
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 1999 – 2003

HOUSE OF ASSEMBLY

Tuesday, February 20, 2001

Pursuant to the adjournment, the House of Assembly met at 11.30 a.m. on Tuesday, February 20, 2001.

PRESENT

His Honour J. M. EDGHILL, J.P., (Deputy Speaker)
Hon. Sir Henry FORDE, K.A., Q.C., M.A., LL.M. (Cantab.)
Rt. Hon. O. S. ARTHUR, M.Sc.(Econ.), (Prime Minister, Minister of Finance and Economic Affairs) (Minister of the Civil Service)
Hon. D.A.C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs)(Leader of the House)
Mr. D.J.H. THOMPSON, LL.B.(Hons.) (Leader of the Opposition)
Mr. L.R. TULL, Q.C., M.A. (Oxon.)
Hon. Dr. R. L. CHELTENHAM, Q.C., M.A., M.Sc. (Econ.)
Hon. Miss B.A. MILLER, (Deputy Prime Minister, Minister of Foreign Affairs and Foreign Trade)
Mr. G. W. PAYNE, (Minister of Tourism and International Transport)
Hon. R.C. EASTMOND, J.P., B.A.(Hons.), Dip. Ed., LL.B. (Hons.), LEC (Minister of the Environment, Energy and Natural Resources)
Mr. D. CARTER (Chairman of Committees)
Hon. R. N. GREENIDGE, B.A., LL.B., (Minister of Labour, Sports and Public Sector Reform)
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)

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, the Attorney-General and Minister of Home Affairs)
Mr. D. T. GILL, B.Sc.
Hon. N. A. LYNCH, B.Sc., B.B.A.
Hon. A. P. WOOD, J.P., B.Sc., M.Sc., M.Phil., (Minister of Agriculture and Rural Development)
Hon. R. R. FARLEY, B.Sc., (Minister of Industry and International Business)
Prayers were taken by Canon Father Ivan Harewood.

Mr. SPEAKER: The House is now in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, February 13, 2001.

Hon. D.A.C. SIMMONS: Mr. Speaker, I beg to move that the Minutes for the Honourable the House of Assembly for its meeting of Tuesday, February 13, 2001, which Minutes have been circulated, be taken as read.

Hon. Miss B.A. MILLER: I beg to second that, Sir.
Mr. Deputy SPEAKER: If there are no corrections or observations, then let these Minutes stand confirmed.

PAPERS

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, on behalf of the Minister of Finance and Economic Affairs I am commanded to lay the Report on the Social Investment Fund for the quarter ending December 2000.

FIRST READING OF BILLS

Hon. D.A.C. SIMMONS: I give notice of the Fiscal Incentives Amendment Bill, 2001 to be read a first time.

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

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

MOTIONS FOR LEAVE OF ABSENCE

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, as we all are aware with some degree of sadness, the Honourable Member for Christ Church South is recovering from surgery. Fortunately, he is doing well. I think that it will be appropriate that he the Honourable Member for Christ Church South be granted leave of absence until April 30, 2001.

Mr. Deputy SPEAKER: Please extend our best wishes.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. D.A.C. SIMMONS: Sir, I beg to move that Standing Orders 6,16,18,2042(5), 43 and 44 be suspended for the rest of this day's sitting.

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

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

On the motion of Hon. D.A.C. SIMMONS, Seconded By Hon. Miss B.A. MILLER, Mr. Deputy SPEAKER left the Chair and the House went into Committee on this Bill, Mr. D. CARTER: in the Chair.

COMMITTEE

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

HEAD 20

MINISTRY OF COMMERCE, CONSUMER AFFAIRS AND BUSINESS DEVELOPMENT - \$1 763 698

Hon. R. St. C. TOPPIN: Mr. Deputy Speaker, I am seeking by way of this Supplementary the sum of \$73 232,

of which \$56 821 is to cover payment in relation to utilities occasioned largely by the increase of the electricity due to an increase of fuel charge. Another \$7 368 is being sought in relation to other personal emoluments, particularly with regard to the Inspectors of Standards who have been called upon to perform additional duties. These Inspectors of Standards have been called upon since the removal of import restrictions, and have had to perform overtime. The sum of \$7 368 is required to pay or compensate them for the overtime duties. In respect of the Price Control Division, the sum of \$7 430 is being sought to deal with the payment of substitutes, and the sum of \$613 is consequential in the sum being paid for the substitutes in relation to the Price Control Division.

Mr. Deputy Speaker, that is the extend to the sum being sought by the Minister of Commerce, Consumer Affairs and Business Development.

Mr. D.J.H. THOMPSON: Mr. Chairman, under this item, I am not opposed to the Supplementary because it relates basically to housekeeping matters rather than anything else. I believe that the Minister needs to find what the relevance or role of the Price Control Division is in Barbados, in the year 2001.

I can imagine that when you had a long list of items under licence and you had a scenario where importers were required to approach the Price Control Division to apply import licences and that kind of thing, that you would need a larger Price Control Division to deal with the clientele that required its services.

11.40 a.m.

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Mr. D. J. H. THOMPSON: The truth is, in the environment in which we are currently functioning, we are moving towards the creation of new structures, some which come directly under Ministries, some which do not. I am talking about the Fair Trading Commission and other kinds of structures to facilitate new ways of doing business. Therefore any person who is interested in seeing the extent of Government's overall structure will want to ask the question: what is the role of the Price Control Division? It does not surprise me that a large number of public officers generally feel that Public Sector Reform and even Institutional Reform, have been a complete waste of time despite the Government's logo, public relations and propaganda reforms. There has been precious little in terms of structuring the way in which Government departments deliver services, response to citizens who require either information or require administrators to act on their behalf, et cetera. Therefore, since he has proven that the required amount will not be sufficient, I believe that the Honourable Minister must have in his mind some defined role for the

Price Control Division, which would be significantly different from what it was in the 70's and 80's, when we first made changes to have licences removed from a wide range of items. Yet it seems as though there has been very little done in the structure of the Price Control Division in the face of these changes.

The Price Control Division is going to have a major say in relation to the rights of consumers in Barbados, because everything has been done so far to facilitate the passage of legislations for the Utilities Regulation, legislation to establish the Fair Trading Commission. But as with workers rights, if there is one area in which the Government has been poorly lacking and totally indifferent in this Debate, it is in relation to the challenges faced by the average consumer in Barbados.

I believe the recent survey which I was just reading from a newspaper - I cannot quote from it, because that would be against the rule - points out that one of the major problems and challenges that Barbadians consumers feel is the fact that their resources do not allow them to purchase the items they need in order to achieve the good life. Not only that, there are some persons who cannot even afford some of the basic necessities, and this is as a result of the way in which businesses in Barbados are able to ride rod-shod over them. In the past few weeks there have been some major announcements by Government in relation to consumer and tenants policies but very little of this is ever translated into any serious legislation and, therefore, one can hardly believe that after being in office for six years, (apart from the dismal record in relation to the workers legislation, and even in the face of the changes of the world economic systems where other countries in the Caribbean that have less resources than Barbados have been passing new consumers legislations and new legislations to help the poor person to survive in this environment), we in Barbados have an absence of any effective legislation to deal with consumers. Those who shop in the supermarkets will know the extent to which Barbadians feel the impact of prices in these supermarkets.

I think the Honourable Minister needs to spend some time telling us what the role of the Price Control Division will be - because it is a major component of his Ministry and whether the average consumer can expect any protection from the Ministry of Commerce, Consumers Affairs and Business Development, or is that just a title placed over a Ministry which, at the end of the day, is absolutely meaningless? Therefore I invite the Honourable Minister to respond to those issues.

Mr. Deputy Speaker: The Honourable Member for St. Michael North.

Honourable St. C. TOPPIN: Perhaps to take the latter one first. It really rings hollow coming from the

Honourable Member for St. John to speak about a Government that is not interested in the consumer. When a Government can have the foresight and the interest a few years ago to decide that a Fair Trading Commission was going to be established in this country to protect the rights of consumers, businesses and perhaps the economy as a whole, and could have decided to enact specific legislations to deal with the rights and protection of the consumer after years and years of neglect and almost intolerance... It really rings hollow and borders on recklessness, Mr. Deputy Speaker, for the Honourable Member for St. John to come to Parliament and to say that the Government is not committed to protecting the consumer. Not only is the Government intending to do this by way of legislation, but the Ministry is also mindful of the fact that any properly structured consumer policy programmes, in relation to consumer protection, must take into account the facilitating or functioning of the consumers' organizations. The Government has already devised strategies in relation to seeing that that is being brought into the forefront. In so far as this legislation is concerned, let me say that currently there are legislations in Barbados which protect the consumer, but they are very sparse and the consumer's rights are ill-defined and vague in meaning.

In the Attorney-General's Chamber, preparations are substantially underway for a Consumer Protection Act, it is now very nearly ready for submission to Cabinet, then on to the Attorney-General's Office for the final draft. Sir, certainly we are not that very far away from having two very serious pieces of legislation being enacted for the benefit of consumers across Barbados.

It is frightening, Mr. Deputy Speaker, and I want to make this point. We sit here and bring legislations. We are always harangued and harassed by the Leader of the Opposition but I want to ask him, Mr. Deputy Speaker, to name one significant piece of legislation that he ever brought to Parliament. I will even give way now for him to name one significant piece of legislation. He was in Cabinet before me. How many years were you in Cabinet before me?

Asides.

Hon. R. St. C. TOPPIN: About eight years. And he has never brought one piece of legislation before this Parliament...

Mr. DEPUTY SPEAKER: I know you are getting a little hot, but it is 'the Honourable Member', not 'he'.

Hon. R. St. C. TOPPIN: I am sorry, he knows that he is 'the Honourable Member', not 'he', but the Honourable Member has never brought one significant piece of legislation here.

Anyway, Mr. Deputy Speaker, I just want to get to the other point. It is recognized by the Ministry that the Price Control Division could not continue in its present form. In fact, in recognizing this, the Ministry is in the process of having an organizational study done to ensure that it does in fact speak to the particular areas assigned to it.

11.50 a.m.

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Hon. R. StC. TOPPIN: To be frank with this Honourable Chamber, Mr. Chairman, if you look at the Ministry of Commerce, it is called 'Commerce,' but there is no clearly identified individual unit or department in the Ministry that deals with commerce. It has responsibility for consumer affairs but again there is no person or identifiable unit or department to deal with consumer affairs. All of these are matters that are being addressed, Mr. Chairman, by way of a study currently being done to ensure that the Ministry restructures itself in these regards and particulars, to ensure that it is a lot more relevant and properly suited to deal with the issues.

I do not want to jump ahead of the study to say in fact what it will cough up as it were, but certainly from day one the Ministry recognised that since the last elections when the Ministry was split and some areas were brought to the fore, it would have to put different systems in place to ensure that the relevant subject areas assigned to the Ministry were properly and fully dealt with ... we are in the process of having a full study conducted.

Mr. Chairman, at this point that is all I will say.

Mr. D.J.H. THOMPSON: Mr. Chairman, I think the Honourable Member for St. Michael North needs some guidance in this particular area. It is obvious that even though he is the Minister responsible for Consumer Affairs, he has not addressed his mind at any point during the time that he has been in that Ministry to the plight of the consumer in Barbados.

I am not here to debate what the Democratic Labour Party did in the past - that is a non issue. The Barbados Labour Party was elected on September 6, 1994 to right all of the evils perpetrated by the Democratic Labour Party and reelected in 1999, with even more Members, presumably to continue to right all of the evils. If the Honourable Member for St. Michael North feels satisfied to stand up in here and confess to this Chamber that he has done nothing because the previous Government did nothing, then it demonstrates why he should not be the Minister responsible for Consumer Affairs. Sir, that is why at the end of his speech he used the words 'to be frank' because that was the departure and the only point in his

speech where you could accuse him of saying anything that was factual or relevant to this particular debate.

I asked about the role of the Price Control Division and the Honourable Member for St. Michael North cannot even admit to himself that he does not know. He said he has a Ministry that only has a name but cannot do what the name said it should do, so I feel very sad about that. I never had a Ministry like that and therefore I cannot even commiserate or empathise with the problem that he has. It is not engaged in Commerce according to him because, as he said, even though it is called the Ministry of Commerce it really is not doing anything in Commerce and it does not have the capacity to do anything in commerce. He admitted that he has done nothing in Consumer Affairs despite the fact that in this Chamber, Honourable Members on that side have continually appealed...

Hon. R. St. C. TOPPIN: Mr. Chairman, on a point of order... I never said that the Ministry has no capability in terms of commerce. In fact, I was at pains to point out the work that the Ministry is doing to bring legislation to this Parliament in relation to consumer protection, so we must really not be bordered on being dishonest.

Mr. CHAIRMAN: The Honourable Member for St. John, please do not misquote the Honourable Member for St. Michael North.

Mr. D. J. H. THOMPSON: I am not misquoting him, Sir.

Mr. CHAIRMAN: That is what he implied.

Mr. D. J. H. THOMPSON: He used the words, 'to be frank'. I understand what the word 'frank' means. It means that prior to that, you were not being 'frank'. It also means that you are being honest now. That was the departure in his speech.

Prior to that, he said that he had done nothing for Consumer Affairs. Then he said, "to be frank, despite the name my Ministry has..."

Aside.

Mr. D. J. H. THOMPSON: ...You said, "...the Ministry is called the Ministry of Commerce but to be frank..." Those were your words - that if you look at what the Ministry of Commerce has the capacity to do, it does not really have the capacity to deal with issues of commerce.

You do not remember what you said because instead of coming in here today to describe for the people who voted for you - the average consumer - how you are going to protect them from the supermarket prices in Barbados,

how you are going to protect them from landlords and land sharks in this country, how you are going to protect them from the banks and the charges which the banks impose on consumers, how you are going to protect them from defective products ... The point is that we are operating in an environment of trade liberalisation and the Minister's priority was not consumers.

The first legislation he brought was utilities' legislation and the Fair Trading Commission legislation basically deals with the super structure for the Fair Trading Commission. But until you actually pass the consumer legislation, the Fair Trading Commission will have no power in relation to consumers, except in respect of utilities regulation. So the Government's priority was not the consumer. Meanwhile, everybody accepts that consumers and workers in many instances stand to suffer most from an economic environment which is totally unrestrained and liberalised.

Sir, that is why elsewhere in the world enlightened Governments have worked assiduously to put in place structures and new legislation to protect consumers. Many of them offer assistance to consumer organisations. Many Governments are in the forefront of protecting their citizens as consumers but in Barbados all of that is an after-thought.

Sir, that is one of the reasons why I did not bother to participate in the Fair Trading Commission's debate. I am not talking about the facilitation of the legislation because I cannot stand in the way of the Government having its legislation passed, but to me it was offensive and I said so from the outset, that the Fair Trading Commission legislation was to come down here with two other pieces of legislation. It was the Fair Trading Commission, utilities, consumers' legislation, and some other piece of legislation. And yet the Minister would come in here and basically introduce the utilities' legislation without reference to the important pieces of legislation that would protect us from dumping and would protect us from rapacious acts by those involved in commerce.

Mr. Chairman, in any event the Green Paper on Telecommunications has so torpedoed the Fair Trading Commission that I would not have any confidence, unless the Minister can repudiate the statement I read in that Green Paper, about putting anything before the Fair Trading Commission in Barbados.

Because, as you know, Sir, the Government said that it will require the Fair Trading Commission to use minimum regulation to push through Government's policies; if you do not have consumer legislation in place, that means it is your policy not to have consumer legislation. You cannot say that it is our policy to have such legislation and yet there is no modern legislation. It is your policy to have utilities' legislation, to establish a Fair

Trading Commission and even in doing that as I say at the end of the day, the Green Paper on Telecommunications so castrated the Fair Trading Commission as to give the impression that it will be a useless toy, easily manipulated by the Government in implementing its policies in relation to utilities regulation.

