made in here by the Attorney General. In the time when there was communism and wars throughout the world there was need for the Defence Force the way it is. I will admit that. I am saying that now that we have a problem with drugs and other sorts of crimes that the chief in Barbados for law and order, whether it be the Defence Force or the Police Force, or whatever, should be the Commissioner of Police. We are not at war and the resources of the Defence Force should be made available to the Commissioner of Police. When we talk about 300 men as resident beat policemen it was possible and I will tell you why.

All you had to do was transfer 300 men from the Defence Force, remove the policemen who are afraid to do resident policing. It is as simple as that, because there are some men down there who are not fighting war and we need to redeploy them. If we do not do it, we will be in trouble soon. So do not come and tell us that we did not have any plans. We always have proper plans.

I will say to you that as long as there are vehicles parked, there need to move to MPW. I do not want to see police driving these vehicles anymore. They need to get proper vehicles. What I am saying is that the Defence Force has a lot of money in a vote for vehicles which should be under the command of the Commissioner of Police. That is a point that we should look at for the simple reason we are not at war. The training can still continue. I am not going to allow the Attorney General to get away with this one. He said that they are looking at plans to make the island constables policemen.

Hon. D. A. C. SIMMONS: No! On a point of order, Sir.

I must say, not only today but at no time. I said we are looking at how we can enlist 225 special constables.

Mr. Speaker: Do you withdraw those words?

Mr. D. St.E. KELLMAN: Sir, you know me. Once I slip I would apologise. I did not mean island constables. I meant special constables. My apologies, Sir.

I am saying that it is something that you need to study. The question is why were there special constables in the first place? There was a reason and you cannot come now and reverse the reason just because you do not want to increase the amount of money that you want to spend on the Police Force. Let me tell you something. When you increase that number and you tack this on the Police Force it is the same number available to the Police Force. Twelve hundred plus 225 is still 1 425 no matter how you look at it.

I am saying that you have convinced me today that there is a need for a lot more than 300 additional policemen because you said already that the special constables are not policemen and you have convinced me. I am saying that if law and order is the particular problem now we need to make sure that we come to this Parliament and vote for the necessary money. This foolishness that Government is not prepared to re-grade the Police Force because they are no different to anybody else is foolishness and I will tell you why it is foolishness.

Everyday a policeman leaves home and he goes to his job he cannot guarantee to his wife that he would not be killed in the line of duty. Tell me another public servant that risks that. Why then must he be treated ...

Aside.

Mr. D. St.E. KELLMAN: That is a fact but I am not here for myself. I am here for the Police Force today and I want to know from the Attorney General, who is supposed to be defending the police, how he can sit down at Cabinet and allow that type of argument to be played to him.

That is not normally you because one of your records is on performance and I am sure that regrading is part of your record to perform and you have failed on that. So you have to stop the person who has you failing and do the necessary thing to make sure that you can deliver that promise. You love delivering promises and if you do not deliver that promise I will always remind you that you failed on the most important thing. That is, giving the police the ammunition to deal with crime and violence.

I told you since 1994 to bring the necessary legislation before this Parliament and this Opposition will support you. Do not tell me anything about bring the money. If you have a problem with your comrades, deal with them and tell the public that they are the ones who are stopping the crime problem from being solved but do not blame the Opposition. We will support you on every matter you bring in support of the police because we have been saying it since 1994 and we are serious about it. This should not be a political issue. What I am saying here I am prepared to say anywhere, do not care where I am. I am like the Northern Star - constant.

Aside.

Mr. D. St.E. KELLMAN: I am not a Shakespeare. I am a Barbadian talking about the Northern Star and he is talking about England. That is the problem with the Barbados Labour Party. They are always interested in foreigners and not local people. We do not hear about Brathwaite or Hilary Beckles. I am interested in the Barbadian quotations. The Northern Star is St. Lucy and you will find it down there. I am not interested in any place else.

Mr. SPEAKER: The Honourable Member has two minutes to conclude, please.

Mr. D. St.E. KELLMAN: Mr. Speaker, can you imagine that the Honourable Member for Christ Church is talking about save me and he is going to get up and repeat exactly what I said before?

I am saying that the judges do not need this at this time. We have to find another approach to this

particular problem. Every time I say this you tell me that somebody says this and that as if everybody can advise. You are not prepared to think for yourself. You have to think what is right for the country. Are you going to allow criminals to make judges look like fools? When it happens, who are you going to blame? Do you think the Chief Justice is going to say that he told you so?

It is not my job to raise funds. It is my job to look at documents and have a logical conclusion on them. I am saying that we need to protect the judges from the criminals. If we continue with this foolishness the same thing that we did two years with the police we will do with the judges. We will make criminals make laughing sport at them. Thank you very much, Sir.

6:00 p.m.

Tuesday, February 22, 2000

Mr. M. Z. WILLIAMS: Mr. Speaker, I rise to support this debate based on the fact that it seems as if I have been practising at a game of something for a long time and this afternoon has given me the opportunity to really exercise and to be honest to myself, this Honourable Chamber, the people of Barbados and especially to the people of St. Michael North West who elected me to this Honourable Chamber.

A lot of rhetoric I have heard not long ago. It seems to me that this country has reached the stage where the Opposition believe that by projecting the issue of crime and violence that it is going to leave them to become the alternative Government in this country. I want to send a message to the Opposition this afternoon. If it is your intention to destabilise this country by projecting the issues of crime and violence in this country, I want to refer you to your own mistakes and to also let you know clearly that Barbadians have reached the stage that they understand clearly that there is crime and there is violence.

Mr. SPEAKER left the Chair and Mr. DEPUTY SPEAKER took the Chair.

Mr. M. Z. WILLIAMS: Barbadians know that there is crime and violence and they have elected this Government on January 20, 1999. I am positive that given the right to manage this country in terms of controlling the crime and the violence, that this Government will do so.

Mr. Deputy Speaker, let us really get to the meat of the problem. I have heard the Honourable Member for St. Lucy said a little while ago that they have been saying since 1994 that they would solve the problems of crime in this country.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, on a point of order. I think the Honourable Member is misleading the House because there is no way that I could have said since 1994 we would have solved the crime in this country because we would not have been in Government in 1994 to solve any crime.

Mr. M. Z. WILLIAMS: I am glad that the Honourable Member stood up because somewhere along the line since I have been in this Chamber I have always found myself setting a trap for him and he is always up on his feet waiting to get it. In 1991, Mr. Speaker, the Democratic Labour Party on page 34 of their Manifesto admitted to the people of Barbados that there is an increase of crime and violence in

this country. I would like to read from that page

“The DLP notes with concern the current increase in crime, in particular the trafficking and abuse of drugs and crimes of violence, involving the use of firearms and knives.”

Asides.

Mr. M. Z. WILLIAMS: You were the Government in 1991. In 1991 you admitted that there was crime. You came back to the people in 1994 in order to win as a Government and nowhere in your Manifesto of 1994 have you given the public of Barbados a plan to control violence in this country. How can you tell me that in 1991, Mr. Deputy Speaker, you observed that there was the issue of crime and violence in Barbados. You told me on page 34 that there has been an increase in crime and violence but you came back to run this country in 1994 with a Manifesto that does not have a plan for crime and violence. You are going to tell me, Mr. Deputy Speaker, that I should listen to the Honourable Members on that side trying to tell us exactly how to control the problems of crime and violence when they took a period of time not to deal with it.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, on a point of order. It is obvious that the Honourable Member is misleading the House because he is giving the impression, Sir, that it was the Democratic Labour Party who came to power in 1994 and promised Barbados that they would have solved crime and violence and this is now the year 2000 of our Lord and we are still discussing the crime problems and it is not the Democratic Labour Party that is ruling the country.

Mr. M. Z. WILLIAMS: Mr. Deputy Speaker, it seems as if the Honourable Member for St. Lucy has convenient ears because I never said that the Democratic Labour Party was running the country. I said it came back with a programme hoping. I never said they were running the country. I would like to correct that.

Mr. Deputy Speaker, I am bringing a message for all Barbadians this afternoon. Being a Parliamentary representative that lives on the ground and lives in the air, I was in a position to feel the pulse of the people of Barbados. Get this straight, Mr. Deputy Speaker, the Democratic Labour Party is projecting crime and violence. The fellows on ‘the block’ are asking these questions. I am not condoning crime but I will tell you what the fellows on ‘the block’ are asking. What about the white collar crimes that people get away with in this country that the police is doing nothing about? That is what they are asking. What about the people in this country, who at a particular level are cheating the VAT system? What about the people in this country that are doing certain white collar crimes and are getting away with it? These are the questions the fellows on ‘the block’ are asking. Since that is the case we have to see crime in total. We have to see the problem of crime in this country in total.

This evening I am going to speak, as far as I am concerned on what I know. There is a percentage of people in this country that I have to be honest with. I am saying this afternoon and I am sending a message to the Royal Barbados Police Force. This is what the fellows on ‘the block’ are asking as well. We have seen the members of the Royal Barbados Police Force destroying the drugs, they take the drugs to the incinerator and burn the drugs. They are asking the members of the Royal Barbados Police Force, what are you doing with the weapons you have taken away from various people?

I am asking the question this evening. If we are supposed to control law and order in this country, it must be seen as transparent. It must be seen that we can see through the situation. My answer and my suggestion to the members of the Royal Barbados Police Force is that if you want to be part of the system, you have to be transparent. You have to be transparent in the true sense that the fellows on 'the block' do not have to doubt the principles of the Royal Barbados Police Force but they can see it as it happens. That is a point that I want to deal with.

The other point that I want to deal with, Mr. Deputy Speaker ...

Hon. D. A. C. SIMMONS: On a point of order, Mr. Deputy Speaker, I wish to assure the Honourable Member who can assure the boys on the block that the weapons which are part of a criminal prosecution remain in strict security labelled as exhibits and are produced during the trial as exhibit A, B, C, D or whatever. The same thing used to happen with drugs. I changed the law early to take the temptation out of the situation where you had large quantities of drugs. You now take a sample, produce the sample and get rid of the rest. Tell that to the fellows on 'the block'.

Mr. DEPUTY SPEAKER: Please proceed.

Mr. M. Z. WILLIAMS: Mr. Deputy Speaker, I would like to thank the Honourable Member for St. Thomas for that. Sometimes you see some scenarios where the very weapons go back out and do some crime and go back in. You see it - you watch TV, you watch video tapes, situations like that, so the fellows are properly curious of that.

Hon. D. A. C. SIMMONS: On a point of order, Mr. Deputy Speaker, I do not want the wrong impression to go. Not in Barbados. I cannot disclose but all I can say is that strict checks are made of the arms in the Defence Force and the Police.

Mr. DEPUTY SPEAKER: Please proceed.

6:10 p.m.

Tuesday, February 22, 2000

Mr. M. Z. WILLIAMS: Mr. Deputy Speaker, all I am asking in the interest of all of us in this country dealing with the problem of crime and violence is that certain issues should be seen as transparent and that the doubt we remove from the minds of the fellows and Barbadians in relation to that exercise as that is one of the areas that is of grave concern to many of the people.

Mr. Deputy Speaker, I am one of those people who have a strong belief that in terms of some of the problems facing this country, there are certain areas of that crime which can be controlled. I do believe that you have a situation where guns are part of crime and guns create a situation of fear. All across Barbados now every single person has come alive to the fact that guns have always been dangerous, guns are dangerous and that merits something being done as far as these guns are concerned.

My position on this is that I have seen many gun cases go before the courts of this country and a lot of the people on the streets have started to ask questions. I am supporting this Bill here this afternoon based on the fact (I am hoping and I am seeing) that this Government is about to do something about it. The situation - a man goes before the court - he is held for a gun. The situation - he is given bail at X amount of money - he is out on the streets. The situation is he goes before the court - he is given a fine, probably \$2 500, \$50 000 whatever it may be - he has no job, Mr. Deputy Speaker, he lives a life of crime. Somebody out there has got to contribute that money to prevent him from going to prison. He is going to go out and commit other acts, probably he is going to escape being caught.

I am of the opinion that I would like to see the day in Barbados when all gun related incidents - I do not care whether there are from the heights and terraces, I do not care if you have a gun licence, you live in a house, your wife is in the house with you, you must make provision for her to have access to that gun as well so that if at anytime anything happens inside of that house and the wife has to use it that she would be protected by that gun licence - as far as I am concerned, if you have gun related incidents and you are going to have people going before the court and they are given bail, I say, it should not: no bail should be given to any gun related incidents.

Asides.