Let me revert to where I was at the beginning. I asked the Minister to tell us what is the role of the Price Control Division. When the VAT was introduced in Barbados we were told that because the Price Control Division had less work to do in relation to licences, the price control officers would be going out monitoring prices in Barbados and protecting consumers from price gouging. Yet there is still price gouging going on in several areas of commerce in Barbados and the Minister cannot point to any act taken by the Price Control Division, nor can he point to a series of acts which he wants them to undertake between now and when the new consumers' legislation is put in place, to protect consumers in Barbados.

12:00 Noon

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Mr. D. J. H. THOMPSON: His answer is to say that the Barbados Labour Party did nothing, so he feels comfortable doing nothing as well. As I have said, one of the key problems that Barbadians are facing in this country is the question of the cost of living. It has had a tremendous impact on their lifestyle since the introduction of the Value Added Tax and it is going to have an even greater impact as we move towards a more liberalised trading environment where the market, at the end of the day, is going to be extremely dominant.

Mr. Speaker, Sir, the Honourable Member for St. Michael North has a lot of explaining to do. He does not have to explain anything to the Democratic Labour Party and he does not have to explain anything to me, but he must explain to the poor people in Barbados who have to go in the supermarket week after week, the people who use banks, the people who are buying land in Barbados at significantly inflated prices, and the people who are being ill-treated by landlords...

Only two weeks ago in this Chamber, we heard Honourable Members railing about how landlords were treating tenants so badly in Barbados, and how they were going to bring down fire and brimstone on landlords who rent chattel houses that were falling down to people. Yet, the Honourable Minister would give the impression that there is no need in Barbados for any consumer or other legislation to protect the citizens from these kinds of acts.

That worries me, Mr. Chairman, and I regret very much that the Minister has not been able to provide this

House with any additional information that would assist us in this debate.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I did not intend to get involved in this debate at this stage, but I think it is perhaps necessary to speak because the Honourable Leader of the Opposition must not try to premise his speech on false facts. For him to suggest that the Minister of Commerce, Consumer Affairs and Business Development has not done anything to protect consumers in this country is perhaps a falsity that approaches the one that he tried to perpetuate in 1994 with the International Monetary Fund secret deal.

I really believe, Sir, that if we want people to take us seriously, then we need to speak to the issues. There is nothing wrong with his enquiring as to what is the purpose of the Price Control Division, because there are others on this side who have asked the same question. The Minister of Commerce, Consumer Affairs and Business Development has indicated that there is a study currently going on that is looking to see how best one can rationalise and reuse the personnel within the Price Control Section.

For him to suggest that the Minister has done nothing to protect consumers in this country is the farthest thing from the truth. To begin with, Mr. Chairman, the mechanism that is required to support arbitration of matters is the Fair Trading Commission. As you know, in the early part of the 1990s the Democratic Labour Party had a consultant here from Trinidad and Tobago - I cannot remember his name - who was here for years and was being paid a very handsome salary to produce legislation but that legislation never saw the light of day in this Chamber.

Asides.

Hon. Miss M. A. MOTTLEY: When we want to talk about people who belabour and who talk falsely without working in the interest of consumers, let the Leader of the Opposition give an account for the stewardship of one Dr. Oswin Rose who was under Minister Clarke and under his Government at the time.

Now, that does not excuse this Government from having to do things, but the reality is, that the Minister has clearly stated what this Government is doing. We have brought the legislation and we have appointed the members of the Fair Trading Commission. Only on Sunday there was a full page advertisement with jobs for persons within the Fair Trading Commission in order to staff that Commission so that it can adjudicate. Now it is my understanding that they have also had meetings with various consumer bodies and various members of the public in the form of town hall meetings. The draft consumer legislation, as has been stated by the Honourable

Minister, will be before this Chamber within a matter of weeks.

I do not know where we have reached in the conduct of Government's affairs or the people's affairs, where we want to assume that for a Minister to say that legislation would be here within a matter of weeks that all of a sudden that is summarized to mean that the Minister has done nothing for consumers. It is dishonest, Mr. Chairman, and I do not believe that it brings honour to this Chamber for us to proceed on this basis.

I also want to say that there is absolutely no doubt that Government's Green Paper on Telecommunications is exactly what it said. It is a Green Paper. The Honourable Leader of the Opposition is someone who has been in this Chamber for almost 14 years and he knows full well that a Green Paper is not settled policy. So for him to suggest that the Green Paper has a statement which now brings into disrepute the very existence of the Fair Trading Commission is also unfortunate.

I want to say, Mr. Chairman, that we have to reach a stage in this country where we have to stop bringing into disrepute institutions that have been validly created for normal purposes, simply because we want to make a partisan political argument. That is part and parcel of the problem that we face in this country today because people then take us seriously and continue to attack those institutions without realising that the institution's development is necessary to be able to deal with a number of matters.

The Leader of the Opposition knows that there is no divide in this House when it comes to dealing with matters pertaining to banks that are taking advantage of poor people, middle class people, and other people in this country and that there is no divide in this House when it comes to dealing with landlords who continue to breach the Landlord and Tenant Act in respect of giving the people a fit and proper place to live in, but who demand rent and if the people do not pay the rent issue notices of eviction against the people, leaving them on the street. There is no divide on that.

We have determined that this Government will provide legislative and administrative solutions to be able to deal with those problems. The fact is, Barbados has never had legislation to govern product liability so that if you buy a box of matches, as has happened to many people in this country, and the match was defective and flew back at you when you lit it, if it did not burn you so there was actual damage, then there was no way you could bring an action because there was no other tort on which you could bring a personal injury action. Product liability has not been known. We have, therefore, determined that the Fair Trading Commission will govern legislation relating to

consumer protection and to competition policy which in a very real way affects the interest of consumers largely because of the stacking of prices and the consolidation of market share, which then affects whether a consumer has any bargaining power or has any options in respect of the goods or services that he is trying to buy.

Then there is the Utilities Regulations. We have determined that consumers in this country have a right to be treated fairly because in a very real sense there are elements of monopoly structures in the economy that continue to affect the interest of the average man and woman in the street. This Government has indicated it is committed to changing those structures. As the Leader of the Opposition knows, the process of being committed to changing it and actually doing it requires consultation, requires drafting, requires planning and requires the structure which would, in fact, be the arbitrator in determining whether the particular manufacturer is right or whether the consumer is right.

He also knows that when his Government committed to the World Trade Organisation, and knew that the liberalization process was coming, they did nothing to be able to put a framework in place to protect the interest of consumers in this country, knowing full well that liberalization would have meant a flooding of the market in respect to both good and bad products and cheap and expensive products.

There are a number of issues that I suggest, Mr. Chairman, that the Leader of the Opposition needs to speak clearly and frankly to this Chamber about, and not seek for partisan political purposes to bring into disrepute valid institutions, nor to take words that were not said by the Minister of Commerce, Consumer Affairs and Business Development and try to suggest that he said them, and is doing nothing for consumer affairs.

It is an untruth and I believe that it should not grace this Chamber for those words to remain in the record.

I thank you, Sir.

12.10 p.m.

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Hon. R. C. EASTMOND: Mr. Chairman, in his opening remarks the Honourable Member for St. John appeared to come over as requesting a definitive policy on price controls. But later in his contribution he raised the issue of VAT and then he ended up saying that in recent times the policy of having a Fair Trading Commission appeared to be in conflict with last week's debate on telecommunications.

Permit me, Mr. Chairman, to open my remarks by indicating that when this Government was faced with the prospect of looking at the regime of taxation prevailing before this administration took office in 1994, we realised that there were over 10 types of taxes - many of which resembled each other in nomenclature, but which when added up really imposed burdens on the final consumer.

After very careful planning, Mr. Chairman, looking at the legislation to inform the VAT, looking at the applicable rates at which the VAT could be applied, looking at a similar VAT regime elsewhere including countries which did not use the name VAT but had terms like general service tax and such like, this Government decided to set the VAT rate at particular levels, but went on to identify clearly what has become known as a basket of basic goods, where VAT relief was granted.

I am suggesting, Mr. Chairman, that there is existing relief to the final consumer in respect of a basket of goods which has been exempt from VAT. To suggest therefore in his speech that the combined effect of what the Honourable Member called no policy on price controls and the introduction of VAT would be to oppress the consumer, would be to suggest, not only as my colleagues have been saying, manifest falsehoods but would have been clearly dealing unfairly with what we are dealing with today. We have no...

Mr. D. J. H. THOMPSON: The Honourable Member obviously was not listening to my speech. I have not asked for any policy on price control but I asked about the Price Control Division, what is its role now that we do not have price controls. That is all that I asked, a simple straightforward question. Therefore, he is premising his speech on a falsehood.

That is what you are doing now.

Hon. R. C. EASTMOND: Mr. Chairman, there is a word called sophistry. I would not go into the definition of sophistry or its inner workings even though the Honourable Member for St. John would do well to check what it means. What really is the distinction between asking for what is the role of the Price Control Division and a price control policy?

The purpose of the Division would be to overlook policy, so he has not scored any point there, Mr. Chairman. He has come to the wicket, puerile in appearance, puerile in technique, puerile in delivery, puerile in his failure to score any political point here today. If you are asking this Honourable House, Mr. Chairman, what is the role of the Price Control Division, you are actually asking what is that Division's mandate and what is the Division supposed to do. Clearly the deeds or even the omissions of the Division would have implications for policy. I cannot understand

how an Honourable Member who has been in here for some time could allow himself to be set up unintentionally in this debate, trying to score points that he cannot score.

Mr. Chairman, if we are going to be honest with ourselves, we must begin by saying that the consumer does in fact need protection. We also go on to say that over time Acts and policies geared to protect the consumer have been done incrementally. We have heard on this honourable side what policies have been put in place to inure to the benefit of the final consumer.

What we have to say is that in the whole context of a mixed economy composed largely of a big private sector, there is a type of economic policy at the national level where there is economic democracy in the sense that Government is not heavy-handed in regulating business to the extent as to controls the movement of every cent in and out or every dollar in and out.

Mr. Chairman, in a situation where the Democratic Labour Party was the political entity which in April of 1994 committed this Government to globalization and trade liberalisation, we have to be additionally honest to ourselves by realising that the new ethos worldwide is not the notion of controlling the commanding heights of the economy as it would have been 50 or 60 years ago, but the new ethos worldwide very much allows for the assertion of market forces.

I have to be careful because I am not going to commit my side to be accused of allowing market forces to run wild over the consumer's rights in this country. We recognise that market forces will play their part but we also recognise that there is a need when the market forces threaten the ultimate consumer to prevent such market forces from running roughshod over the rights of consumers.

I come to the point that the Honourable Member for St. John made towards the end. He claimed that I was not listening. It was not easy to follow what he was saying but I essayed to listen even though what he said was not worth listening to. At the end, having delivered himself of one of his better speeches last week, not by any means a great speech but one of his better ones nonetheless, he comes in here today to suggest that the Green Paper on Telecommunications is in conflict with the Fair Trading Commission.

It was said here last week, Mr. Chairman, that the purpose of the Green Paper was not to foist policy on the country but to provoke discussion so that all interested parties and stakeholders would be able to say what they have to say to give us the necessary feedback.

To go further, Mr. Chairman, to indicate that the Green Paper stands utterly in conflict with the Fair Trading Commission was not fair and could not have been fair because first of all nothing in the Green Paper is cast in stone and everything is up for discussion. The Fair Trading Commission is an independent agency empowered by law to carry out certain functions and we cannot at a time when the Fair Trading Commission has not properly started its work yet indicate that what it will be will be significantly undermined by some eccentricity of ours over here in the form of the Green Paper. I am not saying that the Green Paper is eccentric, but what I am saying is that if you interpret what the Honourable Member for St. John was attempting to say, he was trying to suggest that we were self contradictory in what we were doing in relation to consumer protection. I am not unaware of the existence of drafts in this Government that go to looking at the need to protect the consumer.

We, in this Parliament, have never committed ourselves to a revolution in the sense of a sudden one-off event. This democracy, this economy, has gone the route of evolution, gradual, slow growth very often to minimise the pain of overnight change.

12.20 p.m.

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Hon. R.C. EASTMOND: I, therefore, Mr. Chairman, find the greatest difficulty understanding the purport of the contribution made by the Honourable Member for St. John. Like my colleague, the Honourable Member for St. Michael North East I do not think that taken at its highest, the comments of the Honourable Member for St. John were fair, taken at their lowest, I do not think there are worth the record of this Parliament.

Mr. Chairman, I thank you.

Hon. R. StC. TOPPIN: Mr. Chairman, Honourable Members have spoken at length on this side but I want to say a few words lest the comments of the Honourable Member for St. John should take root in the minds of those who would want to repeat them in other forums. I just want to be clear because it is as if sometimes you are speaking to those who would not wish to even try to understand - I am referring to the Members on the other side.

When I first came to this Honourable Chamber in relation to the Fair Trading Commission, I explained at length that the Fair Trading Commission was going to have an umbrella Act, as I referred to it, and then three distinct divisions, each division involving the enactment of a piece of legislation to bring about its existence. There is going to be utility regulation, consumer protection and fair competition.

Any Member who comes to this Honourable Chamber and say that all that was done was to bring a Fair Trading Commission Act and Utility Regulation Act and implies that a full stop will be put to the proceedings after that and that consumer protection matters have not been dealt with is really displaying a level of ignorance that is frightening, particularly when the matter of the establishment of the Fair Trading Commission was referred to Joint Select Committee on the urgings of the Honourable Member for St. John where, I, having responsibility for the Ministry involved in the matter, was asked to explain its role, function and structure.

The Honourable Member for St. John did not come to even one meeting of that Joint Select Committee. When the Committee met between June and November last year he opted to go to England to watch test cricket and that is why he does not understand what it is about. Mr. Chairman, when the Honourable Member for St. John was in the country he preferred, along with the representative of his party from the other Chamber in this Assembly, to walk around the yard talking instead of coming inside to the meetings of the Joint Select Committee so I am not surprised that he does not understand anything about the Fair Trading Commission.

Sir, the purpose of a utility regulation is not a nebulous or abstract concept vis-a-vis consumers because consumers have rights as well in relation to utility companies. If the Honourable Member would just take the time to read the Utilities Regulations Act, he would see that there is a whole new angle in the Utilities Regulations Act which speaks of the bringing or being of standards of service.

Sir, consumers previously had no rights in relations to standards supplied by any utility company. Consumers hardly had rights in relation to querying a simple billing that was incorrect. Utility companies could just tell them that they owed the money, that they had to pay or else the service would be cut off and that if they want the service back, they would have to pay a reconnection fee. The Utilities Regulations Act, coupled with other regulations, will speak in full to consumer rights in relation to utility companies.

Mr. Chairman, as I have said before, to say that nothing was done so far under the ambit of the Fair Trading Commission for consumers is to show a level of ignorance that is frightening.

Mr. Chairman, I was also at pains to explain that one arm of the Fair Trading Commission is the consumer protection division which, of course, will involve the enactment of legislation which is coming.

Mr. Chairman, I am not a visionary or a dreamer as the Honourable Member for St. John is. The proof of the pudding will be in the eating when the legislation is before this Chamber. Mr. Chairman, I am not blowing my own trumpet but sometimes you have to blow your own trumpet or nobody else will blow it for you.

There has been the Small Business Development Act which I introduced in this Chamber. There have been a Fair Trading Commission Act, a Utilities Regulations Act and an Electronic Transactions Act. There were four significant pieces of legislation in less than two years. Mr. Chairman, I make bold to say that I am satisfied with my own performance.

Mr. Chairman, the Honourable Member for St. John goes to watch test cricket in England, which he does not understand either. He understands as much about cricket as he does about the Fair Trading Commission, but professes to speak on both.

Mr. Chairman, I just wanted to set the record straight. When we brought the Fair Trading Commission Act and the Utilities Regulations Act, it was not the be all and end all of the matter. Consumer protection legislation separate and apart from that is on the way and this takes time to prepare.

I have said on many occasions in here that setting up a Fair Trading Commission is not an easy matter because we were treading on totally new ground and it took time to come to grips with it. It involved the review and enactment of many pieces of legislation as well as regulations. It is not done overnight.

Mr. Chairman, again I am calling on the Honourable Member for St. John to tell us what he did in this Chamber. I just named four pieces of legislation in two years and I have not spoken about when I was Minister of International Transport. I have brought four pieces of legislation in two years as the Minister so could the Honourable Member for St. John please tell us what he has done when he was in the Ministry of Finance as a Minister in the Cabinet of Barbados?

Mr. Chairman, before I close the debate I want to repeat that as far as the Price Control Division is concerned that it is no secret. It is a fact that there are now very few items under price control. If the Minister had known these things and was taking no steps to correct them, then he would have been rightly subjected to criticism. It is known that the Price Control Division, in the context of the role that it has to perform, does not have enough responsibilities to carry the staff which it has.

On the other side, there are price control inspectors and standard inspectors who do not have the staff to deal

with the work load that they have. Therefore, a study is being conducted to assist us in the refocusing and restructuring of the Ministry and the rationalization of the officers. Mr. Chairman, what can be so hard about that to understand?

Mr. Chairman, I beg to move that Head 20 stand part.

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

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

12.30 p.m.

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Hon. R.N. GREENIDGE: Mr. Chairman, in moving that Head 33 stand part with respect to this overall sum of \$895 486, I want to say that the bulk of this money will go under three heads.

First of all the money represents a sum to the Amateur Athletic Association of Barbados for the hosting of the CAC Games. Secondly it is for the salute to our Olympian athletes and thirdly, it is for sporting facilities.

I would begin with respect to the grant to the Amateur Athletic Association. In 1999 the Amateur Athletic Association hosted the CAC Games. If you remember, Sir, many Latin American countries attended those games. It was the first time ever in Barbados that we were bold enough to host the games other than the regional or Caricom type games. We went into the hemisphere and hosted the CAC Games. As a result of that the Amateur Athletic Association incurred massive expenses. Those expenses were incurred on two fronts. First of all, they had to purchase certain pieces of equipment to meet the required standard of CAC Games in terms of the timing and different hurdles and so on.

On the second front, they had to provide hotel accommodation for the officials who came to the games. Mr. Chairman, Government had made a commitment to the Amateur Athletic Association with those expenses without giving them a prescribed figure. I remember when I got the letter from the Amateur Athletic Association they were asking for something in the vicinity of \$360 000. Government is now making available to them \$131 695. This \$131 695 will virtually take care of the accommodation side of it.

I know that the Amateur Athletic Association is currently seeking to sell their equipment to the National Sports Council and asking them to allow the equipment that they have bought to be the Sports Council's equipment

rather than the Amateur Athletic Association's equipment. They believe that the Sports Council will have to use such equipment of future occasions. This sum of \$131 695 is to pay the outstanding debt for accommodation. It is also being done to assist the Amateur Athletic Association who also wants, this year, to host the Carita Games. The hotels that the Amateur Athletic Association owes for the CAC Games are the same hotels that they want to use again for the Carifta games and if they are still indebted to those hotels, they may not be able to have the athletes accommodated there.

I believe that the thinking of the Government not to give them the entire sum for which they asked, including the payment for the equipment, is because of the message which the Government seems to be sending. Government understands its responsibility that it must assist organisations such as the Amateur Athletic Association but that it operates with a budget, constraints, and that it does not have unlimited funds. I feel that is why the Ministry of Finance did not want to pay for the equipment as well.

In terms of the salute to the Olympic athletes, the event which came off at the Bay Street Esplanade, I do not think that anyone in Barbados has any quarrel with that expenditure because it was not anything that was planned for in our Estimates. We did not know that we would have had such an achievement and we would have had such an occasion at the Esplanade.

The third thing that I mentioned, Sir, has to do with pavilions and sport facilities generally. I will begin by reminding you that in my constituency I have the St. Marks and Chapel pavilions. If you look at those two pavilions, Mr. Chairman, you will see that they have virtually outlived their usefulness. The little one at Chapel, St. Philip could fit into this Parliament about three times.

Asides.

Hon. R.N. GREENIDGE: I am not saying, with all respect to the Honourable Member for St. Thomas, that it was not extremely useful at the time that it was built.

Asides.

Hon. R.N. GREENIDGE: It was very much appreciated. Today we are building a more sophisticated type of pavilion, which is the point that I want to make. A pavilion, nowadays, is not just a space for a tennis court or for playing dominos. Mr. Chairman, the pavilions are now being built to accommodate computers, conducting classes, meetings and skills training. A lot more use is being made of our pavilions today and they can now be described as multi-functional. Pavilions are now a lot more expensive and are more sturdily built. Government has to always keep in mind that once you are having a lot of people using those

facilities, a certain liability attaches itself if these facilities are not made as safe as possible. Therefore, Government is well advised to invest in safety.

The pavilions are now being used to store computers. Therefore, the proper security has to be in place. I will like to give an example. The Drax Hall pavilion which was recently opened, did not have the kind of multipurpose expenditure budgeted for. As it was being built, we realised that it had to be used for other purposes and we are now asking for the balance of this expenditure. The same principle applies to Inch Marlow Pavilion, Mr. Chairman. There is also some money in this expenditure for Zion Hill and Grantley Adams. These are hard courts.

Sir, when we built the hard courts, we did not anticipate that we would have had to do the amount of excavation that we had to do to put these hard courts in place and that excavation work was an additional expense. What we had originally budgeted for in the Sports Council's estimates fell short and that is why we seeking this sum.

Therefore, Mr. Chairman, the overall sum for which this Ministry is seeking in this Supplementary is in the sum of \$895 486.

Mr. D. T. GILL: Mr. Chairman, I am glad to hear the note being sent forth by the Honourable Minister of Sport. I am a firm believer that sports is one of the avenues that we could seek a remedy for some of the deviant behaviour in our society. A former Minister of Sports once said that "sports isn't fun".

Sir, during the months of February, March and April two of the biggest mass sports are in full season, football and basketball. Sir, you need little or no resources compared to cricket to play these sports. The major requirements are the ball, correct nets, goal bars and flags, which are minimum.

12.40 p.m.

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Mr. D. T. GILL: Sir, suffice it to say, these games attract great numbers of players from the working-class society.

Sir, at this time of the year, if you were to visit the Garrison Savannah on any Saturday morning, where I have seen the Honourable Minister for Social Transformation and, on one or two occasions, the Honourable Member for Christ Church West... when I saw him last Saturday, I said to him, "you must have come to remove an ox from the pit?". He said, "not quite, but when I am finished here this

is all part of ministering..." and I agree with him that that is all part of ministering.

Sir, at this time of the year at any of the playing fields: Blemmings Cricket Ground, the Garrison Savannah, Barclays Cricket Ground and Weymouth Cricket Ground, you will find a number of youngsters playing any number of games, but if there is no facilities or pavilions where one can sit in the cool and watch the game, or have a shower after the games, Sir, it is inept. The facilities at the Garrison Savannah, the Weymouth Cricket Grounds, and at Blemmings Cricket Ground leave a lot to be desired. Sir, if the fields are not properly cut or marked, if you do not have decent goal bars, and by that I do not mean goal bars that are eight to ten years old, weathered, rusting and pose a threat to the people's children. These are the areas in which the Sports Council must be strengthened and I lend full support to the Minister. I know that the time is soon coming for putting your bid in, but I would like to remind the Minister that in South Central and the City, where we have produced some of the finest footballers I have no problem in asking for a pavilion for Weymouth and that does not belong to St. Michael South Central only...

Asides.

Mr. D. T. GILL: It is located in the City, but it serves four constituencies. It serves the City, it serves...

Asides.

Hon. Miss B. A. MILLER: Mr. Chairman, Sir, I hate to interrupt, but it would serve a purpose. The young people of the City are denied access and always have been, to Weymouth Cricket Ground and the Queens Park Cricket Ground. I have written my fingers down to the stump to Spartan Cricket Club asking them to permit the young people of the City to use those grounds, and the answer was always "no." No access to the Queen Elizabeth Hospital Grounds, no access to the Biscuit Company Grounds, no access to Kensington Oval. None.

Mr. D. T. GILL: Sir, the Honourable Member for the City has not said anything different to what I have said. I think she is being mixed up with Weymouth Police Grounds, which means Weymouth A. In this Chamber, at least three years ago, we gave the Police a 100-year lease and extended Weymouth A to Weymouth B, where the hockey players used to play before they got their own home. So now, what used to be Weymouth C, the little piece that was left back and is parallel to Harrison's College ... you played out there several times Sir...

Asides.

Mr. D. T. GILL: Honourable Minister, I have no problem with what you are saying. I never said they had

access to the Hospital Grounds. I never said that Alpha, which is from up-town Martindales Road does not have access to the Hospital Grounds. There again, Sir, if you check the Barbados Football Association fixtures you will see there are fixtures for Weymouth B, what used to be referred to as Weymouth C. I said that that facility at Weymouth B serves the City. It serves St. Michael West, St. Michael South Central and St. Michael Central. If it did not serve those constituencies you would not have seen games fixed for Quakers at that facility, or for South Whales, Alpha, Dean's Village, or Emmerton. Each of those four Cricket Clubs come from a different constituency that is near that area.

As a boy going to school, there was a little, white, pavilion which used to be owned by Her Majesty's Prison Officers. It was weathered, rotted and it collapsed. Her Majesty Prison Officers left there and went to Blemmings where a former Minister routed them from there and told them to go, that Blemmings was in his constituency and now Her Majesty Prison Officers have their own ground at Waterford.

Suffice it to say, Sir, and I would like to draw the Honourable Minister of Education into this, because that ground is also the home of the Barbados Youth Service whose members play cricket and football there.

Sir, two years ago, the Cricket Association told them that they must have decent changing rooms and toilet facilities, otherwise they would be banned from playing any competition at that ground. Those facilities were to have been in place for the last season's cricket, but up to now, that has not taken place. What happens is that every Saturday chemical toilets and a tent are placed on the outskirts of the cricket field, but I do not think that the Barbados Cricket Association is going to be that generous with them this year.

Sir, I would like the Honourable Minister responsible for that department, along with the Honourable Minister of Sports and Culture, to recognize the work being done by this division of the Ministry of Youth Affairs and Culture, and between the two Ministries provide extremely simple facilities for those sportsmen who have no place to call their own. As the Member for the City quite rightly said, they are nomads; they roam all over the City and are turned around at the whim and fancy of other persons.

Sir, only last Saturday, about six games were scheduled for that little facility. We talk about improving our junior football, but the youngsters were chased off the Police Grounds. I had to contact Sergeant Reifer to inform him that these youngsters were in an unfortunate position, but this is one of the best ways of keeping down crime in Barbados and, therefore, that permission was granted for these youngsters to use the grounds.

As I have said Mr. Chairman, gone are the days of those big old iron bars. I want all of those iron bars outlawed in Barbados and to use the aluminum ones which can be freely moved, so that if a sportsman happens to collide with them, he pushes them back because they are so light. The other iron bar structures are old, rusted and weathered at the joints.

Asides.

Mr. D. T. GILL: I did not hear you? The cost? Next-kin-to-nothing. You can go to Orans Limited and buy aluminum because it is now so cheap. It is a commodity item and does not fetch a big price on the world market anymore. Every patio has aluminum chairs on them.

The other thing that I would like you to do, Sir - and I know that I have a relative involved - but I would like you to check out how many of the swipes are working at the National Sports Council. Between the National Sports Council and the National Conservation Commission, when one adds these two together, one cannot get two decent swipes.

12.50 p.m.

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Mr. D. T. GILL: If we are to be serious about sports, we must have enough swipes that when you are servicing St. Thomas, you could be servicing the City and you could be servicing where you live.

You need at least three properly functioning swipes. Then, you need the hedgers and the lawn boys. You also need the push ones and the old conventional ones so that when you can do the job, you prepare a decent facility. An area, Sir, that I think the Sports Council can make some money is...

Aside.

Mr. D. T. GILL: ...gone are the days when you had excellent groundsman like Benny. I think Perch must be the last out of the crowd. I tell you, Sir, anytime you put a facility at Weymouth, it must be named after Wanny, Mr. Rouse is his name. I cannot remember his first name. It must be named after him.

Up to now, although he has just recovered surgery, Wanny can go and prepare the pitch by himself and those were the fellows who would take...

Aside.

Mr. D. T. GILL: ...and we ask why our cricket is slipping. The old masters like Wanny, Benny and Perch...

Aside.

Mr. D. T. GILL: ...when I went to St. Giles, Perch taught us how to set a field, how to bold and how to bat. They were like masters on staff. When I went the Harrison's College, I had another set of groundsmen but if I may get back on track...

Mr. CHAIRMAN: Now that you are getting back on track, you have two minutes left.

Mr. D. T. GILL: Thank you, Sir. The Sports Council can provide groundsmen to prepare pitches right across Barbados for a fee and also training. It is an art and a science and when you go to places, Sir, where you play football over the surfaces today up to 5:30 to 5:45 or 6:00 o'clock and then the next morning you have to get it ready for cricket, you cannot get out a good pitch.

In closing, Sir, I want to say that the Honourable Ministers of Sports, wears two beautiful hats: the hat of sports and the hat of vocational training. We have spoken several times about the facility at Valery which will serve four constituencies. Again, Sir, I like facilities that could serve more than one constituency. It will serve the south east, the south, the south central and Christ Church West and those areas have a plethora of sports persons who play netball, road tennis, taped-ball and hard-ball cricket - that is the Brittons Hills, Pine Plantation, Dayrells Road, Clapham areas. There is no end to sportsmen.

Sir, rather than thinking about building more jails, this administration has taken a different approach to crime and sentencing. I would add that facilities like these will go a long way in turning around first offenders so, Mr. Chairman, I am putting out a plea to the Honourable Minister of sports to come down and make that Valery facility an all encompassing...

Aside.

Mr. D. T. GILL: We have the Skills Training Centre there. Do you remember we fixed up the lights a couple of years ago but the hard court needs resurfacing.

I thank you, Mr. Chairman.

Hon. D.A.C. SIMMONS: Sir, I had risen just before the last Honourable Member just to make one point and I am not adjourning for lunch because other people can speak for a couple of minutes.

Since the Ministry of Labour and Sports is presently engaged upon its budgetary exercise for the next financial year, I would like to record in the proceedings of this House, a call for the hard court at the Arthur Seat facility to be resurfaced and lit.

St. Thomas has been well provided with sporting facilities during my tenure. I am not asking for any new facility. I am just asking that the little hard court at Arthur Seat - before you turn to go into Warrens Terrace, coming from the Arthur Seat side through by Tull's garage, the first left there - is in need of resurfacing and we could do with four polls with the requisite lights. That is all we want. I would be grateful if it could be attended to in the fiscal year, 2001 to 2002.

I am obliged to you, Sir.

Hon. R.R. FARLEY: Mr. Chairman, I believe that we are fortunate to have you in the Chair. I believe that you know the Chairman of the Sports Council very well and you will be in a position to take some messages to him. The first message, Sir, is to congratulate the Honourable Minister of Sports and Chairman of the Sports Council and to thank them on behalf of the people of Christ Church East. We are featured in this Supplementary so I really must wholeheartedly support this Supplementary and urge Parliament's support.

Included in the sums which are provided, Mr. Chairman, are funds to do work on the pavilion which is currently under construction at Inch Marlow and to complete the installation of lights at the hard courts at Lowthers Hill, that is adjacent to the St. Patricks Primary School.