Mr. M. Z. WILLIAMS: Mr. Deputy Speaker, I would also like to see the day when Barbados would have either a detention centre or a remand centre. It is extremely important that if we are to direct and guide in terms of controlling crime in this country and law and order that it is necessary to have what I would consider to be a detention centre that can hold people, similar to how other countries have done, until it is time for them to face the courts. Then if it merits the sentence, they are sent straight to where they are supposed to go that is, to one prison or the other. I think we need to get into that vein here in Barbados in terms of what I would consider to be a detention centre.

I am putting forward proposals this afternoon, Mr. Speaker, as a concerned Barbadian.

Aside.

Mr. M. Z. WILLIAMS: I do not want to use rhetoric. I want to be able to show that we can control and we can work towards solving the problems of crime in this country.

We have a problem where the police have lots of vehicles on the road. Everywhere you look, if there is an incident and you call the police. Sometimes you see four, five and six vehicles turning up. Sometimes you call the police and you do not get one vehicle.

Asides.

Mr. M. Z. WILLIAMS: Let me explain what I mean. If there is an incident in the mini bus stand that merits a back up, the next thing you know there are five different sirens going to that location. When you go there, you find that there are five police vehicles in one area investigating one report for back up, so it proves that they have vehicles and they are on the ground.

Mr. Deputy Speaker, I believe the time has come in this country that there is a need for an air patrol in

this country. Until we can have an air patrol which is in contact with the ground patrol, so as to be in a position to monitor the movements of some of the devious deeds that are done inland in this country, we will not be able to get to the root of some the problems.

Mr. Deputy Speaker, I would like the Honourable Chamber to know this.

Asides.

Mr. M. Z. WILLIAMS: I have not heard the Opposition up to today put forward a proposal to handle crime and violence in this country. All I am hearing the Opposition doing is walking around this country lambasting this Government, talking about crime and violence. I am standing here this afternoon, asking this Government that I am part of, to put in place these things that I am asking for because it will assist in the prevention of some of the crime that is happening in this country.

Asides.

Mr. M. Z. WILLIAMS: I am requesting that the Attorney General look at these things. Mr. Deputy Speaker, let me just go back over that point in order that I can continue. I am requesting that some provision be made for air patrol. The reason why I am saying that is because the fellow out there who is involved, is not going to stash his weapon in his house when the police executes a search warrant.

Asides.

Mr. M. Z. WILLIAMS: Since you are part of this Chamber I think you should be in a position, the Honourable Member for St. Lucy to come forward with a proposal.

Asides.

Mr. M. Z. WILLIAMS: As far as I am concerned this has been proven and the police know this very well that the fellows do not stash their weapons in a house, in the ceiling, in the toilet. The fellows stash their weapons on various peoples' properties. I am saying that some law should be given to give the Police the right that any time when they are searching, not only to search the particular area, but to be able to search the surrounding areas where that accused might be living.

As far as I am concerned, they may be searching the house and the weapon may be in the hedge so they cannot find it.

Aside.

Mr. M. Z. WILLIAMS: One of the important things that I am concerned with is that the Opposition has not found it fit to make any suggestions as your Manifesto of 1999 said and that you are interested in working to a better Barbados as far as crime and violence is concerned but you are sitting and laughing on the other side. This is not a laughing matter. This is not a make sport area. This is a situation that we solve crime in this country. We need to protect our children and our families from some of the things that are happening and we need to see it not as a political football but we need to see it as something in which we need to work together the Government, the church and ordinary citizens, to

solve so do not let us get into this Honourable Chamber and point fingers and make sport. Let us be serious and let us try to solve the problem.

Mr. Deputy Speaker, there are too many double standards in Barbados.

6:20 p.m.

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Continuation of Mr. M. Z. WILLIAMS:

These double standards that the criminals are seeing and feel that it is strength for them to do the things that they are doing, then we have got to ask ourselves certain questions. We have got to try to move away from the double standards that we are seeing coming out of many of us here as far as this country of Barbados is concerned.

Mr. Deputy Speaker, one of the areas that I would like to deal with as I make suggestions under the same Act is the law because it is possible that in order to control the young people of this country that you have to involve certain laws. We are claiming that there is a problem with the ZR vans as far as transportation with school children is concerned. This can fall under the control of a better Barbados. It does not make sense taking a minibus driver and conductor to court. Why I am saying this is because they come out a morning and they commit several different traffic offences. They go before the court and are fined. They go back out on the street and they make the same traffic offences over and over the same day.

I believe the day must come in this country where there should be a holding bay for these minibuses and ZR vans who commit traffic offences. That is to say that if the minibuses or the ZR vans come out the morning at six o'clock and they commit a traffic offence that there would not be the case of the police taking out a notebook to write down his particulars, there would be a case of telling him to take that van and put it down for the balance of the day in some designated area either at Ministry of Public Works (MPW) or somewhere else. This would mean that the owner of the van would suffer the losses of the day and so he would have to produce a better understanding. It would also mean that the driver and the conductor of the van would lose a day's pay and that somewhere along the line the next day they would not want to lose the day's pay so chances are that you could control them from there on.

I pray that the day would come that I will see this Government that I am part of, introducing a system to control some of the problems facing the minibus syndrome in Barbados because that is all part of the exercise of crime and I would like to see that done. If we are going to solve crime, we have to solve

crime in total.

Mr. Deputy Speaker, I would also like to say that the Royal Barbados Police Force is an excellent police force in the Caribbean and one that I would consider to be of hardworking men but in every team there is someone who does not pull their weight. I am saying that somewhere along the line inside of the Royal Barbados Police Force that they are those who are not pulling their weight and who are not really cut out to be policemen.

All my life I have heard about top cops. All my life I have seen people in the Royal Barbados Police Force who have been excellent policemen who set examples all along and now we are reaching the stage where there are certain question marks as you go on and that is all part of cleaning up the situation of crime and violence in this country.

Policemen in Barbados must be seen above board. They should not be seen doing certain things in certain areas because the public gets the impression whether it is true or not that there is an association between the criminals and the police and when the public starts to doubt the police then the whole framework will fall down.

Asides.

Mr. M. Z. WILLIAMS: I am also saying that over the years we have seen the Public Relation Department of the Police Force doing an excellent job but I am also saying that there is too much intelligence at times. You pick up the newspaper and you read that the police said that they are going to crack down on this and on that. The criminals can read too so if all the intelligence that the Police sits among the tables and sit behind closed doors and plan and then in a few days' time you see it out in the Press, the criminal is prepared to move with that situation. I am saying to the members of the Royal Barbados Police Force (RBPF) and the Commissioner of Police that there are certain things that they should not let get into the public domain as far as their policing is concerned. I would also like to say ...

Mr. DEPUTY SPEAKER: The Honourable Member has two more minutes.

Mr. M. Z. WILLIAMS: There is a need in Barbados under the link of communication to watch the movement of the cellular phones in Barbados. I am sure that the members of the Royal Barbados Police Force and other people in Barbados know that the cellular phone plays one of the major roles in some of the criminal activities in this country. This is a country that I would consider to be of free expression but you have got to get there and control something before it becomes 'too black' - out of control and if the cellular phones ...

Mr. D. St.E. KELLMAN: On a point of order. I would like the Honourable Member to explain 'too black' to me.

Mr. M. Z. WILLIAMS: 'Too black' is the opposite of 'too white'.

Asides.

Mr. M. Z. WILLIAMS: I hope I have explained it for the Honourable Member. Have I explained it

for you?

Asides.

Mr. DEPUTY SPEAKER: Proceed.

Asides.

Mr. M. Z. WILLIAMS: Mr. Deputy Speaker, in wrapping up I am hoping that the day would come when there would be certain laws put in place and certain controls that the public should not know about in terms of the use of cellular phones in the hands of certain people. In closing one of the things I am hoping that the Leader of the Opposition and all of the members of the Opposition of this country would understand clearly is that in their day years ago they had this problem with crime and it was a situation where the entire Barbados was concerned about that era. At this present moment this Government has the situation where all of Barbados is concerned about the problem of crime and we are preparing ourselves to prevent the spread of crime and violence in this country.

Mr. DEPUTY SPEAKER: Honourable Member your time has expired.

Mr. M. Z. WILLIAMS: We have been given the mandate to do it. In closing, I am positive that somewhere along that line that as long as we put what we are supposed to do in place that we would see a better Barbados.

Thank you.

Rev. J. J. S. Atherley: Mr. Deputy Speaker, I would like to give my support to the Bill before the Honourable House. You would of course pardon my inability to entertain both yourself and this Honourable House to the extent and in the fashion which the Honourable Member for St. Lucy wants to do and has done earlier today. Regardless of that, I would want to make a contribution which I hope would be meaningful.

While I appreciate the fact that we must be concerned about the crime situation at any stage in our country, I believe we need to examine the whole matter in perspective and establish indeed a proper perspective. I believe we need to be wary and careful about developing what I call a 'siege mentality' because of the 'loud mouthings' of many on the subject of the crime situation in Barbados. It is very easy as a Government I believe to experience to some extent the sense of siege and we must be guarded and careful against development such a 'siege mentality.' I wish to assure the Honourable Member for St. Lucy that the last thing I would want to do would be to be blasphemous or sacrilegious in any way.

6:30 p.m.

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Continuation of Rev. J. J. S. ATHERLEY:

Someone said to me once with reference to the issue of crime that if you reflect just for a moment, you would recall that there was stage in human history when the policing was, in fact, done by God himself and one still witnessed the commission of crime, and, in that particular context, capital crime of the most sordid sort.

I say that simply to suggest, not that we turn a blind eye, Mr. Deputy Speaker, but that we be careful about attributing blame for the crime situation as we perceive it from our different individual perspectives. We attribute blame to the Police Force for the apparent state, in our view, or beyond that, that we easily attribute blame to the Government and the office of the Attorney General with respect to this reference to crime. I believe we need to get it in very proper and right perspective.

If I may just digress for a brief moment, Mr. Deputy Speaker, I would want to take issue with the Honourable Member for St. James South who in her very interesting presentation this afternoon made reference to Vietnam, which is in the constituency of St. Michael West. While I did not want to interrupt her flow of thought and expression at the time, it did strike me very tellingly that she was in error with reference to her perception of what the situation is at Vietnam. Either the Honourable Member is in error or I am in error because I do not perceive today the area known as Vietnam, Thomas Gap along President Kennedy Drive, to be an area where one would not dare to go, to be an area which is so alienated and so marginalised that it is dangerous to enter.

I do not have any familiarity with areas such as Beirut or the Red Sea. I am not familiar with those areas, Mr. Deputy Speaker, but I am certainly familiar with Vietnam. I have been there several times since January 1999, contrary to the view of the other side and I am yet to have an experience which causes me to form the view that Vietnam is a place which is lost to what we consider to be civilised, human, proper, acceptable and normal behavioural patterns.

What we have is a situation where poverty exists. What we have is a situation where the unemployment levels are still undesirably high. What we have is a situation where effort is being made to correct both those situations. What we have is a situation where effort is being made to address the problems of very poor housing stock in Vietnam but, certainly, it is not an area where one would not dare to tread.

In all honesty, Mr. Deputy Speaker, in just over a year, since January 1999, on my many occasions of visiting Vietnam, I have only on one occasion sensed that there was any evidence of persons using drugs by means of smelling it in the atmosphere. I am only talking about my experience, and this is not to say that if there is a drug problem we must exclude Vietnam from our frame of reference. All I am saying is that in my experience over one year only on one occasion, and I have pointed this out to many people because it is some thing which has struck me ...

Aside.

Rev. J. J. S. ATHERLEY: I have not had any occasions or instances where I have witnessed any form of crime, behaviour which would be considered to be abnormally undesirable. What we have is a

community beset by poverty, but a community within which, in fact, there is a strong sense of a community.

We organised there recently, Mr. Deputy Speaker, a road tennis tournament, very basic, local fun activity. I am here to tell you in all honesty and to share with this Honourable House, Mr. Deputy Speaker, that at the conclusion of this tournament which ran for several weeks, my eyes were privileged and blessed to see a turnout of about 90-95% of that community to watch the finals of that road tennis tournament.

There seems to me that there is a high level of community cohesion and that we are not talking of a community which is necessarily totally given to crime and deviant behaviour. I just wanted to correct the Honourable Member's mis-perception with reference to Vietnam.

I would also want to take some issue with the Honourable Member for St. James South with respect to her position on the matter of three areas of importance for which this Government is taking a pounding in the community of Barbados. We must be careful to separate, and I think she made the effort to do so, perception from reality. Whereas, in fact, there might be some degree of perception which we must acknowledge with reference to the three areas to which she referred, definitely the reality is far divorced from what the perception is and necessarily something must be done to counter the perception where it does exist and where it does seem to be growing.

The matter of creating space for the small man, the record of the Barbados Labour Party Administration before 1994, and the administration since 1994, I believe, would be the envy of the Opposition, this business of creating opportunity for the small man.

One might want to make reference to golf courses and what have you, that is one phenomenon which we are witnessing, but one may also want to make reference to development of micro business legislation for the small men of this country in an effort to create that space for them.

On the issue of land ownership with reference to the small man, I believe again the record of the Barbados Labour Party, especially in more recent times, would be the envy of the members of the Opposition benches.

With reference to the business of crime which I think was the third plank which the Honourable Member said the Government was taking a pounding, the perception may, in fact, be there, but the record speaks for itself. As I proceed to develop my submission, I would want to make reference to some of that record because we must be able to separate perception from reality.

While we acknowledge a problem with crime, we cannot just throw up our hands and say Government has done nothing since 1992 to 1999 to address and stem the problem. There are completely two different thing.

The Honourable Leader of the Opposition, the Honourable Member for St. John, made the point at the commencement of his presentation that the Barbados Labour Party attempted to make crime a political issue in the last General Election, made crime a matter of trivia, made crime a matter of comic relief. I would like to suggest that if there was, in fact, any comic relief, it was premised upon the public's

perception of the Opposition's position with reference to crime and would only have found what the Barbados Labour Party presented on its platform and through the media comical and humourous if they, in fact, could have identified with the sentiments being expressed by the Barbados Labour Party in relation to the Opposition's position.

6:40 p.m.

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Continuation of Rev. J. J. S. ATHERLEY:

I would like to make reference to the Democratic Labour Party Manifesto of 1999 which we all know is a document of the House and to look at this matter of which of the two parties is serious about the business of crime, which of the two parties sought at the time of the election in 1999 to make the matter of crime a political football. On page 4 under the heading, "Fighting Crime & Drugs: Protecting Barbadian Families", the first paragraph which I think the Honourable Member for St. John neglected to read, and perhaps inadvertently so, suggests

"The Arthur administration has presided over the greatest escalation of crime in the history of Barbados."

This is at the beginning of 1999, at the end of 1998. If you can be serious about dealing with an issue as important as crime, if your position is not to take a political position and make the issue merely a matter for political play you do not start with a false premise such as this. Clearly, the record indicates that this is a total untruth: 'The Arthur administration has presided over the greatest escalation of crime in the history of Barbados' when, in fact, the record showed at that time that the trends in terms of criminal deviant behaviour, the record shows a decline and a serious decline between 1993 and 1999. We are either serious or we are not.

If you begin on a false premise it is hardly likely that any structure you build on that premise is going

to be without fault. This premise is both faulty and false and that is my humble submission.

I would like to refer further to page 4 of this document because I have a concern which comes out of a paragraph which reads:

“If we do not act now, the middle class will be wiped out, and there will be a return to the pre 1930's but with a difference.”

Now I am a layperson but I query whether or not we should look at the phenomenon of crime, whether it be in its increase or decrease, with reference only to the middle class. It seems to me that if we are serious as a political entity we have to be concerned about the total impact of crime and not only criminal activity as it impacts upon a particular class in this society. What this seems to me to be is a situation, and it might be construed in these terms, where a party is concerned about the impact of crime on the situation with reference to the middle class but the experience of reality seems to suggest to me that those criminal acts with which we are most concerned today are acts which are committed perhaps not most often against the middle class but acts which are committed against the working class and the unemployed of this country. We cannot take therefore a class position with reference to our interest in stemming the tide of criminal deviance in this country.

It seems to me that what this policy document indicates is a party which takes a class position with reference to crime. When it troubles the middle class, then we are stirred. If it troubles anybody else lower down the ladder, well, perhaps it is not a bother. This is on page 4 of your 1999 Manifesto.

Mr. D. J. H. THOMPSON: I am reluctant to interrupt the Honourable Member because I know exactly what he is trying to do and that is engage in an argument which is both faulty and premised on a desire to mislead but if the Honourable Member went on to page 8 he would see that actually a whole section was devoted to those who are marginalised under the title “The Economic and Job Programme Improving and Expanding Opportunities for the Poor and Middle Class”. This entire manifesto deals quite explicitly with people at the middle and at the bottom of the economic and social ladder in Barbados.

Rev. J. J. S. ATHERLEY: Mr. Speaker, I thank the Honourable Member for his guidance there. I am not dealing with any economic programme. I am dealing with the matter of crime and the Democratic Labour Party's position in 1999 as to how they saw the problem of crime and how they would deal with the problem of crime.

Mr. D. J. H. THOMPSON: It is for that reason that I will now have to expand the point because the Honourable Member has now carefully sought to mislead the Chamber, which is a charge that I have to lay against him. Listen to the paragraph on which he is reading but he is leaving out the first sentence.

“Unless the crime crisis is checked and reversed, our tourism will collapse and the economic and social crisis will destroy Barbados.”

It then goes on:

“If we do not act now, the middle class will be wiped out, and there will be a return to the pre 1930's

but with a difference.

The big difference is the ease with which guns are available and the emergence of a callous, uncaring, individualism in which no one has a neighbour.”

I think we should have added there “unchristian”, since we do not like unchristian behaviour either.

Rev. J. J. S. ATHERLEY: Mr. Deputy Speaker, I thank the Honourable Member for St. John for his guidance and his attempt to clarify but it seems to me that the few lines to which he referred at the beginning of his paragraph is a general statement about a social phenomenon which would attack the fabric of Barbadian society. A general statement goes on in detail to specify its impact upon the middle class and that is the point I am trying to make. This is a policy position which sees crime with reference to the middle class and its impact upon the middle class and without reference to the working class in Barbados who, perhaps, are more impacted at this time by crime than perhaps any other class in this country.

I would like to look at a few of the points to which the Honourable Member for St. John referred in terms of the Democratic Labour Party’s proposed response to crime. Honourable Members on this side have already dealt with the proposed policy to recruit train and deploy 300 more police on the streets within an unrealistic time frame. The Honourable Member for St. Lucy was heard very carefully by me in his attempt to explain that. He said that the Party intended to draw from the ranks of the Barbados Defence Force.

Again, I am a layperson in these matters, but it seems to me that the military orientation is distinct, vastly different from that of the constabulary, the regular civilian law force, and that the two things do not necessarily gel. It is not simply a matter of transferring and transplanting men from the Defence Force to the Police Force and saying it is easily workable in the space of two or three months. I take issue with that position.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, Sir, it is quite clear to me that the Honourable Member is misleading the House because it was the Barbados Labour Party which during the months of September and October last year were able to draw on the same Defence Force to work when the police were on sick leave. I cannot understand the point that the Honourable Member is making.

Rev. J. J. S. ATHERLEY: It must be fairly easy for the Honourable Member for St. Lucy who, in spite of his apparent difficulty should be able to grasp the difference between transferring 300 men from the military force, giving them daily roles within the regular civil entity and enlisting the support of the Defence Force under the command of the Police Force to do duties from time to time properly supervised and accompanied by regular police constables. A big difference!

If I may look at point No. 3 to which the Honourable Member for St. John referred.

“We will re-build opportunities for our youth; create new, good jobs to eliminate causes of crime; teach children the difference between right and wrong and expand sports ...”

When they left office the statistics showed that the unemployment level of 24 to 25 per cent. I think

the reality to which they would have to admit is that today that situation has been drastically altered. We are talking about unemployment levels of around 10 per cent. We are getting into single digits. In fact, as I understand it, we are talking about unemployment levels among men of about 7 per cent in Barbados today as compared with 24 and 25 per cent when they were in office.

You cannot say that part of your response to the problem of crime is to create jobs for young people and then come back and castigate the Government for moving the unemployment levels of 24 to 25 per cent to 10 per cent, to 7 per cent among men and say that the Government is doing nothing about the business of crime. You just cannot do it. It is a contradiction.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, the Honourable Member is misleading the House and even confusing himself because based on his argument, if you were to assign logic to it, it means that we should have only 7 per cent crime. If unemployment is down, the crime would have to be down too. 650 p.m.

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Rev. J. J. S. ATHERLEY: I cannot extrapolate with the same ability as the Honourable Member for St. Lucy.

Point No. 5 to which the Honourable Member for St. John referred. The Honourable Member spoke about restoring safety and security to communities, launching a series of town hall meeting in all communities to engage the public in discussion on matters related to substance abuse, violence and crime prevention and examine our patrols and deployment to determine if our police are being utilised for maximum effectiveness.

It seems to me, Mr. Deputy Speaker, that this role identified for the Government is a role which properly belongs to the administration of the police force. Already I have heard in this Honourable Chamber today the Honourable Member for St. Thomas suggest that it is not his duty to direct the police force in day to day operation. It seems to me like matters of patrol and deployment to this extent properly belongs to the administration of the force and not with any governmental body. This might very well suggest to the uninformed person who reads here that this document may have been hastily and thoughtlessly put together.

The Honourable Member for St. John said that Government has been sending mixed signals on the business of crime. To me the signals have been clear, I do not know if they have been strong enough but they certainly have not been mixed. To me, the signals have been clear. This administration has firmed up legislation with reference to crime in this country. Prevention of money laundering legislation, I think, has been one of the major legislative enactments of this Parliament led by this administration. Legislation which takes a tougher stance against gun possession etcetera. Amnesty to review arms which are unlawfully in the society.

Asides.

Rev. J. J. S. ATHERLEY: The fact that Honourable Members on the other side recognise what I am talking about means I am making myself clear. Government has made it clear and introduced policy to

increase the resources of the Royal Barbados Police Force. The Attorney General today has made reference to vehicles and equipment as well as to personnel, the very important human resource. I think, on this score, I will have to add my voice in commendation of the administration and the members of the Royal Barbados Police Force for doing a fantastic job in difficult circumstances and at a very difficult time. I think we would all agree on that.

The reform of the Penal System is an important and critical component of the overall plan to address the problem of crime in Barbados. An important objective of this is to continue the successful business today of addressing the matter of recidivism in Barbados. In 1996, as I understand it, we had a very high level of recidivism - 63.6 per cent, if I am not mistaken. That figure has been reduced through the efforts of this Government and this particular Minister to 46 per cent. That is a dramatic decrease. That is significant. It means that there are fellows who are now leaving 'Glendiary' who, a few years ago, it would have been almost inevitable for them to return. That phenomenon is being addressed.

Mr. D. St.E. KELLMAN: Mr. Deputy Speaker, on a point of order. The Honourable Member for St. Michael West is misleading this House. If the Honourable Member is making the point that less people are back to prison, then it means that there is no need for this legislation because I heard on the radio station that people were being spanked across their hands and they were the ones who were committing crimes and going back to prison. The Honourable Member for St. Michael West is saying that that is not true. I want to know who is telling the truth.

Rev. J. J. S. ATHERLEY: It escapes me often how the Honourable Member for St. Lucy gets from Point A to Point B. Point A is this, Mr. Deputy Speaker, that the rate of recidivism decreased from 63.6 per cent in 1996 to 46 per cent up to last year. That is a significant achievement for prison statistics. The Honourable Member can check the statistics for himself. The reform of penal system, I believe, also improves the capacity of the court with respect of its ability to deal with those who run afoul of the law by providing alternative means of sentencing. This legislation being brought before the House today has to do very much with the matter of sentencing. It is part of a total package, Mr. Deputy Speaker.

The point was made from the other side by the Honourable Member for St. Lucy that Barbados has been trying to follow the lead of some other Caribbean state. I want to make the point that Barbados, regionally, has been taking the lead in the fight against drugs. Barbados is a leader in the development of a regional police front with respect to the counter of drug crimes and other crimes in the Caribbean. Barbados is in the forefront. One just has to reflect upon the experiences of the Caribbean with reference to Shiprider. Barbados was a leader then. Barbados has been lauded for its national drug plan. The point is that Barbados leads in the region in the fight against crime and in the fight against drugs. Assistance to non-government organisations, to develop community organisations, to empower and to create opportunity for young people, establishment of national council on substance abuse - already we heard today - doing a fantastic job.

I am trying to point to the fact, Mr. Deputy Speaker, that we have to be careful about going on to that 'siege mentality' about the business of crime. Recognise the problem but also recognise the significant efforts which have been made to counter the drift towards crime in Barbados society. We have a court system of which we can be proud.

Point 6 under the Democratic Labour Party plan of 1999 points to the business of leadership in fighting crime at all levels. It goes on to suggest that there is perceived corruption in Government and within the criminal justice systems and it proposes to bring to an end this kind of a feature so that public trust in its leader can be restored in Barbados. I do not know that there is an acknowledged or perceived existence within Government in Barbados or within the criminal justice system in Barbados.

7:00 p.m.

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Continuation of Rev. J. J. S. ATHERLEY:

Now, again, I am a lay person ...