The pavilion, Sir, at Inch Marlow is intended to serve to the communities of Walls Tenantry, the wider Silver Sands area, Chancery Lane, Long Beach, Ealing Park and those surrounding areas. Of course, the hard court and lights at Lowthers are really an extension to the Crusaders Club's grounds and the Honourable Member for St. Joseph knows the area there very, very well. In fact, Sir, the Crusaders is one of the oldest and most distinguished community groups in Barbados and it is only but fitting that the Sports Council should partner with them in this endeavour. Sir, there is other work to be done and I would certainly want to the support of the Sports Council for the self help efforts by Crusaders to improve their pavilion facilities.

We all know, Sir, that sports facilities are an essential part of community development and it is a very important part. It provides a point of focus for young people and it provides opportunities for them to develop their talents. National sports, by any description, cricket, football, any international sports can only improve if there is an improvement in community sports. Indeed, Mr. Chairman, there are some communities which are not as fortunate as those which have been the subject of this Resolution, to have adequate facilities for their development. In thanking the Sports Council and Minister

for this effort, I also want to make mention of the fact that we still have some ways to go.

There are still communities, my constituency and indeed in all of the constituencies where we have work to do yet. But, Sir, much of the natural talent which is available in sports in Barbados is being lost on a daily basis because of a lack of sports facilities and the opportunity for harnessing of those talents.

1.00 p.m.

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Hon. R. R. FARLEY: In my constituency, for example, we have a few playing fields, some with pavilions and some without. The reality, Sir, is that in the north eastern part of my constituency, in Lead Vale for example, where there is football talent, they have an undersized field with no additional facility.

Some of the talent you hear touting about by the Dover Football Club includes persons from as far up as Lead Vale, Lowthers and other places. The reality, Sir, is that the travel time across long distances to get to facilities or to get to viable clubs reduces the opportunity and in some cases makes it impossible for some persons to participate in sports.

I am pleased to report, Sir, that the Silver Sands Sports Club, even with limited facilities, have now been able to raise itself up to being a Division 1 football team in this country. I believe they should be congratulated for that because unfortunately Silver Sands is one of those areas that only gets a mention in the news when there is a problem of crime, there is a drug bust or a drug fine or there is a visitor passing through the area who is robbed but the good news about Silver Sands does not receive equal prominence. I am here today to report that notwithstanding the challenges and the fact that that team has laboured for years on an undersized ground, which is adjacent to the St. Christopher Primary School, and without pavilion facilities that they have been able to improve.

Sir, I must thank the Minister and the Chairman of the National Sports Council again because, at that small ground adjacent to the St. Christopher School which has long been the area used by persons as far east as Silver Sands and Walls Tenantry and as far west as Goodland and Enterprise, the National Sports Council has provided an upgrade of the lights there and they have also provided a small pavilion on that playing field as well.

Sir, I want to underscore the importance of the provision of these facilities. If we had any doubt, Sir, the Barbados Cricket Association, for example, as well as the national sporting bodies, do not accept teams for entry into

Division 1 or 2 in the national cricket competition unless they have what the Barbados Cricket Association considers to be adequate sporting facilities and adequate pavilions. One could have a good ground but if one does not have a pavilion that consists of team rooms, private room for the home team, private room for the away team and adequate bathroom facilities et cetera, no matter what your talent is, you cannot make it into the big leagues. That is a problem that we face at Fairy Valley.

At Fairy Valley, there is a wonderful cricket ground with the most spectacular view of any cricket ground in Barbados. It is one of the few cricket grounds in Barbados at which while fielding one is able to watch the rolling Atlantic Ocean and the beauty of Long Beach. The youths of these areas have been able through their own efforts to obtain a wooden structure for use as a pavilion. However, it is still short of the team facilities, bathrooms and the like.

However, we will not put pressure on the Minister and the Chairman of the National Sports Council at this stage because as a community self help effort and with the assistance of the Member of Parliament and his team, we will work in the Fairy Valley area to upgrade those facilities, to install the bathrooms in the facility, to upgrade the physical structure of the building which is available, to provide some seating and to make that ground available to add that to the stock of excellent facilities which we have around the island, and because of its proximity to the Airport, to make it available as well for visiting teams and other persons who may want to use it. As I have said, Sir, I really must give thanks for the help that I have obtained in Christ Church East. Of course, in that regard, I need not mention again the improvements which are being made on the Airport facility, the playing field opposite the Airport, which is the home for the Christ Church Football Tournament and other major sports in the area.

Sir, unless we, through the Government or through the national associations, make an effort to provide even greater opportunities including economic opportunities for our sportsmen, we would still not provide the incentive for the full development of sports.

I want to strongly urge and to add some urgency to the call for the development of professional or semi-professional sporting in Barbados on a consistent basis. We have, I think, a large enough population size. We have enough persons who have an interest and some expertise in entertainment and in organising events for us to be able, with the will, to provide opportunities for our cricketers and all of the various sportsmen to be able to make some money from their talents. I would want to urge, Sir, that if the associations are not moving with the greatest haste on it that the Minister and the National Sports Council should look at using that organisation to be a pioneer in that particular regard.

I certainly, Sir, would want to offer the much improved facilities which we have now, thanks to this Resolution, in Christ Church East, as well as the improved facilities which are scattered across the island to provide these opportunities so that together with the communities we will be able to provide opportunities for earning and to ensure that at the national level that the Pride of Barbados is upheld by having the best possible sportsmen produced by community-based facilities and strengthened by community-based organisations like the Crusaders Club and other clubs which are based in the communities and to feed them into the national talent pool so that the display which we have had in recent years in terms of our national or regional performances in sports could not be repeated.

In closing, it would be remiss of me not to take the opportunity to congratulate the Barbados Cricket team for a very excellent performance in this year's competition particularly with a new cricket captain at the helm. It really shows that there is no need for despair. It shows that the work which has been done over the years by the National Sports Council and the Government generally in terms of providing facilities has contributed to a continuous contribution to the talent pool.

It also reminds us that we cannot, in spite of the success of this year, rest on our laurels and that we cannot assume that out of the blue new talent will come to the fore but it is through expenditure of public funds in the provision of facilities, the support for coaching, the support for community groups, the mentoring and the tutoring, that we will show even greater success.

I, therefore, with great pleasure, support this Resolution and warmly congratulate the Minister and the Ministry of Labour, Sports and Public Sector Reform for the excellent work which they have done and the National Sports Council for the support and the facilitation which it has provided.

I thank you, Mr. Chairman.

On the motion of Hon. D. A. C. SIMMONS, seconded by Hon. R. N. GREENIDGE, Mr. Chairman, reported progress of Committee in Supply to his Honour the Deputy SPEAKER so that other Honourable Members could speak and Mr. Deputy Speaker assumed the Chair and reported accordingly.

SUSPENSION OF SITTING

Hon. D. A. C. SIMMONS: Mr. DEPUTY SPEAKER, I beg to move that this Sitting be suspended until 2.15 p.m. today.

Hon. R. N. GREENIDGE: I beg to second that.

The question that the Sitting do now suspend until 2.15 p.m. today was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the Sitting accordingly.

1.12 p.m.

Tuesday, February 20, 2001

RESUMPTION

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

Mr. DEPUTY SPEAKER left the Chair and Mr. CHAIRMAN resumed the Chair.

COMMITTEE OF SUPPLY (Resumed)

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

Hon. A.P. WOOD: Mr. Chairman, I rise to give my full support to this Resolution. First of all, let me congratulate the National Sports Council for the good work it has been doing throughout most of Barbados in respect of the provision of sporting facilities and in their efforts to maintain the playing fields. It is refreshing to hear some of my colleagues on this side and I would imagine those on the other side congratulating the National Sports Council for the work that it has been doing in their areas. I want to be included in that list of parliamentarians who could shower the National Sports Council with praise for the work it has been doing in the constituencies.

Mr. Chairman, the provision of sporting facilities not only provides the young person in particular an opportunity to release some youthful energy but the way how things have been unfolding in Barbados in more recent times it is clear to all and sundry that the provision of such facilities will also deal with a social need.

In the constituency of St. Philip South, things are not as quiet as they used to be and one of the ways that we can deal with the minority of young persons who have gone off the straight and narrow path is by the provision of properly equipped recreational facilities. We have groups of young persons in my constituency who have been crying out for the opportunity to go to community facilities to make proper use of these facilities and in so doing utilise some valuable time which otherwise they might use in engaging in activity which can be considered anti-social.

I am going to give examples which would make clear the point I am trying to make. I, myself, have some youth left and I am very much interested in sports. Before I

became involved in elective politics, I had the good fortune of being president of a national sporting body, the Barbados Pool Development Organisation. I expended long hours to try to bring this sport from the bottom as a sport. I am happy to say that my efforts were not wasted and today pool as a sport in Barbados has grown significantly and there are some very good pool players in Bridgetown. Any Saturday or Sunday afternoon in an organised school tournament, one that is run under the auspices of the Barbados Pool Development Organisation, you can find no fewer than about 20 teams throughout the length and breadth of Barbados and each team comprises 11 or more members.

Mr. Chairman, we, in the parish of St. Philip and Minister Greenidge can attest to this and we can boast of some of the finest sports persons. In the area of cricket, we have been fortunate to have former West Indian players like Wayne Daniel, Thelston Payne and a number of former Barbadian cricketers as well.

Mr. Chairman, I am saying that what we have provided on the national and international scene should be somehow reflected in the quality of the sporting facilities in the two constituencies, and that is not the case. I am in the unique position, one that I do not think that any of my colleagues would envy me for, of having four schools in my constituency - Industry High School, Princess Margaret Secondary, Mangrove Primary and St. Martin's Four Roads Primary. At none of those schools would you find a hard court or would you find a pavilion. Only at Princess Margaret Secondary School would you find a properly maintained playing field.

Mr. Chairman, that is not a record that I would like to speak about, because it is a very poor record. I am happy to report that the Ministry of Education has responded positively to a request which I made to them to deal with that situation.

It does not stop there, Mr. Chairman. As you go beyond the school into the wider communities we do not have a single hard court. This is very unfortunate. We have playing fields in the constituency that are in very poor condition. The only two playing fields in the constituency that we can play a competitive cricket game for the BCA competition would be at Princess Margaret Secondary School and at Brereton. We are very fortunate, thanks to Mr. Greenidge, to have the playing field at Brereton prepared with a nice structure in the last couple of years.

During my first year as a parliamentarian my constituency office and I ran an Independence football competition. Most of the games had to be played outside of the constituency. This is very unfortunate. The ground that was used most often was at the Hilda Skeene Primary School which is physically located in St. Philip North. At

the moment, I am hosting a tape-ball cricket competition, a very exciting competition, that serves a very useful purpose and most of the grounds at which those matches are being played can only be used for competitions organised by the small planning committee of my constituency and, in the case of the Rices Ground, that is being used for the BCL Cricket Competition.

My footballers from St. Martins, Mr. Chairman, have to sojourn over to the Airport to participate in BFA organised football matches. So this is not something that I would normally do but it would be very remiss of me if I did not take this opportunity when we are discussing the upgrade of sporting facilities elsewhere in the country to make a special plea for the good people of St. Philip South. We have some very densely populated areas without any form of community recreational facility.

Gemswick has been fastly developing. We have Gemswick Gardens and we have Gemswick Park and the stock of houses in Gemswick now has grown significantly. There are large numbers of young persons over there who would like an opportunity to develop themselves in the area of sports. It is said that a very active body produces a very active mind. We had large numbers of persons in the constituency who, including myself, would like their bodies to become a bit more active so that the minds will become more fertile.

Mr. Chairman, I will close at this point and I want to encourage you to use your good office as Chairman of the National Sports Council to make the requisite decisions to ensure that this situation that currently obtains in the constituency of St. Philip South, a constituency that boasts now of just under 10 000 eligible voters, that we benefit in some way from the provision of the sporting facilities which I am supporting for other constituents.

2.30 p.m.

Tuesday, February 20, 2001

Hon. A.P. WOOD: The good people of St. Philip south will be eternally grateful to you, Mr. Chairman, and there is a move in the right direction to ensure that the playing field at Rices, which is central and heavily utilised, can be upgraded and there can be some sort of structure which the people can call home.

Mr. Chairman, the groups in my constituency are not depending on the Government to do it all. I have what can be considered a model youth group in my constituency called 'Foul Bay Social and Community Group'. They are embarking on a self-help project by which they want to construct a multipurpose facility for the folks in the Foul Bay area and surrounding districts. However, this group requires the Ministry of Housing, which is the

Government's landlord, to give them an opportunity to erect this structure on Government's land. There is a small playing field in the area of Foul Bay which is in very poor condition but this can be dealt with at a later date. They would like to utilise this playing field for this self-help project.

Mr. Chairman, I am trying through the relevant Government agencies for some assistance and the group would like permission from the Ministry of Housing, via a long-term lease arrangement, to get their hands on a small parcel of land. They are prepared to mobilise the requisite funds to look after the project and they will assemble all the human resources available in the constituency to be part of this self-help project.

Mr. Chairman, mentioned was made earlier of the fact that these pavilion, in more recent times, must be seen as just more than buildings where young people go and relax. The Ministry of Social Transformation has come up with a very interested concept of a resource centre at which a number of activities can take place simultaneously, a number of training courses can be conducted, gyms can be housed there and it can be used as a one-stop shop for certain services to be provided by Government offices like getting your immigration forms sorted out etcetera. They have identified a heavily populated area, central in my constituency, for a resource centre and sporting complex.

Mr. Chairman, it is a wonderful idea and I look forward to the commencement of this project. St. Martins School lies next to the area identified for the facility and this school has had to go without proper playing facilities for the longest while. Mr. Chairman, that facility will serve a number of purposes and it will look after the needs of many varied groups.

Mr. Chairman, one again I fully support this Resolution. I commend the National Sports Council and the Ministry of Sports for the good work they are doing and I look forward to some of the requests which are made of the National Sports Council to be met for the benefit of my constituents.

I thank you, Sir.

Hon. R.C. EASTMOND: Mr. Chairman, as I set out to support the application for the supplementary under Head 33 I want first to agree with all Honourable Members who have recognised how important sports is in human development. Without repeating all that has been said in favour of sports and what it can do especially for our youth, I am heartened that part of the funding being sought from this Parliament is going to go towards sporting facilities at Sion Hill in St. James.

The Sion Hill area, traditionally an agricultural area, is an area which is properly part of what can be termed traditional Barbados. These rural people are God fearing, humble, sincere and are prepared to improvise. In the absence of facility years ago the area was still able to provide the likes of a gentlemen who has become very much the father of sport in the society, a gentleman called Mr. Arthur Broomes, whose brother, Noel Broomes who represented Barbados and is better known than Arthur and who - I am referring to Noel - up to now is using his experience for the benefit of young people and the community. He has been able to guide the likes of Vasbert Drakes about whom so much is known.

There is also a youngster emerging called Antonio Thomas, a pace bowler, coming from the immediate area of Sion Hill. You must have heard about another youngster called Carlo Morris who has been guided onto the Defence Force sports programme. These are some of the names that you would associate with Sion Hill when it comes to sporting achievements.

Mr. Chairman, the first time Sion Hill got proper sporting facilities was around 1981/82 when a Barbados Labour Party administration set about developing sporting policy for the area. A pasture was located there, a community centre, a pavilion and then hard courts. Mr. Chairman, I want to express gratitude both to the central Ministry headed by the Honourable Member for St. Philip North and then to you personally because, at the moment, what we are having at Sion Hill is the installation of lights for the purpose of allowing sports on the pasture at night. The utility poles have been installed, the electricians have been working and the youth of the area are excited at the prospect of being able to play sports at night. We expect, in a matter weeks, that we should, like other communities, enjoy sports at night.

Mr. Chairman, I want, therefore, to thank the Honourable Member for St. Philip North for having remembered St. James North. I want to thank those under your control for having decided to diversify the approach to sporting activity in St. James.