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

Rev. J. J. S. ATHERLEY: I believe we have a court system of which we can be proud I believe point 6 of this plan can be construed again as perhaps an undeserved attack on the justice system in Barbados to suggest that there is corruption.

Aside.

Rev. J. J. S. ATHERLEY: Because we have a system which is a human system. Within a human system there is always the potential for error and one has got sometimes to provide against that potential for error because we are dealing with a human system which, if it is a good system, should have the dynamics within itself which allow itself to undergo change. Change in an effort to take the system forward. Change in an effort to take the system to the next level and I believe that this is what this legislation is all about. It speaks to the matter of the management of crime. It speaks to the matter of the management of criminals. Sentencing is a critical component of the system and these attempts at this legislation today I believe must be viewed in the context of other attempts to address the problem of sentencing.

Men must not be able to or be facilitated in the business of mocking the pain which the law has the potential to provide. You cannot allow men to mock the pain of the law. Those who are career

criminals must be duly dealt with and I believe sentencing must be firm but it is not only the system which must be managed, it is the people within the system. I personally believe, Mr. Deputy Speaker, that criminals must be managed. Not only the criminal justice system but criminals within the system must be managed but that is another story for another day.

Mr. Deputy Speaker, sadly that is all the time you have given me but I would want to support this Bill which is before us.

I thank you.

SUSPENSION OF SITTING

Mr. D. A. C. SIMMONS: I beg to move that his House be now suspended until 800 p.m.

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

The question that the House be suspended until 8:00 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly.

7:04 p.m.

RESUMPTION

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

Mr. N. A. LYNCH: Mr. Deputy Speaker, let me say from the outset that I obviously rise to endorse the Bill but like the Honourable Member for St. James South there are certainly some things that puzzle me regarding not only the legislation and what it is meant to address but really the whole concept of where we are in this society as it relates to crime and to law and order.

Some would want us to believe that in this society we have in essence lost our way and that there is a total break down in Barbados of law and order. The Opposition continues to push this point and some people believe necessarily that as a society, we are under siege. Some people believe that criminals have taken over and as far as I am concerned and as far as the statistics point out nothing seemingly is further from the truth.

Now, to start to deal with the whole concept of crime or the whole concept of law and order, one would have to primarily ask, is there truly a breakdown in this society of law and order? If there is a total breakdown what are the root causes of that breakdown and how do we handle it? How do we find the solutions to that problem?

Sir, the periods that people would like to romanticize about and say they were the best periods of Barbados, or times in recent past when Barbados was not as bad as it is today, certainly the statistics do not bear out that there has been this great escalation in terms of crime and law and order. If you look at

the statistics that have been presented in the Commissioner of Police's report of 1998 and 1999 through to 1994 and you look at the total number of crimes reported, it is very interesting to note that we had more crimes reported in Barbados in 1992 than we had in 1998 or 1999. In 1990 in Barbados there were 30 murders as opposed to 21 murders last year. If we look as far back as 1988, there were 20 murders committed in Barbados and the statistics do not bear out the concept that there has been a total break down in terms of law and order in Barbados. There are obviously areas of concern and there are specific areas of concern and any Government or any society should be concerned with certain areas.

In recent times, things like robberies and larcenies are up than crimes are up and I believe, Sir, that as a Government we intend and we are fixing those pockets of concern. I am not so much concern that there has been an escalation in crime but the perception is that in Barbados, by normal citizens and by the man in the street that there is an upsurge in crime. I believe there is more of the sense of a loss in confidence in the institutions of Government that deal with handling crime than there are real crimes to deal with.

Sir, people are basically worried about some aspects of their quality of life because among a few, there is a climate of disorder. I want to make the point, Sir, I believe it is only among a few people in Barbados. It is not as many people would like us to believe or as bad as some people would want to say. I believe that there is a lack of mutual respect for some people and I believe that a lot of this has resulted because in the last 10 to 15 years as a society - and this is not to put the blame on any particular Government or any particular Party - that we have failed to educate our people well. We have basically educated our people badly and that is, Sir, whether it is in the schools, through television, through the music that they listen to or through the movies that they watch. Basically, there has been a let down and there has been a fall off in terms of how we educate our people.

8:05 p.m.

Tuesday, February 22, 2000

Continuation of Mr. N. A. LYNCH:

I also believe, Sir - I am not casting the blame on anyone but - I believe that the role of any

Government is to allow the citizens of the country to live productive lives so that they can really and truly realise the promise of independence which is the satisfaction of living in a democratic society. Living in a democratic society has nothing to do with being able to do what you want to do but being able to make sensible choices between what is right and what is wrong.

I believe that there are mechanisms for us to restore some order to the problem areas that we have in the society. If you tell me that the root causes of crime in a society are poverty, unemployment and social background, I believe that this Government more than any have tackled those problems head on. I believe that we have gone to the root of where most of the problems lie and has tried to tackle them head on as a Government. I believe that when you look at what this Government has done in terms of fulfilling its role by restoring confidence in the economy, lowering unemployment, job creation, restoration of the economy, taking a serious look at socially transforming the nation, poverty alleviation, the Urban Development Commission and really going after inner cities where there are urban decay and looking to solve the problems, I think no one on any side can deny that this Government has tackled the problem head on. Although we may have tackled the problems, I believe in essence that people still continues to slip through the cracks. I believe that these are the areas that we seriously need to address.

I want to ask this question, are we truly offering these people, the ones that continue to slip through the cracks, opportunities and truly accessible alternatives that can really give them back a sense of hope and confidence in the society?

In my constituency alone, I can talk about areas in which people has some opportunity but I do not know if they consider the opportunity to be an opportunity of any long-term benefit.

Persons who interview the fellows on the block found out that they have a sense of hopelessness in the society and that most of them do not believe that they can get back into the mainstream of society. Many of them do not want to be on the block and none of them want to be between the cracks and not within the mainstream of society. If they are offered a job or given an offer to learn a skill, and they do not see that there is some hope of that job or skill being a long term commitment to something, obviously what you are going to find is that they are going to end up not wanting to be a part of this society.

Those who slipped through the cracks and have been offered real opportunity and who have not taken up the opportunity need to be held accountable for any behaviour that is antisocial. I do not buy the fact that the fellow who did not get hugged by his mother or who did not get kissed by his father can commit a crime and be allowed to get away with it.

In this society, we are offering people real and true opportunities to change their status to move from point A to point B and if they do not take it, then those who are repeat offenders and who flunk the law need to be dealt with in a harsh way. I believe that there are many ways of dealing with it.

I want to say from the beginning as well, in terms of dealing with the whole concept of sentencing that if the sentences being handed down by the judges are too lenient that we have laws and penalties in this society which I believe are in themselves tough and can be used. I do not know if the way in which we have fashioned this legislation to deal with the whole concept of those who are getting the slap on

the wrist, if we will achieve the ends that we are seeking to achieve by putting the onus back upon the Director of Public Prosecutions (DPP) and then through the Court of Appeal to be able to deal with those people who are getting the lenient sentences. Obviously, if the Director of Public Prosecutions (DPP) operates within the four corners of the law, who is to say that he does not believe that the sentences in themselves are strong sentences. I do not know.

I have always held the belief that there are other mechanisms for strengthening the legislation particularly for some offences and this is one measure which I endorse. I am not so sure that in reality that when this legislation is played out that it will achieve the ends that are intended.

I believe that there is a need to tackle some things in a totally different manner than in the way we are dealing with them now. I also believe that when you allow small things to slip through the cracks that these small things can escalate into big things. That is why I have always advocated to talk about the concept of zero tolerance for small offences. I do not believe that a man wakes up one morning and decides that he is going to rob a bank or kill somebody or get involved in gun crime. I believe that this is a continuum of the disorder that was created. We should not allow the small things like the ZR culture, littering and so on that are happening in the society to work because those are the things that need to be tackled head on before they escalate into big things. I do not believe that people begin with big crimes. I believe that people begin by doing small things that can be tackled head on and can be dealt with easily.

In this country, some people do not have respect for each other and they believe that they can get away with some things that are disrespectful to other people. I want to ask this question, how are we tackling the ones who remain basically pessimistic about their role in the society? The ones that are given the real opportunity and are not taking it needs to be dealt with harshly.

I believe that people need to give back to the society some of the opportunity that was given to them, for example, the whole concept of things like sports and culture. Personally, I do not believe that as a Government that we are offering enough opportunities in those areas. I do not care how much money is spent in areas like Edutech 2000 and other areas. I believe that there are people who can be given an opportunity in other aspects and other alternatives, for example, I do not think that you can measure the contribution of the young men in this society in dollars and cents. The young men in this society are the most vulnerable ones and the ones who are most prone to criminal activity.

In this country, football is maybe the most followed sport and the most played sport of any sport in this country and I believe that we can take football and seriously harness it and handle it to the benefit of these young men. I do not think that you could count in dollars and cents what Rene Simoes has given to Jamaica. I believe that what he has done by taking Jamaica to the world cup that it has given many people the sense that all of them could become professional footballers and that all of them can reach to higher heights.

I believe that the true children of globalisation and free trade will be those who can create a comparative advantage for themselves within any society whether it is through culture or sports. Obadele Thompson can run all over the world and no other professional can duplicate what he does at any level. I believe that we need to take a serious look at how we take aspects of sports and culture and put them together.

Government has got, as far as I am concerned, to look more widely at how they handle some things in the Barbados Football Association (BFA). I think Government really needs to step in, and if they can give those young men a sense that they could become professional footballers, I believe we will have a better sense of what they would do in the long run.

Sir, I believe that within this society we can handle the ones who are doing well and who will be offered true opportunity. I believe that there are ways and means of dealing with the ones who have been falling through the cracks. I think in essence too that through the education system there are some aspects that we can deal with such as respect for authority, patriotism, citizenry and all the things we are teaching.

8:15 p.m.

Tuesday, February 22, 2000

Continuation of Mr. N. A. LYNCH:

Also, Sir, there is a need as well, as far as I am concerned, to recreate and redefine how we deal with the Police Force. I do take the point about the concept of wanting to offer them additional resources, but I also feel that the Police Force itself needs to be given a whole new mandate in terms of how they deal with their own community relations.

I think, Sir, a zero tolerance attitude, something that was done in other similar jurisdictions in terms of courtesy, professionalism and respect within the communities, I think that if that becomes a measure of how a policeman is promoted and assessed as well as how much crime you solve, I think it will go a long way in terms of recreating the kind of relationship they have with the community.

I think, Sir, there needs to be a zero tolerance for the police as well as it deals with things such as corruption, brutality and disrespect. We need to reinforce training in respect of courtesy, of how policemen deal with the society and deal with people in communities. I believe there needs to be another standard set. There needs to be a whole rethinking about how policemen are dealt with and trained in terms of how they deal respectfully with the citizens of this country.

I believe also, Sir, that policemen must not only have performance evaluations in terms of courtesy and respect but also in terms of where we can create public forums in which we show our respect and admiration for the Police Force as well and the things they do well.

Crime, Sir, is a complex problem and it needs complex solutions. I believe, Sir, as I said before, that those who are out to sea, need to be brought back in and we need to use harsh penalties. I believe if there are people out there who are really flouting the law, who are really going over board, that those are the ones we need to deal with and deal with harshly. I, Sir, support any legislation that deals with them in the harshest way possible.

I do not believe we have to go out there and hang everybody, or kill everybody, or whip everybody as some people would like you to believe, but you need to be able to bring back the society into line. Those who are out to sea, we would be able to bring them back in the harshest way. That will send a message, as far as I am concerned, to the society that we are really dealing with those who are out of line.

Sir, I believe again that zero tolerance actually works and that it can work for this society. I believe if we deal with those small things, deal with the ones that are out to sea and bring them back that we will see a total change in the things that we will deal with.

I thank you, Sir.

Hon. O. S. ARTHUR: Mr. Deputy Speaker, the House has been the beneficiary of a very full and productive debate on this most important issue. I propose to speak briefly. I begin by recognising that there are two important aspects to the debate on this very sensitive and emotional issue that is confronting the House and, by inference the country, one political and the next substantive.

Regarding the political, sir, I believe it is important that in all we do that a sense of calm assurance must attend the efforts undertaken by the State and all the institutions of the civil society in dealing with the matter of the continued preservation of law and order in this country. I should like to stress that point, Sir. I believe that a spirit of calm assurance should attend the manner in which this is approached.

That is not to suggest any sense of complacency, Mr. Deputy Speaker, it is rather to suggest that although there is a sense of randomness and irrationality of some of the incidences of crime which has inspired an increase in the sense of dread, the situation that faces this country in relation to the maintenance of law and order is not such an overwhelming crisis that we cannot, by the pursuit of sensible and clearly thought-out measures, continue to have Barbados function as a stable and cohesive society.

The Government is not going politically to tokenise the issue but the Government also, I believe, has a social responsibility to avoid panic and frantic solutions and projection of an image that we are merely responding in a knee-jerk way to incidences as they arise.

I need to speak, therefore, Sir, from that perspective politically because the Honourable Attorney General has sought, in the discharge of his responsibilities, to put together a carefully structured

approach, multidimensional in nature, to deal with this particular matter. Even now we are introducing some of the aspects of this carefully structured approach to highly emotive issue but the Government is not to get involved in panic or frantic solutions, nor to create the fortress mentality image that this country is under such a siege that we have lost the capacity to manage our affairs.

I believe, Sir, that this is very important. I say that being aware that every incident induces its own emotionalism. Every robbery, every murder is one too many. In a small society, everyone will attract its own public attention, but what we are faced with in Barbados, Mr. Deputy Speaker, is a manageable situation. The Government is satisfied that those responsible, and certainly the Attorney General, have sought to proceed in this matter in a disciplined, serious constructive way. We have to steer the course. We have to see this through, but I am not going to support the recourse of panic and frantic solutions.

Mr. Deputy Speaker, I live as the Prime Minister of the country where I drive myself every day. I go to the supermarket. I mix freely, and as I wish, with every section of this society.

Most persons in Barbados continue to enjoy all the freedoms that go with a well ordered developing society and that is not to underestimate or understate the fact that there have been new forms of crime which have, as I have said, by the nature of their irrationality and randomness, created a sense of fear.

Sir, I myself do not believe that I am living in a society that is under siege. Perhaps, Sir, I might have been hardened by an experience in my youth where I knew what it was to go to bed at night with the sound of an AK47 just down the road, and to live in a society where 900 people were killed in a year. I am not underestimating it, but all I am saying is that the Government is not tokenising it.

8:25 p.m.

Tuesday, February 22, 2000

Continuation of Rt. Hon. O. S. ARTHUR:

At the same time, Sir, we are not to overwhelm ourselves by the emotionalism of the incident of it to the point where we depart from a carefully constructed approach to dealing with the matter and seek the panic of frantic solutions. The only way we can be now is to go into the realm of panic and the realm of expediency by way of a solution. The other political aspects is that it has become a partisan political issue and again this is a matter which I do not believe anybody in Barbados truly believes that the Barbados Labour Party administration wants to support criminal and violent behaviour. I do not believe that anybody in Barbados truly believes that the Government does not want to bring this matter to resolution.

What I do believe however, Sir, and this is the politics of the matter, and we are aware of this, that the

Democratic Labour Party recognises that there is an emotionalism in it and that they have sought to make this a high-profile partisan issue and, of course, the Opposition has to find its way of representing itself.

We are not here to condemn the Opposition, Sir, if they feel that this is an issue to seize upon, but I do not want the perception to be cast that anybody in this Barbados Labour Party administration will condone crime nor will condone the promulgation of criminal behaviour. That is why I have always insisted that if the Leader of the Democratic Labour Party wants to be taken seriously and wants us to believe that he is serious about his record and his 'mouthings', at some stage, publicly, he will have to dissociate the Democratic Labour Party from the words that were uttered on a Democratic Labour Party platform on December 8, 1998, at a meeting of the Young Democrats at the corner of Scotts Gap and Cummins Road where the perception was placed that the youth of the country could legitimately prey upon the society, because the call upon them to give up their arms was an unreasonable call because guns in their hands were as tools in the hands of artisans.

Mr. Deputy Speaker, people hear these things and that has legitimised a culture that has made certain people in this society feel that they have an obligation even, Sir, to prey upon the society because from the words of a political platform the word has gone forward that guns in the hands of young people in this country are as tools to artisans.

I want to make the point, Sir, that until the Leader of the Democratic Labour Party comes forward and says that he repudiates that as a statement of philosophy on behalf of his Party I will continue to believe that he is seeking to deal with this issue as an opportunistic way, having been advised by a lady called Miss Jennifer Laszlo, that this is the way to create a basis for electoral success.

I want to go further, Sir. If anybody from the Barbados Labour Party was to make any such statement to give legitimacy to lawless behaviour, Sir, you can be sure that they would be condemned in the strongest possible way by the leadership of the Barbados Labour Party.

I want to repeat that, Sir. Nobody in the Barbados Labour Party has that capacity nor will enjoy any support in putting out any notion to any group in Barbados that they can prey upon the society because they have a legitimate cause for so doing. That leads me, Sir, to the substantive point that I want to make.

This country may be afflicted by a new dimension of gun related and drug related crime that is new and carried on by a well organised, hard core of persons who find illegitimate activity more attractive and profitable than legitimate activity. By reason of its randomness and its irrationality it has raised a sense of dread.

I say two things, Sir. Ordinarily strong sociological arguments are advanced as explanations for high levels of criminal behaviour in society. This is not a society, Sir, that has denied its citizenry opportunity. The whole post-independence of Barbados has been the effort continually to expand the horizons of social and economic opportunity.

I speak, Sir, in the broadest possible terms about the horizons of social and economic opportunity. Even as I speak, Sir, the Government and the institutions of a civil society are continually seeking to

find ways of expanding the social and economic opportunities for lawful and productive individual behaviour.

What we are seeing in this country is an encroaching indiscipline over an extended period of time which has been sanctioned, winked at, acquiesced to, sometimes even legitimised for false and flawed reasons slowly undermining the social fabric of a society where the social capital has historically been based upon certain strong values.

What I am seeing in Barbados today is the culmination of a slow but inextricable process by which indiscipline has come to be accepted as justifiable. We are seeing it, Sir, in too many different ways. In my days, Mr. Deputy Speaker, parents used to go to school if their children were disciplined to make sure that the discipline was properly enforced. We have come as a society to accept the foolishness of parents at war with the teachers at school for disciplining their children.

I say to this House, Mr. Speaker, that if the children in Barbados have drug problems, their parents are financing that problem. To purchase drugs requires a source of funds. Drugs are not cheap nor free. There is an over-indulgence on parents' parts pertaining to their children's welfare that sustain this type of behaviour leading to a decay in the kind of discipline that exists at schools.

The society has come to wink at people taking the law into their own hands. We have seen it in the bus stand where people believe that they can take criminals out of the hands of the police. It manifests itself in so many other different ways and whenever an action has to be taken against people taking the law into their own hands all kinds of false justifications are ordinarily advanced as to why that lawless behaviour should continue. It pervades many different sections of the society.

We have come, for example, to accept or begin to accept a certain culture of indiscipline on the part of the public sector vehicles - I am not picking on them, Sir, but when you say, let us deal with it, there was a clamour, a clank of voices raised that you are trying to unfair the small black man.

In the 1980s when there was the argument, let us put our vending in the context not of disorganisation but in a structured context, don't let people begin to steal property on Broad Street, let us put them in a structured arrangement, again the voices were raised that you are trying to unfair the small black man. Sir, it is not only the vendors I am talking about. In the public service, for example, you have an attitude that you should wink at fraud, that you cannot enforce discipline. In the Church, Mr. Deputy Speaker, Sir, bad examples set by bad priests - and people wink at these things. In the private sector, we are a society ...

Asides.

Rt. Hon. O. S. ARTHUR: We are a society that started with a very strong social capital based upon strong values and over a period of time we are replacing a disciplined approach to the management of our social and economic affairs with these informal undisciplined norms many of which are in conflict with the rule of law and the orderly development of the society.

8:35 p.m.

Tuesday, February 22, 2000.

Continuation of Rt. Hon. O. S. ARTHUR:

We have to stop justifying it by speaking, Mr. Deputy Speaker, with ‘forked tongues’ and sending mixed signals to the society. We have to stop doing it. Every time the agents, the persons paid by the state to enforce the law take strong action there is a clamour that will rise up to condemn in the strongest terms. I say, Sir, that is the double standards that we are now seeing in the society where people want strong action but when strong action is taken that strong action is condemned.

Asides.

Rt. Hon. O. S. ARTHUR: Not just in the name of human rights, Sir, but in the name of all sorts of arguments ranging from the preservation of human rights. The one that I keep speaking about is that the name of the small black man is held up and false tears shed on his behalf by people who are seeking to find a way of legitimising foolishness. We have to come to terms with it Mr. Deputy Speaker.

I also, Mr. Deputy Speaker, must say that the country has to come back from the brink of some of the new attitudes that are developing in this country. There is an attitude developing in this country, Sir, that would almost have it as if foreigners are not welcome here. It may not be said in as many words as that but it is the message that is being heard. Therefore, if a fellow in St. Lawrence Gap locks off a tourist neck, it is because he is hearing a message that people like you are bad for Barbados, you are not welcome here and I am justified in taking out against you my right to treat you as I wish. That mentality, Mr. Deputy Speaker, is coming to pervade such a large proportion of our social and economic life that Barbados is setting itself up almost like Richard II that we are some royal throne of kings a sceptre isle, a demi paradise, set aside by nature against infection at the hands of war. It can happen to everybody else but it cannot happen to us, that we are special and, therefore, the courtesy of our relationship with entities from abroad in a society that must live on its international economic relationship is being replaced by hostility and anger that I submit to the house, Sir, that if not checked, is going to carry this country to the brink. Too much of it, Mr. Deputy Speaker, is justified on false grounds. It is these mixed but dangerous messages that people are hearing that in fact say that it is cool to bend the rules and break the law because those actions will be legitimised by a sociology of confusion advanced to support all the foolishness that is being done. Sir, it pervades all sections of the society.

I am saying that as regards the fight against crime, there is a specific role to be played by the state and the agencies responsible for the maintenance of law and order and that role will be played in a substantial way. I have come to this House, Sir, to give the full support of the Government to the measures put by the Attorney General to sustain the fight. Additional measures will be coming, Sir. He would have spoken about the measures that he will bring next to fully equip the discipline forces.

There are other measures to establish independent complaints authority to deal with matters relating to the police. We are talking about compensating victims in a sustained concentrated way.

I cannot leave this debate without saying that people in Barbados must see themselves as being responsible for their behaviour and for the consequences of their own behaviour. While a large part of the solution to any problem we have lies in the promise of the Government, Sir, a substantial part of the solution to the making of law and order lies within the province of people, families, institutions and communities assuming responsibility for their behaviour rather than seeking to rationalise it on the basis of some false logic. Sir, we really have therefore to see this matter in that context.

In substantive terms the Government understands the seriousness of the matter that is before us. I say that, Sir, because this matter has engaged the attention of this Administration from the start. Our seriousness was attested to by the establishment of a Task Force to enquire into this matter into the causes of crime. Our seriousness was expressed in discussing that Task Force report with the public. Our seriousness is represented in our willingness to implement the major recommendations before us to equip the state and its agencies to bring this matter without panic under control.

There is one matter, Sir, which I must quite frankly speak to. I am not going to bash the police and I do not want anything that I say as being treated as an attempt to bash the police but an important aspect of the attempt to restore and to maintain law and order in this country will have to do with the full restoration of a relationship of comprehensive confidence and trust between the Royal Barbados Police Force and all sections of the Barbados community, Sir. I want to repeat that, that an important aspect of this will have to do with the restoration of relationship of full confidence and trust between the Royal Barbados Police Force and all sections of the Barbados community. Sir, it has to be done and it can be done but we must not mistake the significance of not doing it. There will be no climate in this country conducive to the full maintenance of law and order if any section of the Barbadian society feels that they are at war with the police.

I say that, Sir, as a self-evident point. The Royal Barbados Police Force like any Police Force is there to protect the public and to enforce the law as the law is stated. This matter has first, therefore, to be dealt with, Sir, with the affairs of the Royal Barbados Police Force being carried out fully within the four corridors of the Police Act of Barbados. I have already before this House had the occasion to speak about the Police Act. It is a clear piece of legislation that the best command of the Police Force is the Commissioner of Police answerable to the Governor-General for all matters pertaining to the governance and superintendence of the Force and for the welfare of his men.

The Attorney General, Prime Minister and Cabinet is not in that loop, Sir, although, obviously we are not neutral or blind to the relationships but nothing should be encouraged that would suggest that anybody other than the Commissioner of Police has full command, full governance and superintendence of the affairs of the Police Force. That is why the Act is so drawn that requires him, in all of these matters, to report to His Excellency the Governor-General and to put his administration of those affairs outside the influence of politicians and also outside the influence of trade unions or any entity that would want to purport to act as a trade union. Once we start winking at things and have a sense of divided command then you are going to have a problem in the Police Force. Every disciplined force whether it be the Army, the Police, the Fire Service or the Prisons must have a clear, undisputed and undisputable command that orders must be given in the absolute certainty that those orders are

going to be respected and carried out. 8:45 p.m.