There is still some work to be done but I cannot complain, Mr. Chairman, that either you or the Honourable Member for St. Philip North would have been negligent in performing your duties in a way that would have seen us forgotten so I want to say thanks to the Honourable Member for St. Philip North and thanks to yourself.

I would like to develop a programme for the area, not just for sports because we have our own social development programme but, in my view, sports is a necessary part of social development. I think that in an era where the restlessness among the youth is perhaps more pronounced than ever before and the types of temptations

that now entice the youth, temptations unheard of forty or fifty years ago, that facilities such like those to which I just referred could go a long way in softening the effects of the youth's restlessness which, if not checked early, will have severe social implications.

As I express my gratitude, I am saying, again, Mr. Chairman, that I am fully supportive of the application for the supplementary and I want to commend the Honourable Minister for having remembered Sion Hill, St. James. I am sure that there are other communities which have also been included.

Sir, I thank you.

2.40 p.m.

Tuesday, February 20, 2001

Mr. L.R. TULL: I have got notoriety for making statements that appear to be critical of the front bench. I do not think that they deserve it.

A pavilion has been constructed at Drax Hall, St. George and was opened sometime last year. It is one of the finest community pavilions that I have seen built by the Government in all the years of its building.

Asides.

Mr. L.R. TULL: It will be ungraceful, if not ungrateful, of me not to put on record that the people of that area of St. George are profoundly grateful of Government for considering my request.

Drax Hall is a vast area and a former tenantry. People there own their lots, thanks to the policies of the former DLP administration. It is the largest previous plantation tenantry in Barbados and for many years it lacked facilities. The Barbados Labour Party has transformed that part of the constituency in St. George South by building well-constructed roads, providing a playing field and providing lights. The place is now looking like Chicago. The excellent bus service along with the new pavilion has created the final touch to a community that was crying out for many years for some concern.

Asides.

Mr. L.R. TULL: The pavilion would be a focal point for all the community. Drax Hall is a large district but there has never been a meeting place for young men. The young men used to meet under a tree and when it rained they scattered and ran into a verandah. We have the opportunity for the first time to get involved in a number of activities for all ages. It would do a lot, not only to develop the personal skills of persons who live in that community but

also build a stronger, more united and more harmonious community.

If we are to hold this community together as one island and then hold individual communities together, we have to spend more time and resources in developing institutions in communities to assist the cementing act to take place. I am confident, Sir, that this new facility in Drax Hall will do the power of good in drawing that community together.

I thank the Minister and Chairman of the National Sports Council for acceding to my request. I lit up on you and you have delivered but I am like Oliver Twist, I am asking for more, Sir.

I also have to say that large rural constituencies are quintessentially different from those tight, little geographical areas that are called constituencies in St. Michael and parts of Christ Church. The constituency of St. Michael Central can fit comfortably into one polling box of my constituency. My constituency goes from Bussa up to the tip of St. John. It stretches from Lower Bentley, St. Philip down to Salters Tenantry Road in St. Michael.

Asides.

Mr. L.R. TULL: I know the Honourable Member for St. Joseph often says that there are five parishes in his constituency.

Asides.

Mr. L.R. TULL: I have Frere Pilgrim and Boarded Hall in Christ Church, Lower Bentley, St. Philip, Todds, St. John and part of St. Michael. It is a big geographical constituency. It makes for more relaxed and comfortable movement in the constituency because we move from one place to the other. Each section of the constituency is self contained and that is the point that I want to make.

You cannot provide a facility in Drax Hall and say that it is St. George South without realising that the nearest district is Greens, a district that is separate and apart. Each one is self contained and you are not going to get young men from Greens tracking across to Drax Hall to use the facilities there. It is not like a St. Michael constituency where districts can be reached by stretching out both of your hands.

Sir, during the last General Elections we made some promises to the people of St. George South. The Minister was coerced, and he accepted the coercion, into moving into Greens, St. George where there are no facilities whatsoever, not even to hold a political meeting. They made a promise that they would provide a playing field for the people of that area. Greens is a large well-populated

area. It does not only meet the needs of Greens, it meets the needs of Todds, Drax Hall, Hope, Perogative, St. Judes, Deans Village and Daniels Land that have no playing facilities.

Therefore, Sir, I will be like Oliver Twist, I am asking for more. I am hoping that the Honourable Minister will hearken to my pleadings. I know that it has something to do with the Town Planning and the Ministry of Housing and so on. Sir, you can get playing fields in the urban area because that is not agricultural land. When you come into the country where there are vast tracks of land and every time you want a piece of four-and-a-half acres for a playing field, you hear that this is agricultural land and they are not taking land out of agriculture for people for people to play football. That is very bad.

The people in rural Barbados work on a back breaking sugar industry to build this country just like it used to be used to be in the old days, still earning a fair amount of foreign exchange and preventing a number of people from leaving rural Barbados to come into Bridgetown looking for work. The reward to them is to say, look, the land all around here is agricultural land, you are not going to take any out of agriculture so your children can have healthy exercise.

2.50 p.m.

Tuesday, February 20, 2001

Mr. L. R. TULL: I am asking the Government and, in particular, the Minister responsible for Town and Country Planning, the Right Honourable Prime Minister to help that Department to have a new reality.

In my constituency there are lots of canes fields, but they are now lying fallow and full of grass. And taking four-and-one-half acres to provide for the sporting facilities cannot be seen as being unreasonable, for we cannot continue asking persons to go from one district to another to use that district's sporting facilities. Anyone who asks that of those persons does not understand the new social realities in this country. There is rivalry between districts and the Minister of Sports, himself, understands that in St. Philip the Church Village crowd would fight with guns for their turf; they do not want anybody from any other district to come in. It is particularly bad in St. Philip and I speak, not as a representative for St. Philip, but because I often see it in another institution in this country, therefore, we cannot build a facility in the St. George South constituency that will cater to all districts; each district is different and self-contained.

Sir, I am imploring the Minister that, in acquiring the land at the Greens area... do not mind the Town and Country Planning Department, they have to conform to the

new thinking and reality. They cannot be rooted in their thinking of antiquity. They have to conform to the modern reality, so I am not worried about that Department. We must have the land.

As a matter of fact, Sir, I suspect that the Chief Town Planner has already approved the land and I would ask the Minister of Labour, Sports and Public Sector Reform to assist me in putting a little pressure on the Honourable Minister. It is the responsibility of the Ministry of Housing and Lands in the acquisition of land before it can be handed over to the National Sports Council. As I said, there should not be too much pressure to be applied Sir, because the land of which I speak is contiguous to St. George North. It includes St. Judes, Perogative, Greens, and that general area.

Sir, I cannot understand, and let me put this on record now, because I may not remember to say it later in the Estimates Debate. I do not believe that social priorities in this country should be determined by a number of civil service hats with red ink pens. I believe that social policies and issues should be determined by politicians; by persons who were elected by others. In this case I am not talking about the Cabinet who has a wider power as is deserved - but some things must include all.

I resent the fact that in 2001 there are civil servants in the Ministry of Finance, who determine what the social policies of this country should be. Those persons are not concerned, Sir, and they are not the ones who go on any platform in the middle of the night, under any cover. The constituents do not call those persons, Sir, they call me, therefore I do not understand this system where everyone in this county and in this Parliament, are aware that if we do not make provisions for the young people in this country and to bring them under this big tent that we say we have. If we do not try to understand their needs and aspirations, if we do not empathise with them during this period of stress in their lives, we are going to lose them. We are going to lose this generation, and we are going to lose this Government.

Mr. CHAIRMAN: At this point, I would like to remind the Honourable Member that he can come back for another 15 minutes if he wants to.

Mr. L. R. TULL: No, Sir, I do not want another 15 minutes. Two minutes, Sir?

Mr. Chairman: Well, I will give you one-and-a-half minutes.

Mr. L. R. TULL: Therefore, Mr. Chairman, I am urging this Government, to let us sit as a group and decide what are the social priorities. That we do not get a big book called the Estimates, without the kind of political input

made that is required for the blue print established by this Parliament. The Representatives of the people are the persons who should determine what are the social priorities.

Finally, I wish to say that whatever may have been the system in the past and however it had worked in the past that there must now be a new reality, and that persons who sit in the Ministry of Finance are only concerned about figures and not people. Those persons should have their role down-graded and, therefore, have the persons who have been elected to have a greater say in order to determine the social priorities in this country. I am grateful to you, Sir.

Mr. CHAIRMAN: The Honourable Member for St. Michael North East.

HONOURABLE Miss M. A. MOTTLEY: Mr. Chairman, I rise in support of this request for the supplemental provision for the Ministry of Labour, Sports and Public Reform Reform, but also to speak on the issue of the distribution of sports in and around Barbados.

I too, of course, and let me say this up front, am very conscious of the very large numbers of facilities that are under your stewardship that have seen the light of day over the last six years.

I make only a very brief plea to you to remember that in my constituency of St. Michael North-East, while we may have the honour of having the National Stadium there, it is exactly what it says, a National Stadium. Therefore, those persons who live in that constituency do not have ready access to it and other than a very small pavilion - the Honourable Minister earlier had a word for it when he referred to it as a 'chattel gesture' which was the Barbados Lumber Company Grounds. The one that was built, there has been no real improvement in sporting facilities in terms of the provision of pavilion in the constituency of St. Michael North-East within recent decades.

May I say, however, through the cooperation of the Ministry of Youth Affairs and Culture and the National Sports Council, we have seen to it that lights were put up. In fact, there were the first major lights to be put up at a playing field and to be used for cricket in Barbados, so much so that that playing field has been affectionately referred to by most cricket lovers as the mecca for night cricket in Barbados.

3.00 p.m.

Tuesday, February 20, 2001

Hon. Miss M. A. MOTTLEY: On average, during the year there are at least three to four cricketing competitions at night and there are also two or so football competitions on that field. It is heavily used but that not the only one.

A few weeks ago in this Chamber when we were dealing with the matter of roads, you would have heard me make a plea about a road next to the Warrens Polyclinic which was started some three and a half years ago and was not finished. One of the consequences of that road was that when they started the road, a playing field was dug up and the residents of the area have not had the benefit of that playing field as a result for the last three and one half years. I therefore, since the Minister of Transport has given his word that that road will be finished soon, I am appealing to the National Sports Council to assist, even if they cannot provide the pavilion there right away, to have...

Aside.

Hon. Miss M. A. MOTTLEY: ...a playing field was there already, so there could not be any Town Planning issue since one predated the construction of the road and that that the National Sports Council will do its part in resolving that area as a playing field. Even if they cannot meet the construction of a pavilion there right away, they should at least be able to use the room again.

I know, Mr. Chairman, that I have also spoken at length with you about the needs of the residents at Lears. They do not want a massive structure because the ground cannot hold a massive structure but who feel the need for some cover from rain or sun during the day and who have been appealing for sometime.

We have done a number of site visits with the Director of the National Sports Council over the last few years, and I look forward to the residents in the Bibby's Lane, Lears, Exchange Hill and Jackman areas being considered as worthy of receipt of the construction of even a gesture, if it cannot be a full pavilion.

I believe, the Honourable Member for St. George South who would have looked across at that ground from across the gully on top of Cane Wood Hill, would also be approving of that request that I have made. I really do hope that something can happen for the benefit of them because I believe that they have waited long. They have not been impatient and the time has come for them too, to share in the benefits, just as other communities across Barbados have done.

I want to speak though for a minute on a point raised by the last speaker, the Honourable Member for St. George South when he spoke of the role that sports plays in the development of young people and the development

generally of social policy in this country. One of the things that concerns me and I notice that part of the money here is to give funds to the Amateur Athletics Association but I want to speak, Sir, of the need for more Barbadians to become involved generally in the management and supervision of structured activity, whether it be in sports or in cultural areas but we know that sports is a major drawing card for young people.

Mr. Chairman, one of the things that I do believe this society has been suffering from, particularly in the last 20 years, is the substantial decline in inter-generational and interclass communication. What do I mean by that? That persons from different class backgrounds and persons from different age groups are no longer mixing in the way that they used to, in the area of sports? Older persons are no longer given to passing on guidance to young people who may be in the midst of representing their club, village, school or whatever, in sports and therefore they are not coming into regular contact with younger persons in the way that it used to happen before.

There are stories, because it predates my time, that a legendary of persons of all different social backgrounds, becoming involved in cricket clubs across this country and being able to be there for the youngsters whether it was for the discipline of cricket or whether it was in the pursuit of understanding what maturing and growing up was about.

The fact that they were in regular contact meant that a bond of trust would develop between persons who might not otherwise be interacting with one another and that that bond of trust then became the cement through which other rights of passage will be passed on to the young person or on which the young person may have felt comfortable enough to approach the older person to be able to gain advice on a particular problem or difficulty that the young person was experiencing.

I cite the example of cricket but there are far greater examples across all other sports and in a sense, Sir, if we do not watch it, we are going to have a society that is so divided that young people who are active and on the block will not have an opportunity to mix, participate or to build bonds of trust with a whole section of Barbadians who do not now see their responsibilities extended to the participation of club activities at a community level. They may see themselves joining services clubs like the Kiwanis, the Jaycees and the Lyons but they do not see themselves interacting at the point of the community and very often that interaction came through school, sports, the church and community clubs. We have to recreate that in this country.

I do not believe that this is a matter that there will be much disagreement with, in principle but the difficulty comes in carrying that agreement in principle to the point of action and decision making and actually doing

something about it. How many Chief Executive Officers in Bridgetown belong to any social community clubs and spend time, one or two hours a week, with youngsters from that community in terms of the development of cricket, basketball, football or road tennis and I can go on and on, how many do. How many middle managers across Bridgetown and across the public service now spend time in community clubs or sporting clubs working with young people, on the particular sport or the particular discipline but giving them an opportunity to build that bond with them so they can be those avenues opened for communication and for the building of trust.

I truly believe, Sir, that irrespective of how many facilities the Government provides and how much money the Government puts into the development of sports, unless there is the opportunity for that kind of guidance from older members of the community, across age groups and across classes, that our performance both in the sports, as well as our capacity to manage deviant behaviour in this country will not be properly satisfied.

I therefore appeal, Sir, through you, to all of us who have anything to do with these communities that we need to be able to bring persons back in, and to encourage persons that they have a duty to give back two or three hours a week, even if it is to the cricket club or to the basketball team or to the road tennis group or whatever it is and so doing, that we have an opportunity to build those sports and also to build the lives of those young people.

I therefore welcome the assistance at one level that is being given by the Government to the sporting association cited here but say to you that that example that a few of them who are already doing...

Aside.

Hon. Miss M. A. MOTTLEY: ...there are people who are doing it, but the numbers are declining and we need to assiduously make an effort to have those numbers go back on the increase again.

I thank you, Sir.

3.10 p.m.

Tuesday, February 20, 2001

Hon. R. N. GREENIDGE: Mr. Chairman, I would like to thank all those Honourable Members who have spoken on this particular Head. Clearly, from the remarks of Honourable Members, it would appear as though they are all encouraged by the work which the National Sports Council is doing.

I want to say, Sir, that an opportunity for a full debate on sports will be coming shortly before this House when we have a discussion on the national sports policy which should come in the form of a Green Paper. At that stage, Honourable Members will be afforded a real opportunity to discuss sport in its entirety. To be quite honest though, I wonder what some Honourable Members will say on that occasion because they seem to be so full today that I believe that some of them might run out of ammunition by then.

Mr. Chairman, I have taken note of the many requests which we have had from Honourable Members for their constituencies. The Honourable Members for St. Thomas, St. Michael South-Central, Christ Church East, St. Philip South, St. Michael North-East and St. George South have all been making requests of the National Sports Council.

Asides.

Hon. R. N. GREENIDGE: The Honourable Member for St. Thomas asked for a very small one.

I want to let Honourable Members know that the call to me is but a relator because what they had done is to hand me the baton and I will now have to pass it on to that person who alone can run the anchor leg. So where the resources and the capability of doing the work which they are insisting that we do in respective constituencies are concerned, I run the first, second or third leg but the anchor leg is not mine.

Mr. Chairman, there can be no doubt from what Honourable Members have said that they all appreciate the contribution which sports continue to make as we try our best to make the respective communities throughout Barbados stronger by creating these facilities. I do not think that anyone in their right senses can really question the benefit which such resources as we have today can have on communities in Barbados.

Sir, the Honourable Members for Christ Church East, St. Thomas, St. George South and St. James North have spoken of the facilities which they have received in their constituencies and they are very grateful and very thankful for what has been done. The Honourable Member for St. George South was even bold enough to say that the pavilion which has been built at Drax Hall is one of the best that he has seen. When I opened that pavilion a few weeks ago I remarked then that if that particular pavilion was built in some other Caribbean territories it would have been the best pavilion that they would have had on that particular island. This is what I was speaking about earlier when I said that nowadays we are building more sophisticated pavilions because we want to do more things in them.

Another thing which I should have also mentioned is that a lot of the pavilions are now going without names. We have always said that we wanted people in the community to write to the National Sports Council and indicate to them a person - and I always say coming from within the bosom of the community, who would have made a contribution to that community - that they think that the pavilion should be named after. I can say without any contradiction whatsoever that the Honourable Member for St. George South has already indicated to the National Sports Council the name of the person that he thinks the pavilion at Drax Hall should be named after. I would hope that other persons and other Honourable Members who have such facilities in their constituencies would follow suit.

The Honourable Member for Christ Church East also made a point about professional sports. I have to say, and I have made the point publicly already, that Government is this year trying to encourage professional sports in Barbados. We are going to be running a pilot programme with a particular sport where we are going to be selecting some players and are going to ensure that those players have a monthly pay cheque from Government because we think that one of the reasons why some of our sports particularly cricket and football have fallen apart and we would not been able to challenge the really strong teams is that some of the territories have situations where they are actually helping their cricketers and their footballers in a semi-professional way where they are getting some kind of payment and ours are not. Therefore, we have decided that we are going to assist players from a particular sport in a particular pilot this year.

I would, therefore, want to close by joining with the Honourable Member for Christ Church East to congratulate our cricketers on their success at winning the 2001 Busta Cup. When I spoke on Saturday night to the awardees at the National Sports Council I urge a better year because I was saying that we had had such a good year in 2000 that the only thing we could be asking for this year is a better year if possible.

Obviously, in 2001 there will not be an opportunity to win a medal at the Olympics but I do think that we have started on the right track because the sport which was really in the doldrums and which really could not hold its head up high in 2000 was cricket, but we have started out this year on an excellent note and I hope that this augurs well for the future.

Therefore, Sir, once again thanks to all of those who spoke and I wish to ask that Head 33 stand part.

Hon. D. A. C. SIMMONS: 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

\$795 980 00

Hon. Miss M. A. MOTTLEY: Mr. Chairman, this amount here represents essentially two sums that are needed for the School Meals Department. One is the sum of \$50 000 for maintenance of property. There are a number of reasons for that including the need to pay the balance of a contract for maintenance of equipment, some urgent maintenance repairs to the physical building at the Harbour and indeed some repairs to vehicles.

The School Meals fleet of vehicles is rather old and in this year's Estimates we would have replaced three or four of them. Next year we will be replacing another three or four and we hope to continue that programme over a period of time. The reality is, however, that we still have to deal with the fact that those that are slightly older may sometimes require a few more visits to the garage than usual.

3.20 p.m.

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Hon. Miss M. A. MOTTLEY: The majority of the amount is under Supplies and Materials. If you look, Sir, at page 60 of the Accountant General's Report for last year, you will see that a sum of \$773 331.27 actually lapsed in the School Meals vote in the last financial year. The reason for that large amount lapsing was essentially because a number of bills relating primarily to the supply of food did not come in on time. We, therefore, had to come to this Chamber now to be able to supplement this year's provision. In April and May when the provision for 2000-2001 was given, one of the first things that was done was the payment of these outstanding Bills from the previous financial year for which the funds I just referred to would have lapsed. In those circumstances, the majority of the funds will in fact be used to buy what would normally have been provided for had we not had that amount to deal with.

Sir, the smallest amount of the supplementary within this is the sum of \$72 000 which is specifically required to ensure that the School Meals Department can continue to purchase chicken from local producers. We had a situation last year where, when the tenders for the supply of commodities went out, and came back in respect of chicken - there were five tenders, I believe - four of them were non-conforming. These did not supply a valid health certificate for the periods required. Therefore, there was only one entity which was left and that was Hanschell Inniss, who indicated to us that they had quoted low because they

thought that they would have brought imported chicken into the country. However, the Ministry indicated its preference for the supply to come from the local market even if it meant a variation in the price to which we had agreed.

In the circumstances, I want to thank the Minister of Agriculture who assisted in allowing the local farmers and Hanschell Inniss to be able to meet. Their meeting resulted in a price which was in fact still below the highest prices that were quoted in the tenders, but one which resulted in the need for an additional \$72 000 from this Chamber.

In the circumstances, Mr. Chairman, these reflect the factual needs for this Supplementary. May I say, however, that we are looking at a number of things in respect of the School Meals Department at the moment. The School Meals Department continues to produce in excess of four million lunches per year. In fact, it provides on or about four million lunches across Barbados per year. The daily average of lunches is generally 22 712 for pupils, 461 for teachers and 983 for other staff who are working across the school system. This comes roughly to a total of 24 156. That is the average daily outlay in respect of lunches.

Sir, I believe that we have done well in this country to hold the cost of the provision of the meals reasonably down. This costs us, and this includes all of our expenditure, which comes in on or about \$4.25 per lunch. Hot lunches are served on three days and I believe bread lunches are served on two days. Over the last two years there has been a greater effort to ensure that less processed foods are being used in the preparation of the lunches for the children. Indeed, Sir, we have had a situation where there has been a greater use of fresh fruits and vegetables. This is one of the consequences, I believe, of the general liberalization which has meant that the cost of fresh fruits and vegetables has gone down. There is more ready supply in terms of those types of fruits and vegetables that are used within the Department for the preparation of the meals for the children.

Sir, may I also say that we have internally been examining a position which will see a greater rationalization of the School Meals Department. It is felt by my Ministry, Sir, that the continued maintenance and operation of so many different centres will not lead to an effective rationalization of cost or control of inventory. To that extent, it is the Ministry's hope that we will be able to rationalize down to two centres as opposed to the current five that we have. We have already had preliminary discussions with the Barbados Industrial and Development Corporation because we are aware that the site at the Harbour occupies prime commercial land which can be used for high tech usage, particularly given the access to the fibre optic cables in that area and Government's increased desire to promote informatics. We feel that we do

not have to be located in the Harbour Complex in order to do what we do in terms of the preparation of the lunches.

Equally, the centres at Summervale and St. Christopher's do require some work and we feel that it will not be cost effective to do the kind of major maintenance required at those sites. We also believe that the centre currently located at Country Road is prohibiting the proper development of the Louis Lynch Secondary School. As you know, this school has operated under some of the most trying circumstances during the period of its existence both in terms of access to space as well as the nuisance that is created from its commercial neighbours in respect of the nature of their business activity.

In those circumstances, Sir, my Ministry will be including a sum because we are still in the planning stages for a design of a new central School Meals Centre that will serve the centre of Barbados and the southern parishes, recognizing that Lancaster which remains in the north will serve those northern parishes in respect of the preparation of the meals and delivery of the schools involved.

May I also say, Sir, that we have done some things very quietly over five or six years which have not necessarily been announced to the public. There was someone who indicated that they thought it cost us 20 something dollars to produce a meal. I have indicated to this Honourable Chamber that the cost is on or about \$4.25. As you know, Sir, there is nowhere in Bridgetown where you can go and get a good lunch for \$4.25. Having said that, Sir, we do recognize that there are areas of improvement that still need to be looked at in respect of some aspects of the operation of School Meals. In addition to the rationalization of the physical centres to two physical centres, we have indicated to the management that we would like to see greater rationalization also in terms of the processing and quality control. But in spite of the odd complaint here and there, I know that the food and work generally performed by the Department is of a high quality. It is of no small significance, Sir, and I hope that I am not tempting fate now, that we have never had a major public health scandal break out in that Department. I believe that the women and men who work in that Department should be commended for their clear commitment to the best public health practices that can exist in respect of any department that sees itself providing over 25 000 lunches a day.

3.30 p.m.

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Hon. Miss M.A. MOTTLEY: I also want to say that we do believe that by the building of this second centre we can purpose-build so that the processes that are needed in respect of the preparation of the meals and the storage of

the supplies and the various other activities carried on can be better provided for.

In the other centres, we have gone into buildings that pre-existed school meals and tried to fit in as opposed to having a building designed to meet the processes and needs of the School Meals Service. We have also in the last few years and without much hullabaloo gone into four secondary schools where we know there is a genuine need for the delivery of school meals and allowed school meals to be delivered. It is done on a need basis and, in fact, it has been welcomed by those schools and has made a difference in the opinion of the persons managing those schools. We recognise that simply to cut a child off at 11 years old because he has gone to a different school is not to recognise that there are certain social realities that we may still have to face.

Sir, I know that the guillotine on this Resolution is soon up and therefore to give the Opposition a chance to answer or make any queries I will sit at this point.

Just to say then, Sir, unless the other members on this side wish to speak, that I do believe that you will see a re-vote therefore of the design and professional fees for the School Meals Centre in next year's Estimates but the work has gone to an advanced stage and the paper is now currently with the Minister of Economic Affairs. We are looking at a site near the highway in Christ Church to be able to build that second centre.

With those words, Sir, I beg to move that Head 34 stand part.

Mr. CHAIRMAN: Honourable Member for St. Philip South, I would just like to say that we have 14 minutes to be exact.

Hon. A.P. WOOD: Mr. Chairman, I would not need as many as 14 minutes to make my contribution to this Resolution.

Mr. Chairman, I want to support this Resolution fully especially in light of the reasons given by the Honourable Member for St. Michael North East. The first reason given was the voting of funds from last year's Estimates to support the programme of the School Meals Department, the second reason being maintenance of property and the third to facilitate the procurement of local chicken products. It is on the third one that I would want to spend a couple moments. Mr. Chairman, one of the necessary consequences of liberalisation and increased globalization is the opening up of markets, domestically, regionally and internationally. So in the same way that challenges are posed for local producers opportunities are created for local producers in external markets. If this

process is not properly managed one of the results could be a dislocation of local production.

The Honourable Member for St. Michael North-East implicitly made mention of this fact in the planning when she reported to us the results of the tendering process and said that Hanschell Inniss was the only conforming tender. The price which they quoted was sufficiently low as to indicate to the management of the Ministry of Education and to the School Meals Department that their interest was in using imported chicken.

I want to place on record the Minister's and Ministry of Agriculture's thanks to the Ministry of Education that on realising what was driving the thinking of Hanschell Inniss it took a conscious decision to encourage Hanschell Inniss to buy local. Mr. Chairman, this is a very significant move.

One of the things that it has allowed is for the local poultry producers to function with a greater level of confidence and assurance that this Barbados Labour Party administration will do everything in its power within the rules of the game to support local production. I want that to be entered into the record.

Mr. Chairman, this is not to say that we at the Ministry of Agriculture have not been encouraging local producers of agricultural commodities not to get their act together. In the case of the local poultry producers I have spoken to the Barbados Agricultural Society. As Minister Mottley rightfully, said I was asked to intervene to ensure that Hanschell Inniss and the producers of the poultry products come together, discuss the issue and come to a determination as to a price which the Ministry of Education could live with.

I have already spoken to the local poultry producers and I told them in no uncertain terms that they should not see this opportunity of forming this partnership with Hanschell Inniss to provide chicken for the school meals programme as an opportunity whereby they could continue with their own methods of production and that this facility should not be used as one to forestall or to delay any attempts of the local producers to employ more updated technologies to deal with their cost of production and to improve their efficiency.

They have been told that it is incumbent on them if they want to continue in this arrangement that they ensure that over time the price at which the Ministry of Education will be willing to purchase the chicken from the local producers will have to come down over time. Of course, it will only come down over time if their process is driven by technologies which will ensure increased efficiency.

Mr. Chairman, it is working well in the case of local poultry producers, but I would want other Government

departments to use this as an example whereby partnerships can be forged with local producers of agricultural commodities so as to ensure that those producers get an opportunity to meet some component of the overall demand for these commodities by the various government agencies.

Mr. Chairman, as I said earlier, the local producers of agricultural commodities have to make the adjustment and they are well aware of that but they will need some time for this adjustment to be made. During that period of adjustment one of the things that we do not want to happen is that their opportunities to offload what they produce are lost.

These are concrete steps that this administration is taking to ensure that there is some level of certainty in the production and distribution processes of local commodities. As I said, it is a welcome sign also that in this context the Minister of Education has been encouraging the use of more fresh fruits and the adoption of better practices and eating habits among the kids at the various primary schools and once this message is continued by the Ministry of Education it augurs well for the productive capacity of those in the agricultural sector.

I want to urge the Ministry of Education to continue in that and I also want to urge the Ministry of Education to work closer with the Ministry of Agriculture and the Barbados Agricultural Society in ensuring that the diet of the school children involved in the School Meals programme is improved, all to the benefit of the local agricultural producers.

With those few words, once again I lend my support to this Resolution. Thank you.

3.40 p.m.

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Hon. Miss M.A. MOTTLEY: Mr. Chairman, I wish to thank the Honourable Minister of Agriculture for his comments and to say that we remain committed as outlined, not only improving the nutritional content for the children but ensuring that the linkages with the local production can take place wherever possible.

I just want to echo his concerns that they should improve their methodology and particularly the standards that they must conform to, both administratively as well the production.

Hon. Miss M.A. MOTTLEY: Mr. Chairman, I beg to move that Head 34 stand part.

Hon. R.C. EASTMOND: 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 M.A. MOTTLEY, Mr. CHAIRMAN reported to His Honour, the DEPUTY SPEAKER, the passing of one Money Resolution in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. D.A.C. SIMMONS, seconded by Hon. Miss M.A. MOTTLEY, the Resolution was a first and second time and passed.

ORDER NO. 3 – THE POLICE COMPLAINTS AUTHORITY BILL, 2000.

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, this Bill before the House provides for the establishment of a Police Complaints Authority. In 1994, in the Manifesto of the Barbados Labour Party for the said year, a commitment had been given to establish such an authority but it was not possible in that period to set up the authority although the work in respect of the establishment of it began in 1998.

Mr. Deputy Speaker, a working party was set up by me in the Ministry to advise on the establishment of a Complaints Authority. The working party consisted of the Commissioner of Police and officers of high rank, magistrates, the Deputy Permanent Secretary, the late Anton Gibbons and other persons. There was also a representative of the Chief Parliamentary Council, Mrs. William, a member of the Police Association, Sergeant Reid, Richard Allen, Assistant Superintendent, Franklin Lewis, Assistant Commissioner, Dottin and Inspector Guyson Mayers. The Deputy Permanent Secretary, Miss Bentham was the Chairperson.

I asked the working party to examine legislation within the Commonwealth which could be used as a model or as a precedent to guide us in the drafting and to consider the operation of such an authority within countries of the Commonwealth where such an authority had to be set up.

It had been represented to me in 1997, on a visit to London with officers of the Ministry, that I should not follow the British model which was provided for in a Schedule to the Police and Criminal Evidence Act of 1984. They had great difficulty in operationalising under that Act.

The working group studied the legislation of Australia, Canada, Cayman Islands, New Zealand, Trinidad and Tobago and Jamaica and produced a report which was subsequently accepted by Cabinet and authority was given to draft the relevant legislation.

Why would we wish a Police Complaints Authority? What is the *raison d'être* as they say?