Tuesday, February 22, 2000

Continuation of Rt. Hon. O. S. ARTHUR:

I make that point again, Sir, because it is essential to the protection and the preservation of the concept of a police force as a disciplined force that command must be clear and certain and must not be diluted by any consideration that would have any entity other than the Commissioner fully in charge of it.

I also feel, Sir, that the same thing must be done with the prisons and we will deal with that in due course but all disciplined forces must be under a clear command. I also want to say, and I am not placing strictures, but if there are any, the police must be alert to the fact that like Caesar's wife, his members must be above reproach and it must not be afraid of opening up itself to the therapeutic virtues of evaluating issues that come before it and be honest with itself. If it has within its ranks, known persons, who sometimes are doing things not always in the best interest of the Force and the country and exercising the command that should be within the Force to make sure that the name of the Police cannot be tarnished and that the relationship that it has with communities is a relationship based upon mutual respect and confidence.

I am not pointing fingers, Sir, but I believe that there are sections of the Barbadian society who believe, not without some evidence that the relationship can be and should be improved. It is within all of our capacities to ensure that that is done. The fight against crime requires the combined efforts of the state, the Police and all the disciplined forces, the communities, the families and the individuals of Barbados. Anything that causes a disconnection in that vital relationship, Sir, weakens us in the fight.

Sir, I really feel strongly that if there are any mal practices in the administration of the Police, they have to be stamped upon because the public is not going to have confidence in the fairness of the execution of justice, nor in matters pertaining to the maintenance of law and order unless the persons

responsible for the execution of law and order are themselves, Sir, clearly above reproach.

I feel, Sir, that there is need, as has been expressed in this House and I say so because as I say the Police Act best creates a relationship - not between the Commissioner of Police and the Prime Minister, he does not report to me, Sir, I do not even know about promotions, nor can I issue directions to the Commissioner of Police. But I am not neutral. The Government cannot be neutral of confidence and trust between the Royal Barbados Police Force and members of the public.

This is not a matter only that requires an effort on the Police, it requires an effort, Mr. Deputy Speaker, from members of the public. I want to share therefore in that respect, Sir, a little incident with the House. There was a young man in St. Peter who is related to me and in this matter, Sir, there is no partisan divide. He is related to me and all of us in St. Peter who are both "Bs" and "Ds" - who felt that he could go and put a gun to the head of a policeman in this country and told the policeman that he has to let go a prisoner. I want the full weight of the law to fall on his shoulders. He has to feel the full weight of the law.

There are sections of this Barbadian community who feel that they can take the law into their hands and that they have a recourse by going to somebody who is going to exercise a discretion in their favour. The full weight of the law has to be made to fall on all transgressors without fear or favour or discrimination and that is the kind of society to which we must work once again to revert. It must be so whether you are talking about blue-collar crime or high-collar crime or white-collar crime or when you are talking about crime in double offices, on the streets, on the beaches, in the schools, in the churches or in the media. There has to be that restoration of the sense of discipline and we are not going to tolerate foolishness nor advance special arguments for special groups whose cause cannot be supported, or that we are not going to use discriminatory practices just merely to legitimize the nonsense that some people feel they can do because they have a recourse in high offices or elsewhere.

Unless there is that understanding of that is what is required of us, Mr. Deputy Speaker, we are lost. The Government is going to do its part, Sir, and I want to say to this House that we are going to proceed to deal with this sensitive, difficult issue without a sense of panic or resort to frantic, undemocratic, unlawful acts, acts that convert this country into wild behaviour in response to wild behaviour. We are not going to do that, Sir, because we feel that what we are dealing with, can be controlled. We feel that it has not gotten so far that a concerted, constructive approach will fail to deal with it.

The Attorney General and I, Sir, have gone back a long way in politics and he does not have to say but I know how he would himself like to be able to have this battle resolved. I have the greatest sympathy for him because he has set in train a programme that, as I said, has been based upon a scientific appraisal of the problem before it is set out on the endeavour that it will require actions having to take place over a period. It will require us to mobilise resources as resources are available.

For example, I would regard it a frantic approach to know that you could just throw up the \$100 million in the fight against crime. That is what I call panic solution, Sir, because you do not have it. You know the resources are not available but to suggest that that can be a solution is to make the public believe that if you do not do it then you are doing nothing.

This Government, Sir, is going to approach this matter in a serious way. The Attorney General knows

of the commitment of the entire Cabinet to provide him and those responsible for the protection of the society with the resources at a level within our means.

We will be bringing to the House, Sir, very shortly a package to provide disciplined forces, not just the Police because all of them are in it as well, with the means to mobilise better, to better protect the public but we are going to yield to a mentality of siege. Sir, that is not to tokenise the issue or to trivialise it. It is merely to say that in this matter, as in every other matter, if we cannot assure the Barbadian public a sense of decency, the sense however, Sir, of doing what we know we have to do to keep on top when circumstances prevail, then this too can be a matter that we can resolve to our credit.

What is before the House therefore, Sir, is but part of a multi dimensional approach by the Government, led in this instance by our Honourable Attorney General to find a series of measures on an accumulative basis to wrestle this matter down to the ground.

I support it in that context, Sir. I commend this legislation to the House and I give the House the assurance but we will not by lack of effort fail to find a sensitive and an enlightened solution to this matter in keeping with the best traditions of the Barbadian way of life.

I am obliged to you, Sir.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I rise to wind up. We have had a long day and we would most likely be dealing with some aspect of crime next week if all goes as planned.

8:55 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

The Prime Minister and I did not speak about our approaches to this matter. Last week when I was invited by the Press to talk to them after the meeting of Regional Attorneys General, one of the ladies of the Press asked me something about stress associated with the job and how I was feeling. I told her straight in language similar to what the Prime Minister said tonight that there is a problem with certain types of crime but certainly the Government of Barbados and I, as Attorney General, have a duty to ensure that the public remained calm and collective and that we are clearly focused on solutions to the problem and that there is no need to panic. I certainly am not panicking and I will not panic because it is not the role of a leader to panic but to set proper examples and I am prepared to do that.

Last week, the Prime Minister told me that we have to tough out this and I am prepared to tough it out. I have been in this job for over 20 years and I was on that side when I led some attacks about crime in the 1991 General Election and in the 1994 General Election we led with it, so I understand. What I do not understand is the difference in methodology now from then because then it was a pure political issue.

I have evidence that there is a clearly crafted insidious campaign orchestrated to play upon and prey upon the emotions of the people of Barbados with a view to the destabilisation of this Government. You heard what I said. I have evidence. It involves members of the Press also and I want everybody to know that I am aware of it and it is being carefully watched. We are not fools on this side and we are not without intelligence in the sense of intelligent information and intelligence. I just want it clearly understood that we on this side have the information about what is being planned and what is being orchestrated in this society to raise the emotional levels of the people. We have seen some of it in action already and that is all I am going to say at this stage.

Sir, I want to mention one thing before I sit and it is that the Honourable Member for St. Michael North West made a plea in his speech for me to consider making certain offences non-bailable. I thank him for it. We discussed it last night in the parliamentary party and I am going to give it further thought and further discussion.

I have been looking at the Firearms Act as other members were speaking and it seems to me that without doing damage to the rights of innocent people, when I say innocent people, I mean somebody who may have a gun that is not licensed. Let us say that you forgot to renew your licence, and it happens to the best of us. You forget to renew your driver's licence not that you do not want to pay whatever dollars, but you do not remember and until you get the notice from the Ministry of Transport and Works (MTW) you do not remember that you have to pay it. This happens to people with their gun licences and it would really be a travesty if in a circumstance of genuine error somebody forgot to renew their licence and the police went and arrested them and then you have to deny them bail.

However, all the circumstances that one could think of, there are certain offences, Sections 18, 19, 20 and 21 but in particular Sections 18, 19 and 20 which are the heavy ones where:

“Where a person has in his possession any firearm or ammunition with intent thereby to endanger life or cause serious injury to property, or to enable another person by means thereof to endanger life ...”

That is the one that carries a fine of \$150 000 or 25 years imprisonment.

“A person who has in his possession a firearm or imitation firearm and who, with intent to resist or prevent lawful arrest or detention ...

A person who has in his possession a firearm or imitation firearm with intent to commit an indictable offence, ...”

I would give it careful consideration, that is all I am going to say now. Since we discussed it in the parliamentary party last night and there was strong support for it I will take it back to the parliamentary party but it is entirely possible to make those three sections which are the heaviest and which require an

intent to make them non-bailable. I am going to study it and put the matter before the House so that when somebody out there fires a shot at another person, they are presently charged for endangering life under section 18 or 19, in future, those kinds may well be - I have not yet made up my mind, the matter has not yet gone to Cabinet - the three kinds of offences for which you cannot get bail.

Mr. Deputy Speaker, there is a lot more I can say but we have had a long day. I am obliged to all Honourable Members who spoke ...

Asides.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, we would like to complete the Supplementary to make arrangement for the public officers to get their money. I therefore beg to move that this Bill be read a second time.

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

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

9:05 p.m.

Tuesday, February 22, 2000

COMMITTEE

Mr. CHAIRMAN: This Honourable House is now in Committee.

Clauses 1-4, inclusive, were called and passed.

On motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. C. EASTMOND. Mr. CHAIRMAN reported to His Honour the DEPUTY SPEAKER the passing of one Bill in Committee without amendment and Mr. DEPUTY 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, passed and cited as the Criminal Appeal (Amendment) Act, 2000.

ORDER NO. 6 - TO MOVE THAT THE 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. Miss B. A. MILLER, the House resolved itself into Committee of Supply, Mr. D. CARTER in the Chair.

COMMITTEE OF SUPPLY

Mr. CHAIRMAN: This Honourable House is now in Committee of Supply.

ORDER 6(a) - TO MOVE THE PASSING OF A RESOLUTION TO GRANT THE SUM OF \$33 909 545 FROM THE CONSOLIDATED FUND TO SUPPLEMENT THE ESTIMATES 1999-2000 AS SET OUT IN THE SUPPLEMENTARY ESTIMATES NO. 15

HEAD 10 - GOVERNOR GENERAL

Hon. O. S. ARTHUR: Mr. Chairman, since this matter is intended for one purpose, I propose to speak only once. The matter before the House is to seek approval for some \$33 909 545 to be granted under Government's obligations arising from the wage settlement with the public sector and to give effect to the repayment of the first tranche of the repayment of the 8 per cent reduction in personal emoluments.

The House would have already had the benefit of a debate on all policy issues when the legislation legitimising the repayment of the 8 per cent came to the House so I will not trespass into matters of policy this evening but I will speak on matters of administration.

While we are being called upon to grant \$33 million of which \$11 million is for the wage increase, the House will obviously recognise that this does not represent the full extent of the cost to Government of the first year of the wage increase. This only represents the Other Personal Emoluments, but there will be Statutory Personal Emoluments which will be paid without the need for the additional authority of Government because it is expenditure. The Statutory Personal Emoluments to give effect to the 1999/2000 part of the wage increase is \$16.6 million. In total, Sir, the full cost of the wage increase, plus the repayment of the first tranche of the 8 per cent to Government in this financial year will, in fact, be just under \$50 million. I would want that point to be taken into account.

As you will appreciate, Sir, there were enough funds in the Other Personal Emolument votes in the out Ministries to have paid the wage increase. All we are doing now is bringing the necessary supplementary to the House to make sure that the 4 per cent increase can continue to be paid for the rest of the year.

The House will recognise, Sir, that we are making provision to carry out the repayment of the restoration of the 8 per cent emoluments by creating a Head Programme 124, Sub-programme 150

under the Ministry of Finance. There will be a block vote under the Ministry of Finance from which the 8 per cent will be repaid. That is now reflected for the first time in the Estimates. That block vote is getting \$22 million in this financial year, the reason being that between 1992 and now many public officers would have moved from department to department. Some would have died. Some would have gone abroad. If we were therefore to try to apportion the expenditure on a department by department basis, we would have an administrative hiatus that would have meant that we would not be in a position by the end of the financial year to be able to disburse.

There are some people who might have been working in Customs who might have been transferred elsewhere so that we cannot do it on a Ministry by Ministry, Head by Head basis. The tidiest way to do it is to put under the Ministry of Finance one vote and the 8 per cent will be repaid from that vote, so if you do not see the 8 per cent spread across all Ministries it is because we have deemed that is the tidiest way to deal with it.

The point I am making, therefore, is that you can expect that in the Estimates to come there will again be another block vote under the Ministry of Finance to repay the 8 per cent, but it does not mean that is for the Ministry of Finance's staff. I say that, Sir, because getting of the records and the collection of the records to repay the 8 per cent is a chore. There are people who have moved. There are people who have gone abroad. Some have died. We have to make contact with their estates and there are some people who would have worked for nine months, some for six months, some for 12 months. Some would have been employed for the entire 18 months and it is difficult to identify everybody who has been affected and then determine what their eligibility is.