Mr. Deputy Speaker, democratic countries have experienced several sensational cases of police abuse and misconduct. I think we can recall the Rodney King's case in Los Angeles and most recently the Stephen Lawrence's case in England has been resurrected and is now driving Britain to change their Complaints Authority, 1984 and 1996 to something new. The Home Secretary has just promised a new Complaints Authority Act.

3.50 p.m.

Tuesday, February 20, 2001

Hon. D.A.C. SIMMONS: The famous Birmingham Six and the Gilford Five, two cases which, no doubt, deep down are operating in the subconscious of the British judiciary in their determination to an outlawed death penalty. No doubt in my mind, whatever, that at the bedrock of the judicial trend in England to legislate away the death penalty is the very terrible experiences that Britain went through with the Birmingham Six and the Gilford Five where people realised that if the penalty had still been practised, innocent people could have been hanged because of police misbehaviour.

The experience of police misconduct in democratic societies has been the driver of a desire to have police behaviour investigated as far as practicable, and I under those words, as far as practicable, by a body that is not the police itself, investigating itself.

There is inherently something offensive for those of us who are lawyers to contemplate circumstance where the police should themselves be investigation allegations about themselves. It flies in the face of one of the fundamental principles of natural justice that nobody should be a judge in his own cause.

Therefore, there are two compelling reasons and, perhaps, one overarching reason why the investigation into police misconduct should be carried out by a body that is as far as practicable independent of the very people that you are investigating.

I believe that over the years in Barbados, it has been my experience, that on the odd occasion when we have had allegations of police brutality and heavy-handedness, the public of Barbados has, from time to time, called for what they called an independent complaints authority to investigate the conduct of police officers and, indeed, to try as much as to preserve the good name and reputation of the vast majority of officers in the police force.

However, there is also empirical evidence. Some of us, I include myself, have had the experience of complaining about police behaviour and have not been given the courtesy of a reply, even though you may have

complained in writing, far less any investigation into the allegations. I say that because it is also my experience. It is a long time. It was about 1987 when I complained in relation to an incident where a man tried to break into my house and threatened my wife. He came the night, I happened to be away, she chased him into the night and called for help. The next morning about 5.30 the man was back there trying to break down the front door and she had the presence of mind to call the neighbours. The neighbours responded and held him up at gunpoint until the police came but there is more that went on. I would not go into the anecdotal side but there was certain conduct that was caused for concern that was reported but it was never, ever followed through. My personal experience has been the experience of many. You complain and you get no redress.

Now, the citizen has a right to expect that in the circumstance of a genuine and sincere complaint, that the standard of conduct has fallen below the accepted norm that complaint would be investigated. It is as much for the other reasons as much as for that reason which requires that the citizens' complaints be treated seriously that we are bringing this legislation.

The present procedure, though it has worked for a long time, I would say that generally it has worked reasonably well. There are exceptions such as my case and others, but the current practice has served us reasonably well. I think that we are always searching for opportunities to improve an existing system and the establishment of the Police Complaints Authority will give us an opportunity to improve what presently obtains and also to provide the citizen with an opportunity to feel that his complaint can be fairly and impartially heard when they, in fact, file a complaint.

In developing the model, which is provided for in this legislation, we were persuaded that to the extent that it was desirable to harmonise our legislation with that of Trinidad and Jamaica, that we should do so. The legislation follows very closely the Trinidad and Jamaica model.

What it required is a two-tier structure of a complains office within the police force and the Police Complaints Authority sitting above that complaints office.

4.00 p.m.

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Honourable D. A. C. SIMMONS: Sir, let us remember that already the Police Force has a very highly developed Complaints and Disciplinary section and the Commissioner of Police has requested that his powers of internal discipline and management be strengthened. In 1998 that was done by the Police (Amendment) Act, No. 13.

Honourable Members will recall, for example, that we provided a new set of offences under the 1998 Law. The Disciplinary Code, which deals with discreditable conduct, misconduct towards another officer, disobedience to orders, neglect of duty, falsehood or prevarication, improper disclosure of information, meeting without authorisation, abuse of authority, malingering, absence without leave or being late for duty, improper dress or untidiness, damage to clothing or other article supplied, drunkenness, drinking on duty or soliciting drinks, entering licensed premises, lending, borrowing or accepting presents, criminal conduct, accessory to disciplinary offence, neglect of help, includes a whole range from (a) to (s), however many those are. This was done because the Commissioner felt that he needed to:

- a. modernize the internal disciplinary machinery,
- b. strengthen the Disciplinary Code
- c. provide a proper Disciplinary Code and strengthen that which had previously existed.

That is all well and good, because those are all matters of internal discipline the Legislation before the House today has to be read together with that legislation to understand the totality of the Disciplinary Regulations which affect the Police Force. Then of course, there are the Disciplinary Regulations themselves which were modernised in July 1998, provide for more natural justice and give officers a chance to be heard before suspension. This Government has embarked upon a process of modernising the internal discipline and management of the Police Force. I also mentioned new Promotional Rules that have been enacted too, in 1998.

Sir, having given the background, let me dwell on some of the essential elements of the Legislation.

1. The Police Complaints Authority, as it will be called, will be headed by a Chairman who will be an Attorney-at-Law of less not than ten years standing along with four other persons who shall be appointed by the Governor-General on the advice of the Attorney-General. They will, in the first instance, serve for three years."

There are some types of persons who will be disqualified from Membership.

"4. No person shall be eligible to serve as a Member of the Authority if that person is or was during the last five years

a. A member of Parliament - none of us here can serve.

b. A candidate for election ..."

Asides.

Honourable D. A. C. SIMMONS: One of the continuing disabilities for Members that we have here, but even if one were a candidate during the last five years one would be ineligible.

c. A member of the Royal Barbados Police Force

d. A Member of the Barbados Defence Force,

e. No person convicted of a criminal offence is eligible to serve as a member of the Authority, unless the Governor-General in any special case directs.

f. Declared bankrupt or has been moved against by his creditors.

The function of the Authorities, and this is important are to - and mark the words carefully:

a. monitor the investigation by the Police Force of any complaint with a view to ensuring that the investigation is conducted impartially.

It is a Body that will sit on top of the Police Force to ensure that the investigations are carried out impartially.

b. Supervise the investigation of complaints or other matters in accordance with section 7,

Do not think that after a complaint has can been investigated and someone can write and say that the investigation has been completed and that is the end of the matter. No! No person then has to come to the Police Complaints Authority. The Police Complaints Authority has to be satisfied that the investigation, which has been conducted at the lower level by all the forces, has been thorough, proper and impartial.

c. Undertake the direct investigation of complaints where it thinks necessary,

d. Review complaints in accordance with sections 21 to 24.

In fact, it can review itself. If it comes to a decision and informs the complainant of that decision then the complainant can ask for a review and the Authority must carry out that review.

What areas of complaint can this Authority deal with? Drunkenness, malingering, discreditable conduct, et cetera. If an officer treats you roughly, or badly might be seen as discreditable conduct and can be dealt with under the existing Disciplinary Code as has been expanded in 1998.

The Police Complaints Authority now being set up will not necessarily deal with that, although I have shown how it is a possibility, but the real matters which the Authority will be asked to investigate are:

“7. The Authority shall supervise the investigation of:

(a) any complaint alleging the misconduct of an officer resulted in the death of or serious injury to some other person.

(b) any other matter whether or not the subject of complaint, referred to the Authority by the Commissioner, which in the opinion of the Commissioner, should be supervised because of its gravity or its exceptional circumstances.”

Now, for the purposes of an investigation the Authority will have a staff who will be Public Officers. But as we can see, the first set of investigations will be carried out by the police themselves. They will provide statements, reports, documents, whatever, in the normal way during their investigation.

“10. The Commissioner shall, for the purposes of this Act, establish and maintain a Complaints Office of the Police Force (by whatever name called) which shall be responsible for...”

As is indicated, Clause 10 calls for the establishment of a Complaints Office and we already have that, but propose to expand and better rationalise it. However, there is a well-run Complaints Office.

4.10 p.m.

Tuesday, February 20, 2001

Hon. D.A.C. SIMMONS: The Complaints Office that is provided for, shall be responsible for investigating complaints made by the members of the public against police officers and submitting to the Authority and the Commissioner, a monthly report in respect of the investigation of any complaint being supervised.

Now, a very important point to mention, small to some but very important to most, a person complaining of police brutality, which resulted in serious injury or death, has two years from the date on which the facts became known to him, to complain. You complain on the basis of a form that will be prescribed.

I still have to make rules to go along with this legislation so all is not in here. There are some of the mechanical aspects of the matter that will be dealt with, in the rules which will accompany this Bill. But, basically,

you make a complaint on a prescribed form at any police station or at the Complaints Office, or at the office of the Authority itself and the Bill sets out what happens. It has to be forwarded to the Complaints Office or to the Authority.

There are provisions and we have to read the whole of this because if you are not careful, you might get a misleading impression. Where the Commissioner is of the view that a complaint is trivial, frivolous or vexatious, or that the person does not wish any further action to be taken, the Authority and the complainer must be notified so that you know all along what it happening and the Authority is subsequently able to examine that decision of the Commissioner to see that it is satisfied with it.

One of the powers of the Authority, after it has got a final investigation report, the Authority may notify the Commissioner, that in its opinion the investigation was not properly conducted. It may order that any matters be further investigated or it may order that any witnesses be interviewed or re-interviewed. Thereafter, after a final report has been considered, the matter may be referred to the Director of Public Prosecutions, if it points to the commission of a criminal offence; or the appropriate disciplinary proceedings can be taken under the 1998 Disciplinary Code, and so on.

I spoke about reviews.

21. (1) "A person who is aggrieved that the disposition of his complaints or with the findings of the investigation by the Police Force, may apply in writing to the Authority for a review of the complaint by the Authority within 3 months of the notice disposition of the complaint or within 3 months of the receipt of the results of the investigation, as the case may be."

The matter will be reviewed and the procedure is set out here. The procedure for conduct of hearings is set out in clause 24.

I will just wind up on these parts of the Bill by mentioning that all proceedings before the Authority will be in private. Anyone who discloses any information coming out of those proceedings will be liable to charges and dealt with.

All the information before the Authority shall be treated as secret and confidential. No person shall publish or disclose to any person, otherwise as is necessary in the course of their duties, the contents of any documents, communication or information, whatsoever which relate to or have come to his knowledge in the course of his duty, breach of that \$5 000 or two years or both.

There are offences set out at clause 27 with specific reference to making false statements intending to mislead the Authority, obstructing or hindering the Authority in its work and so on are all dealt with. The Authority will be funded by money voted in this Parliament.

In the new Estimates to come in a couple of weeks time, there is a small provision, a token to allow us to start but the Government has every intention that this Authority will start to function with effect from the new financial year, April 1, 2001.

The Authority must keep proper accounts and comply with the directions of the Auditor-General. They have to provide a report every calendar year, not fiscal year, to the Minister and that report must be brought to Parliament and published in the Official Gazette.

Those are the main features of this. I say that clause 32 provides for the making of rules and regulations and in due course, we will be laying the rules and regulations but it is timely that this Bill be passed because it is important that members of the public have confidence in their Police Force. I say, generally that is so but you can never be too careful. I think that it is a council of prudence that we should bolster public confidence by the establishment of this Authority.

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

Mr. D.J.H. THOMPSON: This Bill as been on the Order Paper for a while. I regret that very much because I think that the matter which we are debating is a very important matter and taken against a background of some of the developments that have taken place in Barbados recently and which have impacted so negatively on the Royal Barbados Police Force and its hard-working members. I think that if the impact of this Bill is to bolster confidence in the Police Force, then it should have been one of the most important priorities of the Government.

The fact that time has elapsed during which there has been direct confrontations between this Government and the Police such as to diminish in my view, the standing of the Police Force in Barbados significantly, hopefully not irreparably, that conflict has also led to a scenario in which we have had to have the widespread use of the Barbados Defence Force in traditional police operations. This in itself would have an even more significant impact on the confidence, the standing and the role of the Police Force in Barbados.

4.20 p.m.

Tuesday, February 20, 2001

Mr. D. J. H. THOMPSON: This has been manifested in recent times, assuming all the information that I have read in the newspaper is accurate, by the fact that there is growing disillusionment within the force and an even more significant disillusionment that have led to the force not being able to attract into its ranks persons with the kinds of qualification that it would like.

Significant damage has been done to the Royal Barbados Police Force by a Government that has been thrashing around trying to look for ways to pin the blame for the problems of crime not where it belongs - and that is in relation to looking at the causes of crime and the social factors that contributed to crime - in trying to blame it on judges who slapped the wrist of criminals, on police who are corrupt, on police who are lazy, - Oh yes, we have heard all of this, Mr. Deputy Speaker, - on teachers and on parents without any focus on how to deal with the important issues of crime.

I do not necessarily want this to be a crime debate but I want to say that in the context in which the Attorney-General is speaking now and the significant damage that has already been done to the standing of the

Police Force, this Bill is placed in a different context and milieu than it would have been in had he done it four years ago.

In other words, there are persons who view this as another blow to the standing of the police. I do not share that view but we have to understand that that view exists. In other words, they are introducing an additional term and condition, requirement and burden on police officers at a time when their standing needs most of all to be bolstered.

I believe that the confrontation between the top levels of this Barbados Labour Party government and the Police Force and the damage that has been done to the standing of the Police Force have made the work of the Attorney-General, as the Minister responsible for them, more difficult.

I do not place all the blame on the Honourable Member for St. Thomas because I believe that apart from the fact that he has never actually stood up to persons who would wish through partisanship to throw the blame for the problems of crime in areas where that blame should not reside, think that apart from that failing, that by and large the confrontations which had existed between the Police and the Barbados Labour Party cannot be laid at the feet of the Attorney-General.

He certainly gives the impression, when not under pressure, that he would like to cut loose from that environment of vicious abuse and by vituperation...

Asides.

Mr. D. J. H. THOMPSON: He gives that impression, I do not know, I just get that impression, that he is not comfortable with it and according to rumours in the public domain he may not have the energy at this stage of his career to resist it but he is not comfortable with it.

All of a sudden now one is hearing that there is a national crime coordinating committee. The Honourable Member for St. Thomas ...

Hon. D. A. C. SIMMONS: On a point of order. I would like the Honourable Member to explain that to me. I have never heard about a national crime coordination committee.

Asides.

Mr. D. J. H. THOMPSON: What is it called? You see these things come so fast and so furious but the minister responsible for national security has set up some overarching committee which...

Asides.

Mr. D. J. H. THOMPSON: Nobody said that they did not have it. It is not under the Attorney General's responsibility though. That is what would have to be a concern to him because again, to my mind, it may give the impression that the entity that is charged with the responsibility of maintaining law and order in Barbados is unable to do so and that as a result of that he had to go outside of those traditional approaches, to not supplement but almost, to take over some of those responsibilities that were previously vested in the Royal Barbados Police Force.

I am saying that in the context in which this is done, everybody knows that the fight against crime worldwide and in Barbados is a tough fight and that it requires more sophistication. It also needs to be understood that persons involved in that fight suffer the same kinds of frustrations, and that in this particular scenario having somebody breathing over your shoulder may create even greater frustration unless the concept which inheres in the development of the Police Complaints' Authority is applied throughout the system - not just to the Police. What about the judges and the magistrates, as one example, who also needs to be brought under such an arrangement? When I get to the issue of procedure and timing I will deal a bit more with that.

I am saying that this is not just a question of looking at the police force. Even if you cast it in that context only, the fact that Government has had to draw so far outside of the police force on others to assist the police in undertaking their responsibilities means that you have police officers

who are subject to a police complaint tribunal but the other actors with them may have no such obligations.

Asides.

Mr. D. J. H. THOMPSON: Well, the Court Marshall's procedures as you know are certainly much more serious than this and complaints of this nature would not go before a Court Marshall.