The only piece of news I have therefore beyond this administratively is twofold. We are now making provision, Sir, such that persons who would have been employed for six months or less can get back their repayment as one, 12 months or less they can get it back in two, and 18 months in three instalments.

The fact is that if you worked for six months or less, to pay back over three instalments is a bit much. The numbers would be small so we are trying to see if we can accelerate the repayment of it by making that provision.

9:15 p.m.

Tuesday, February 22, 2000

Continuation of Rt. Hon. O. S. ARTHUR:

So that persons who might have been working and were laid off and only worked six months out of the 18 months when the eight per cent cut was in effect, we are trying to make arrangements to get to them, because since the amount will be small, rather than give them back in three instalments, we will give them back in one. All of this is taking time. The Ministry of Finance and the Ministry of the Civil Service are working over time to bring this matter to a happy conclusion.

As you are aware, we have already received the sanction of Parliament to have the relevant issue of bonds and Treasury Notes available to the public and we are prepared to waive the withholding tax that would be normally imposed on these financial instruments for public servants who take up the offer to purchase these notes as an instrument for investing their funds.

I can give the House the assurance, Sir, that in instances where public officers take up the initiative that those instruments will be free of withholding tax so that this matter as I said is to give effect to the allowance to be able to start repaying the eight per cent and also to bring the wage increase fully to account.

I want to stress the point, Sir, that I know there is a lot of argument that Government should repay at once but the wage increase plus the repayment of the eight per cent is going to cost us about \$50 million in this financial year. We have made financial provision for it. We can do it without putting the public finances under stress but it is now for us to properly administer it and as it stands now, Sir, the efforts of the Office of the Ministry of Finance and of the Civil Service and all the civil servants is to try to make sure that we can identify everybody who has to get back their money and put arrangements in place so that early in March - and I would have loved this evening to give a date but the Savings Bonds would be ready by March 1st - and once the House approves this we want to be in a position to start back payment as early as possible in March.

I have given the House, Sir, all the more recent explanation I am able to. I beg to move that this Head do now stand part.

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

Mr. D. St.E. KELLMAN: Mr. Chairman, in this particular Resolution I would like to question Head 34. If I look at the Addendum it does not properly explain Head 34. It is impossible, Sir, to be giving a 2.5 per cent and get a 37 per cent increase. Head 34, programme 271 - Basic Educational Development. With those small increases, it is impossible. It means that something else has to be in this and the Addendum has to be wrong.

Mr. Chairman, I would also like to deal with a couple matters. It is clear to me that the Government had an opportunity a couple years ago to redeem themselves with the civil service when VAT was introduced and they failed to redeem themselves. I am happy it has turned out like this because if the Government had paid the civil servants the \$60 million at that time now they could clearly blame the civil servants for the position the economy is in. When one looks at the Economic Review of December 1999 on page 9 at what was happening in the year 1994 - and I hope the Prime Minister has one in his hand - current expenditure was \$696 800 000 and wages and salaries were \$322 900 000. When one makes a calculation the civil servants in this country were getting 46.3 per cent of the current expenditure. When one looks at 1995, 1996, 1997, 1998 and 1999, and if you were to plot the increases that these Heads occurred, the current expenditure over from 1994 to 1999, one would come up with a graph showing that the total expenditure of Government increased much faster than the increases on wages.

If you were to do a calculation, one would recognise that over that period the total current expenditure between 1995 and 1999 was \$5 287 000 000 and that the total wages were \$2 268 700 000. That is a lot

of money but the truth is that if the trade unions were doing their job in this country and they had gone to the negotiating table and if they had said to Government we were accustomed getting 46.3 per cent of the total current expenditure and we expect to get that and no more. What it means is that the amount that should have been paid to the civil servants over those years would have been \$2 450 017 000.

When one takes that estimate from the actual amount of money paid there is a clear case in this country that the trade union movement failed to get from the Government \$181 317 400. If they had stuck to the 46.3 per cent of total current expenditure, that is the amount of money that would have been owed to the civil servants.

It is also interesting that if you were to turn to page 9 and look at the total current revenue and you were to plot the total current revenue and the increases on the total current revenue and the increases on the total corporate tax one would recognise that ...

Aside.

Mr. D. St.E. KELLMAN: When VAT was introduced, I said to the Prime Minister of this country that you could not only look at the intake of VAT by the VAT taxes and the excise taxes that there would have been an impact because of corporation taxes and also we had a debate in this House when the small business people in this country were accused of gouging the country. I said no. It could not be the small business people because normally they live with a certain percentage and they only add on that percentage when the prices are passed to them.

I have evidence in this country now, Mr. Chairman, that the private sector in this country gouged the poor people of this country and I am quoting from this document and I am prepared to make that one a document of the House attached to that document.

They were able to double the payment of their corporation taxes between 1988 and 1999. Tell me how in this world could they double the payment of corporation taxes?

I want you to lend the Prime Minister this for me, Mr. Clerk, Sir. Give him that. He will see in the Economic Review it has shown that the private sector in this country in 1996 the increase was only about 50 per cent but by 1999 the increase in corporation taxes paid to the Government was as high as 140 per cent more. Do you hear what I am telling you?

9:25 p.m.

Tuesday, February 22, 2000

Continuation of Mr. D. St.E. KELLMAN:

A serious indictment on Government and also the private sector. Let me tell you how it happened. When the private sector in this country because of the implementation of VAT, when they should have been easing poor people they took all the money for themselves and the Government got their share so they did not worry about it. That is why people in the country were complaining that the prices were high. It was not the small man, it was the private sector down town who did that. In 1999 they were real sweet. I want the Prime Minister to look at the Economic Report. He will understand exactly what I am talking about. Property taxes also did well for the Prime Minister. The same tax that the Prime Minister promised the country that anybody under \$150 000 he would reduce. I want you to take these graphs and study them, these are not fictions. These graphs were well plotted and they were based on the economic review on page 9. The statistics are not mine, they are the statistics from the Central Bank. I want to know from the trade union movement how come I am not paid to look at these statistics on behalf of the trade union movement and how come they have never used these statistics.

Asides.

Mr. D. St.E. KELLMAN: They are documents of the House. They have never used these statistics. Do you know what happened? On my way to New York, I picked up the book and I look at the statistics. I took out my calculator and I did a nice calculation for you and then I got them plotted. It was very damaging and revealing.

Asides.

Mr. D. St.E. KELLMAN: When we are talking about plotting, we are talking about plotting graphs. Not the type of plotting that you would do with the Prime Minister.

At this stage, I would like to congratulate the President of the National Union Public Workers (NUPW) on her new appointment. I would like to congratulate that lady. She is a fine lady.

I expect for the amount of work that the General Secretary of the Barbados Workers Union is doing that the same thing that happened to Mr. McClean does not happen to him. I called for a night-out for Mr. McClean before he died, the Lord bless him in his grave, and he did not get it. I am saying that when I read my newspapers now that the amount of work being done by the General Secretary of the Barbados Workers Union he could have well been the Minister of Finance and the Minister of Finance could well be the General Secretary of the Barbados Workers Union.

I am saying that the General Secretary has to answer to the civil servants. It is true that that is not his interest, to represent the public servants of the National Union of Public Workers but I want to know how they never look at their statistics when they are negotiating with you. It is impossible to believe that they have a trade union movement in this country and they blind guess when they go to the Government to negotiate wages. If they had used those statistics there is no way that the civil servants could be crying out in this country. I am saying to the Government based on the information given to

you, Sir, that we have a right to do something good for the civil servants. The civil servants in this country did a good job for the Democratic Labour Party and they did a better job for the Barbados Labour Party.

We, as legal representatives in this House, we have to find some way to compensate the civil servants for what they have done for the economy. No other group in this country has done so much for the economy as the civil servants have done. Right now it is \$60 million plus the \$181 million, so clearly you can point out that it is over \$250 million that the civil servants have been able to delay getting payment on from the Government of Barbados. I want my friend, the next leader from St. Philip South on that side ...

Asides.

Mr. D. St.E. KELLMAN: I know that you wish that. I want the Prime Minister not to take my figures, I want the Prime Minister to use the same calculator that I used and tell me if I am right in making the assumption that any trade union leader would have made because if you are accustomed getting 46.3 per cent of the current expenditure that is what is expected to be paid every year. When you consider, Sir, that all of this happened when there was a Prices and Income Protocol, it is clear to me that we never had a Prices and Income Protocol in this country. What we had is an Income Protocol but not Prices.

When one looks at the growth and the corporation taxes, it is obvious that the private sector did exactly what they wanted and when I told the House that we were operating during that period with a triangle without a bottom, I was right. Government got the increase in taxes, the private sector got their increase in profits and the workers are the ones who have lost everything in this deal. The trade union movement in this country have a lot to answer to their workers.

I am extremely grateful to you, Sir.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I rise to wind up the debate since one issue has been put by the spokesman of finance for the Opposition. Sir, it is often said that a little learning can be a very dangerous thing.

Asides.

Rt. Hon. O. S. ARTHUR: Sir, the Member has made an assertion that the trade union should adopt a policy that fix public sector wages at 46 per cent of Government's expenditure. Of course, as you know, Sir, public sector wages is not the only part of Government expenditure. You could have a situation where, for example, that between 1998 and 1999 the debt service rose from \$398 million to \$483 million. In that year, when the debt service rose by approximately \$100 000 million, of course, wages would have to go up astronomically to maintain it at 46 per cent of the expenditure. In the next year, as will happen next year, Sir, when the debt falls, the wage bill would have to fall and your payment to public servants would have to be reduced if you are going to keep it at 46 per cent of the expenditure. The expenditure could be increased, Sir, as it has increased in Barbados from time to time because of the debt service. If you keep it at 46 per cent, what the Member for St. Lucy is arguing is that you should cut public servants wages again because the expenditure will drop because debt service

will drop. You will have a small expenditure ...

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order. It is quite clear that the Prime Minister is only trying to mislead his own people. Let me give you the reason why. In 1994, current expenditure was \$696 800 000. In 1995 it was \$786 300 000, an increase. The graph is there to show you that it increased like that. In 1996, it was \$861 200 000. In 1997, it was \$899 400 000. In 1998, it was \$998 400 000 and by 1999, it was \$1 044 900 000, an increase over each year. Do you mean there was no debt service during those years? Foolishness, the Prime Minister said that he paid back a debt last year so it would have to be reflected.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, it would be a wonderful thing if the Honourable Member for St. Lucy's house could be made an apartment. We could put out a notice 'available for rent, unfurnished'.

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order. The Prime Minister cannot say that about himself.

Rt. Hon. O. S. ARTHUR: Sir, the point I am making to the Honourable Member for St. Lucy is that there are things other than public sector wages that can cost total expenditure to increase and decrease. The debt service can increase as it did by \$100 million between 1998 and 1999 and the next year it would increase so the total expenditure will decrease. If the debt service causes expenditure to decrease and you fix public sector wages at 46 per cent of the expenditure, when the expenditure goes down because of debt service, public wages would have automatically to decrease.

Last year, Sir, in this financial year, we had a one shot payment. We paid back \$60 million in debt service that you do not have to pay back next. All the Member is saying is that you put yourself in a position ...

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order. I have to challenge the Prime Minister because if you even were to increase the debt service figure, the total expenditure would have increased. I did it net. So you have no point, Sir.

Rt. Hon. O. S. ARTHUR: Sir, people may take the Honourable Member for St. Lucy seriously because he is an Honourable Member in this House, Sir, but the fact is that to link public sector wages to total expenditure as a fixed proportion cannot be a sensible policy because there can be a development that can cause the total expenditure to decrease as between financial years such as to make a 46 per cent less in one year than in the previous year ...

9:35 p.m.

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Continuation of Rt. Hon. O. S. ARTHUR:

... and it could happen if you have a substantial spike in your debt service that causes it to increase by \$100 million in a year and then that \$100 million dropped out. So you have 46 per cent of a diminished public expenditure so what is the argument here, Sir, other than an exercise in folly.

Sir, the notion of fixing public sector wages at 46% of the expenditure, is to suggest that all categories of the expenditure are going to so increase by equal proportions that the 46 per cent can have a meaning. In circumstances where they can be peaks and falls in some expenditures, like debt service, then that does not have a chance of appealing to any sensible person as the basis for a policy. That is the point why the trade unions would have more sense than to say, give me 46 per cent of the expenditure, knowing that the expenditure could be declined by the Government. For example, by the Government saying "I am going to stop ..."

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order. The Prime Minister is misleading the House because if what the Prime Minister is saying is true, what it would have shown, Sir, that instead of the Government's total expenditure when using the 46.3 per cent, instead of it being 2.4 per cent, it would have been the opposite. It would have been 2.2 per cent and the civil servants would have owed the Government. But you are saying the reverse so the Prime Minister's argument does not hold water.

Rt. Hon. O. S. ARTHUR: Sir, the man is missing the point that if you say 46 per cent of the expenditure, then if, for example, the Government's loans and advances or subsidies to enterprises are part of expenditures, if the Government were to stop giving a subsidy to Heywoods - as it used to do before that dropped out - was part of the expenditure, the expenditure is reduced and you get 46 per cent of a reduced expenditure. How can Unions negotiate on that basis? The Government also gives grants to institutions. It is within the Government's policy to give a grant so nobody can come and say to take expenditure as a proportion of total expenditure because expenditure can go up and down in a way that can make the 46 per cent go down. And I want to say this, Sir, the Honourable Member for St. Lucy is trying to find a back door way by which a future Government can reduce public sector wages in this country.

Mr. D. St.E. KELLMAN: Mr. Speaker, on a point of order. The Prime Minister knows that he has a

weak argument and he is trying to use a red herring and he is misleading the House. The point is as the independent referee, Sir, you need to look at the draft and put the Prime Minister in his place because he knows he does not have an argument, that he has not produced statistics. If the Prime Minister's argument is correct, it means that the economic review, presented by the Central Bank would have to be wrong. If not when I worked the calculation it would have shown a figure owed by the civil servants to the Government. But instead of that, Sir, in every single year it worked out that the Government owed the civil servants so there is no way the Prime Minister has an argument. What he needs to do, is to get the evidence from me and let me show him how it works.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, I am labouring the point because to say and to have it said that a Public Sector Wage Bill should always be a fixed proportion of the expenditure, would mean that in a year when something caused the expenditure to drop, that 46 per cent would mean a lesser amount for public servants and that it can happen if you have a year of high debt service followed by a year of low debt service and that is the point.

Sir, no trade union is selling out workers by not saying let us link public sector wages as 46 per cent or whatever the expenditure is, because they do not control the rest of the expenditure and that is the point.

Sir, what is being introduced in this debate, is an issue of such monumental folly that I am sure ...

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order. The Prime Minister has just accused me of misleading the House and I am saying it is not so, Sir. This is the third time in a debate. He has done it on VAT, he did it when I talked about printing money and now that I have produced figures and hard evidence, not only figures but graphs to prove my point, he is also calling it foolishness.

Every time that you make a substantial point in this House, he calls it foolishness. He calls it a sports model and all kinds of foolishness. We are dealing with serious issues in this House and this matter must be treated as such.

Mr. CHAIRMAN: Honourable Member, please you are saying the same thing over and over again. You have made your point.

Rt. Hon. O. S. ARTHUR: Mr. Chairman, Sir, again I do not understand what is the basis for the 46 per cent. You pick a year and that year holds forever.

Asides.

Rt. Hon. O. S. ARTHUR: Sir, "Empty vessels make most noise". The notion that the Public Sector Wage Bill must always be 46 per cent of the expenditure is not based upon any scientific analysis of what the Public Sector Wage Bill should be and the whole thing flounders on that. The Public Sector Wage Bill has to take into account revenue of the Government at any given time of the year, the other commitments of the Government. In some years it may go up beyond 46 per cent, some years it may go down, not because of the level of wages but because other expenditures will change and that is the point.

Sir, in the year when you have high debt service, it might even go below 46 per cent. If you have low debt service it can go up, not because you have increased wages but because other expenditures have changed. What he saying is that you have a rigid, built-in system for paying public servants where there is a going up and going down of their wages depending upon whether expenditures have gone up or gone down. That is no satisfactory basis upon which a Government can pay its public servants. I feel that the House understands that and therefore we can dismiss nonsense for the nonsense that it is. It could lead to a situation, as I said, where as a proportion of the expenditure could go below 46 per cent, not because wages have changed, but because other expenditures have changed and it could go above 46 per cent for the same reasons.

What we have to do, Sir, is to find a way of continuing as we have been doing, unlike the Democratic Labour Party, of paying the public servants. The Honourable Member for St. Lucy is trying to redeem a loss cause. Nobody in Barbados takes the Democratic Labour Party seriously when they come with this false outrage about how much they care for public servants. Forever and ever, Sir, as long as there is a Barbados the infamy of those who not only cut public servants wages, Sir, but said that if they had to do it again, they would do it again, that infamy will stick.

Mr. D. St.E. KELLMAN: Mr. Chairman, on a point of order, Sir. Now that the Honourable Prime Minister is misleading the House by giving the impression that the only person that ever cut the public servants wages are the Democratic Labour Party. That is not true. I have just produced evidence that the Prime has cut their wages by \$181 million.

Asides.

Sir HAROLD St. JOHN: I would not like the record of this House in this debate not to reflect the fact, Sir, that they are responsible people who have had the Honour of being Ministers of Finance, including the Leader of the Opposition. I would know that the sentiments expressed by the Honourable Member for St. Lucy are not the same sentiments that the Leader of the Opposition would express because he knows, having regard for his experience, that any Minister of Finance in Barbados has to carefully watch the allocation that is annually granted for wages of public servants. To the extent that you spend the revenue that you get on wages, it means that you cannot carry out other programmes.

I am proud of the fact that in the periods mentioned that new programmes were introduced by this Government. My constituents have benefitted greatly from these new programmes.

9:45 p.m.

Tuesday, February 22, 2000

Continuation of Hon. Sir HAROLD St. JOHN:

I have more sidewalks. I have a lot more programmes. I would like to see some of the new revenue that comes in being spent all over Barbados in improving the roads ...

Mr. DEPUTY SPEAKER: Your point has been taken Honourable Member.

Rt. Hon. O. S. ARTHUR: Sir, Parliament will come to lose its standing with the public when it is bombarded with the kind of things we just heard from the Honourable Member for St. Lucy, that the Government has cut public sector wages by \$181 million. I cannot call it sophistry because that would be to elevate it to a level that it does not deserve and I cannot call it fiction either but it is a case as I have said of a little learning being a very dangerous thing and in this instance I am talking about a little learning ...

Asides.

Rt. Hon. O. S. ARTHUR: Government has not cut public sector wages Sir, in fact, Government wages bill has increased but the Honourable Member for St. Lucy has found by some formula that things ...

Asides.

Rt. Hon. O. S. ARTHUR: Can I go on, Sir?

Mr. DEPUTY SPEAKER: Please carry on.

Rt. Hon. O. S. ARTHUR: Sir, I think it would be a disservice to the House and a falsification of the record of this Parliament for the statement that the Government has cut public sector wages by \$181 million to be allowed to stand as part of the record when the record is to the exact contrary. It is in the same spirit that we were told that in 1997/98 this Parliament by some magic gave \$240 million to the sugar industry. It is this same kind of propaganda, not rooted in fact, that is now taking the place of serious public discourse and that is reducing public debate on serious issues to a level that is 'lower than pond water', that the Government has cut public sector wages by \$181 million is now to be accepted as a fact and I really, really believe that it is not worth our while and I beg to move that these Heads stand part, Sir.

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

HEAD 10 - GOVERNOR GENERAL

Hon. D. A. C. SIMMONS: I beg to move that Head 10 stand part.

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

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

HEAD 11 - JUDICIARY

Hon. D. A. C. SIMMONS: I beg to move that Head 11 stand part.

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

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

HEAD 13 - PRIME MINISTER'S OFFICE

Hon. D. A. C. SIMMONS: I beg to move that Head 13 stand part.

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

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

HEAD 16 - MINISTRY OF THE CIVIL SERVICE

Hon. D. A. C. SIMMONS: I beg to move that Head 16 stand part.

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

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

HEAD 17 - OMBUDSMAN

Hon. D. A. C. SIMMONS: I beg to move that Head 17 stand part.

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

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

HEAD 19 - MINISTRY OF FINANCE AND ECONOMIC AFFAIRS

Hon. D. A. C. SIMMONS: I beg to move that Head 19 stand part.

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

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

**HEAD 20 - MINISTRY OF COMMERCE,
CONSUMER AFFAIRS AND BUSINESS DEVELOPMENT**

Hon. D. A. C. SIMMONS: I beg to move that Head 20 stand part.

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

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

**HEAD 21
MINISTRY OF INDUSTRY AND INTERNATIONAL BUSINESS**

Hon. D. A. C. SIMMONS: I beg to move that Head 21 stand part.

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

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

HEAD 23 - MINISTRY OF HEALTH

Hon. D. A. C. SIMMONS: I beg to move that Head 23 stand part.

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

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

HEAD 24 - MINISTRY OF SOCIAL TRANSFORMATION

Hon. D. A. C. SIMMONS: I beg to move that Head 24 stand part.

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

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

**HEAD 25
MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT**

Hon. D. A. C. SIMMONS: I beg to move that Head 25 stand part.

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

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

**HEAD 26 - MINISTRY OF ENVIRONMENT,
ENERGY AND NATURAL RESOURCES**

Hon. D. A. C. SIMMONS: I beg to move that Head 26 stand part.

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

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

**HEAD 27
MINISTRY OF TOURISM AND INTERNATIONAL TRANSPORT**

Hon. D. A. C. SIMMONS: I beg to move that Head 27 stand part.

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

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

HEAD 28 - MINISTRY OF HOME AFFAIRS

Hon. D. A. C. SIMMONS: I beg to move that Head 28 stand part.

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

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

HEAD 29 - DIRECTOR OF PUBLIC PROSECUTIONS

Hon. D. A. C. SIMMONS: I beg to move that Head 29 stand part.

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

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

HEAD 30 - ATTORNEY GENERAL

Hon. D. A. C. SIMMONS: I beg to move that Head 30 stand part.

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

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

HEAD 32

MINISTRY OF FOREIGN AFFAIRS AND FOREIGN TRADE

Hon. D. A. C. SIMMONS: I beg to move that Head 32 stand part.

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

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

HEAD 33

MINISTRY OF LABOUR, SPORTS AND PUBLIC SECTOR REFORM

Hon. D. A. C. SIMMONS: I beg to move that Head 33 stand part.

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

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

HEAD 34

MINISTRY OF EDUCATION, YOUTH AFFAIRS AND CULTURE

Hon. D. A. C. SIMMONS: I beg to move that Head 34 stand part.

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

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

HEAD 37 - MINISTRY OF PUBLIC WORKS AND TRANSPORT

Hon. D. A. C. SIMMONS: I beg to move that Head 37 stand part.

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

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

HEAD 38 - MINISTRY OF HOUSING AND LANDS

Hon. D. A. C. SIMMONS: I beg to move that Head 38 stand part.

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

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

HEAD 50 - POST OFFICE

Hon. D. A. C. SIMMONS: I beg to move that Head 50 stand part.

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

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

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. Miss B. A. MILLER, Mr. Chairman reported to His Honour, the DEPUTY SPEAKER, the passing of one money Resolution in Committee of Supply and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. D. A. C. SIMMONS, seconded by Hon. Miss B. A. MILLER, the Resolution was read a first and second time and agreed to.

ADJOURNMENT

Hon. D. A. C. SIMMONS: Sir, that brings us to the completion of Government's business for the day. In moving that this House be now adjourn until Tuesday, February 29, 2000, I would like to say that the Government intends, among other things, to proceed with the debate on the Constitution Review Commission. We want to start it.

9:55 p.m.

Tuesday, February 22, 2000

Continuation of Hon. D. A. C. SIMMONS:

We will not finish it. We will do some next week and some the following week.

Aside.

Hon. D. A. C. SIMMONS: Sir, I beg to move that this House do now adjourn until Tuesday, February 29 at 1100 o'clock. We will not start the debates on the Constitution Review Commission's

Report then. We hope in the light of the request of the Leader of the Opposition to start on the 7th. On that day, March 7, I also hope to lay the Estimates which we would debate beginning Wednesday, 15th. We will debate them first and make our points on the recommendations and then coming out of that we can decide ...

Aside.

Hon. D. A. C. SIMMONS: Sir, I was saying that the present intention of Government is to start the debate on the Estimates on Wednesday, March 15 at 1200 noon, continue on the Thursday, 16th, Friday, 17th, break for the weekend and resume on Monday, 20th and conclude on Tuesday 21st. That will allow the Senate ample time to begin their considerations of the Estimates on the Monday, March 27 before the end of the financial year to complete their business. We will have a break in the middle, the weekend. I think that should assist the reportorial staff because we place great strain on them when we try to do it in one week of five continuous days, Sir.

Subject to those observations, Sir, I beg to move that the House be now adjourned, as proposed, to February 29, 2000.

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

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

10:00 p.m.