I am saying that the context in which this is coming now is going to make it extremely unpalatable to some and I hope that the members of the police force would not see this as a further diminution. I do not think that they should see it as a diminution of their status or as an attempt by legislatures to bring them under a regime that is oppressive but if they felt that way they would be totally justified to feel that way based on what has been happening in the past six years.

Let me state the Democratic Labour Party's position. Our Manifesto, from as far back as 1994, did support the establishment of an independent police complaints tribunal, therefore, it is not something that I am going to oppose and I certainly would not recommend that it be opposed.

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Mr. D.J.H. THOMPSON: but I believe that there are some factors of the Bill that need to be addressed. I agree also that the rights of citizens to be treated fairly, justly and courteously by the police are important and that in enforcing the police code of conduct an independent tribunal has a very important role to play but we should not believe that the Bill as it stands now is entirely perfect. I believe there are a number of concerns that the Honourable Member for St. Thomas should take into consideration.

The first concern is that the Bill, even though people may say that it goes without saying that this would be the case, does not provide for the police officer who is under investigation to be given state-funded legal counsel. I believe that all of us as practitioners have appeared before the Commissioner of Police representing policemen at normal hearings and also in some of those preliminary matters in criminal proceedings.

Aside.

Mr. D.J.H. THOMPSON: Fine. The point is that I believe it should be established that the officers get that because many officers have complained that they have had to retain counsel, find the money upfront for retaining counsel, many of them have been suspended even before the matter had been heard, gone on reduced pay and by

virtue of the existing inadequate procedures have suffered significantly when the complaints as they now stand are being investigated.

I believe that legal aid should be enshrined in the legislation as a right for both the person who is placed under investigation and it is also a right that should be extended to the person who is making the complaint because hearings before tribunals like this can be complex and do often require to have the best advice and input made available to them by tried legal practitioners.

The second issue arises out of what I said a little earlier, which is, what then would be the status of a police officer against whom there is a complaint and an active investigation of that complaint. This is one of the concerns that has arisen in the past where police officers feel that they have been disadvantaged by the fact that they have either been suspended or some other sanction applied, or on half pay while their matter is being investigated. Those investigations can often take a long time and as a result of that they face great jeopardy even sometimes when the complaint may be a frivolous and vexatious one. I believe that it is important for the Honourable Member for St. Thomas to assure the members of the Police Force that they are not going to be further disadvantaged and that this legislation takes into consideration the circumstances of their status once a matter is being investigated. In a sense, it does have an impact on the terms and conditions of service of police officers and we do not want to do anything that would have any further demoralising effect on the Royal Barbados Police Force.

That deals with the police on one hand. As to the citizen who is making the complaint, the Attorney General has pointed out that there are two limitation periods identified in the legislation, one or two years in respect of the initial complaint and then there is a second three-months limitation period in respect of an appeal or review of a complaint.

There is no time requirement in respect of the investigation and completion of the investigation and the response to the complainant. That is the very point that the Attorney-General was speaking about. Very often, the excuse is made that the matter is still under investigation and for a very lengthy period there is no correspondence and nobody is doing anything. I believe the rules, if not the legislation, should specify time periods in which the investigation should be undertaken and responses given to citizens. The only way that you can guarantee fairness, independence, the seriousness and the confidence which citizens would have in such a tribunal and in such a procedure is if you require functionaries to respond within a certain time.

We already have in Barbados an Administrative Justice Act with a 14-day requirement with which nobody complies. They find all kinds of ways of stonewalling persons instead of being open and giving reasons for the decision in a timely manner. I have come across several departments which, when you ask for reasons to which you are entitled within 14 days, they send the file to the Attorney-General's Chamber to write the reasons as if giving reasons is a legal issue. If you have reasons for a decision, give them. You might be right or you might be wrong but the reasons must be on the file and must be evidence.

Likewise, when you have matters coming before the Commissioner of Police for investigation, I believe very strongly that a time frame should be given and people should have an idea that these matters must be dealt with in a timely manner. The only way you are going to get it, even though there is no guarantee, is if you set out time frames for responses and the publication of the reasons. There is another area which I saw in another piece of legislation in relation to police complaints and that related to the threat of victimization of the person who is complaining. That legislation very clearly sets out relief that would be given to a complainant who has subsequently been victimised or during the course of the investigation is being victimised by the police force. It is a reality that you make a complaint and find that the person who makes that complaint may suffer various kinds of victimization at the hands of the Police Force or, even if not in an official capacity, may face pressure. I believe that you need to focus a little bit on that particular aspect of the problem, because there are certainly a lot of citizens who would not want to raise complaints except in the heat of the moment, because of fear of being victimised. Therefore, every precaution should be taken to ensure that the complainant is shielded from that element of victimization. I am not talking about shielding their identity, because I do not think that that would be desirable but to ensure that they do not face the threat of victimization.

The delays in the procedure and the cumbersomeness of many procedures which have to be undertaken to bring a complaint is an issue that needs to be looked at for the simple reason that for this tribunal to be viewed as independent and fair the procedures should be simple and persons who want to make complaints, and I am not talking about frivolous and vexatious complaints, should understand quite clearly that these complaints can be made in as simple a manner as possible and that they will be responded to swiftly.

The other concern that I have relates to resources because many of these tribunals are set up all over the world and there is only one entity set up here in Barbados which is supposed to be independent and impartial and supposed to have resources made available to it to

undertake research and investigation and there is the constant complaint that these entities are starved of resources.

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Mr. D.J.H. THOMPSON: Those resources may not relate only to the investigation but I believe that you should see the resources that this tribunal may need as resources to help in public education, in the education of police officers about the role of the tribunal and the complaints procedures. In other words, just as you found resources to explain the Caribbean Court of Justice, even though those may be inadequate so far, there must be the recognition that public education is critical. All that the Honourable Member for St. Thomas has said in here he said to us and it is unlikely that any of us will be making a complaint before a police tribunal. It is the public that needs to know what the complaints process is all about and why it is important to lifting the profile of the police force in Barbados.

Therefore, significant resources need to be made available for public education and for explaining the procedure to citizens so that they know exactly what is happening.

There are wide varieties of complaints that are going to come before this tribunal like the way in which police execute search warrants and damage people property because that happens often. Also, the way in which they aggressively handle persons from whom they are seeking to illicit evidence. There is a whole range of different types of complaints.

Then, you have the more simple scenario which the Honourable Member for St. Thomas raised of making a complaint and not getting any reaction to it. This is probably going to be one of the most controversial aspects of the whole thing since you open up a can of worms which you can only seek to deal with by a programme of public education, which helps the public to know that those kinds of frivolous complaints can be dealt with at another level and that the role of the tribunal and of the complaints procedure is more significant than that.

Mr. Deputy Speaker, I do not like the manner in which the tribunal is selected. I believe that the Attorney General would have anticipated this coming from me. I believe that when you have a tribunal like this, that there are persons, at least two of whom should sit there as of right. All of them should not be appointed by the Governor-General on the advice of the Minister. You need to have somebody in there who does not owe his appointment to the Minister.

Just as I have always argued about the Caribbean Broadcasting Corporation and other statutory boards that it would be breathe of fresh air to put some people on those boards who do not owe their appointments to the Minister responsible - I am not talking about trade unions. Likewise in a scenario like this to guarantee the independence of the tribunal, I believe that at least two of the persons on that tribunal should be there as of right. I do not know on what basis they would be appointed but the Ombudsman could be one.

Asides.

Mr. D.J.H. THOMPSON: The position would be designated on the nomination of the Minister and two other persons who would sit there because of the position they hold.

Asides.

Mr. D.J.H. THOMPSON: I have not addressed my mind to the specific post they hold but they can even be independent. I assume the Ombudsman would be independent and perhaps the Solicitor General. I do not know but I am saying to you that the idea, in this piece of legislation, of the Minister advising the Governor-General who would be required to accept the Minister's advise and appoint the Chairman and the four persons.

I believe that this would add to the independence of the tribunal because at the end of the day when people see appointments made in this manner they still raise questions about the true independence of the entity once all of its members are selected by the Minister. They are justified very often in those criticisms because you will find that this is one of the burning issues in the United States. Only today in the New York Times, ten weeks after the decision of the Supreme Court in the elections petition they are still agonizing over what they view as political appointments to the Supreme Court of the United States. They are still agonizing on the fact that we always thought that this thing was fair but now that we are lifting the veil, twenty years after Bob Woodward wrote his book, "The Brethren", in which he pointed out that that was what the American judicial system was all about, American are now opening their eyes to the fact that the system might not be as fair as it was cut out to be.

In fact, in a scenario such as this one they are unable to justify the procedure by which judges are selected in the Supreme Court and are now delving even further down into the system to look at the way in which some judges, to get elected in the United States are spending \$10 million and more to be elected. It is a question of finding a way of establishing an institution which people feel is independent.

We have not had that problem with the appointment of our judges because, by and large, the route which judges have taken to get there has been based on public service which is unquestioned.

In regard to this particular tribunal, the options are very wide and that is why I am saying that some mechanism needs to be found for an independent tribunal to be appointed and some procedure for that appointment. There is no guarantee of fairness but at least it starts the process towards it.

Those are some of the concerns that the Opposition has about this piece of legislation. The circumstances in which it comes to light in Barbados are not necessarily the most propitious.

I support the comments which the Attorney General made generally about the rights of citizens and the concerns about police conduct. I recognise the diminution in the status of the police force which needs to be rectified very quickly, not by turning attention to the supports around the police but by actually doing something about the police force and improving their standing, their public relations, their community profiles and also ensuring that there are fair procedures within the force to deal with things like complaints. In this context the Bill will get our support.

As I have said, I cannot tell you how the Honourable Member for St. Thomas is going to get around the perception that many critics will have coming against a background of the volatile relationship between members of the Barbados Labour Party at the more senior level and the Royal Barbados Police Force would conjure up such as to ensure that the police themselves do not feel that this is an additional burden.

I hope that they would not feel that way and that just as other countries have introduced police complaints tribunals that it would have an impact but there is no guarantee because Jamaica has it and they have had some of the most vicious acts of violence and brutality visited on citizens by their police and still that is the case.

You may find in many countries that you swing between periods of police aggression to a scenario that is happening now in the United Kingdom where, because of the Stephen Lawrence enquiry, the white police have totally backed off any confrontation with Haitians, backs or any ethnic groups in Britain. Eventually that balancing act will return but fortunately we do not have that type of scenario in Barbados but we definitely have valid complaints by citizens and all the evidence in there and nobody knows what happens after they have made those complaints.

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Mr. D.J.H. THOMPSON: You can see it on the front page of the newspaper; CBC has often recorded it, acts of excessive damage to property by the police and that kind of thing and yet nobody ever knows if it was investigated, what the outcome was, whether the persons against whom it was done felt satisfied and invariably you will find that none of them are satisfied.

At least this Police Complaints Authority Bill might allay the fears of some of our citizens and if it is properly and effectively implemented, and we in Opposition will monitor it, we believe that it can assist in justice being served in Barbados.

Thank you.

Dr. R.C. CHELTENHAM: Mr. Deputy Speaker, it is not surprising that both of the major political Parties in Barbados, the Barbados Labour Party and the Democratic Labour Party, committed themselves to the Manifestos in the 1990s to the realisation of this provision which we are discussing today. In my judgement, it was about 15 years ago, it was the crystalised public call which was fairly sustained for the creation of the very body that we are discussing this evening.

It really arose from a perception that in many respects the police were guilty of excesses in their behaviour, violations of citizens rights, invasion of their privacy, destruction of their property, discourtesy and the rest, and that the complaints were not being properly handled. It was a case of appealing from a season to a season. That perception is based on the fact that the police have got to investigate themselves.

They see themselves as a military organisation. There is a tendency to unite in the face of criticism and the feeling was fairly widespread, at least in the country, that justice is not done when you have to complain for the police and the police in turn have to investigate those very complaints.

Against that backdrop, the introduction of this measure ought not to be seen as an attempt to spy on, further superintend the activities of the police. They ought not to be seen as it might be seen as an affront. On the contrary, it is seen in its widest context, it is, perhaps, a gap being filled in the administration of the criminal justice system because the police are at the heart of that system to the extent to the deficiency of which I spoke was perceived. I think that the Bill may be seen positively as a filling of a gap in the administration of the criminal justice system.

There are positives out of it for the police which must be emphasise because some proportion of the complaints are without foundation. Some of them are based on misunderstandings only and to that extent the mechanism provided for in the Act for informal determination of some the complaints are very much to be welcomed, because not all of the complaints are meritorious or serious. Mr. Deputy Speaker, having said that, I think that there are valid criticisms that can be made of the Bill as drafted. The first, in my view, has to do with the investigative measures of which is not significantly different from what exists at present, because the Bill contemplates that the police will still be investigating the police but will be done under the supervision that is required of the Complaints Authority. It seems to me that investigative mechanism which is still in the hands of the police lames and hobbles the very independence that we are trying to secure and ensure. The situation is slightly different in a country as large as the United Kingdom where every county has its own police authority. Assuming that there are serious complaints about the police in that system, the police in Bath, Kent and Yorkshire, any of them or all of them, indeed, is how the scandal of the Birmingham six and the Gilford five were in the end being broken. Other Authorities, policemen from other parts of the country came in and unearthed the scandal, nothing short of scandal, that disfigures the British justice and it has been a source of embarrassment ever since then. That too is a reminder that everywhere you have evidence against police excesses; policemen telling deliberate lies on innocent citizens; policemen fabricating confessional statements and policemen subjecting suspects to torture, nothing short of that. I have seen it because I have done appeal work from time to time and it is very clear on the records. That brings me to what is the second criticism of the Bill as law. The only specific complaint which the Police Complaints Authority can look at is when it concerns death or serious injuries. Those are the only two categories that have been specifically alluded to. However, it is other matters that ought to be investigated. We have had several instances in this country over the last 30 years, in my experience, where persons have complained of police coming into their homes in the mist of their investigations and carrying away very valuable property - watches, expensive rings and cameras worth thousands of dollars. No records have been made of what were the items taken away and they have never recovered them. One or two cases have been brought before the court and were never settled. Complaints related to police stealing of persons' property in the course of their investigation is sufficiently serious to be specifically mentioned among the types of behaviour and conduct that ought to be included here. In my view there is nothing more serious than a policeman having people in the police station in relation to serious offences for days; putting them to sit upright in chairs beside the air condition system and they deploy teams of police that succeed one another in a relay fashion

that question for several hours a day every day depriving them of the opportunity to sleep and so on. We have had cases in our courts admitted by the police. 5.00 p.m.

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Hon. Dr. R. L. CHELTENHAM: That is a very, very serious offence and, in the end, all it intends to do is to force persons to incriminate themselves. It seems to me that that is as serious as ... and of course, assuming that, in the end, it is realised that is forcing a man to self-incrimination in such circumstances. That is a very serious violation of a human rights, and that sort of conduct too, should be investigated and specifically alluded to, so that the definition of the types of conduct which falls under the provisions of the Police Complaints Authority, is far too narrow and, in my view, constitutes a very serious deficiency and limitation of the Police (Amendment) Bill, 2000, as drawn.

Now that I am dealing with the question of conduct which goes directly towards forcing suspects to incriminate themselves, I think the point has to be made that the Police in Barbados focuses, almost exclusively, on securing a conviction through a confession. The new techniques and technologies which are available to investigative agencies around the world are not sufficiently used here in Barbados. There is not a sufficiently use for Deoxyribonucleic acid (DNA) evidence. There is not a sufficiently use of tyre prints. There is not a sufficiently use of fibres and hair and, therefore, I think that is also a reflection of the fact that the technologies are not particularly used for the types of crimes on the part of our Police Force which, seems to me to be really false pride. Those of us who were here long ago will remember the Pele' Parris murder and will remember that when, in the course of the Estimates, the Backbench protested that one of their Members was suffering and called for a public inquiry. The Attorney-General of the day said he was assured by the Police that they were in control and needed no outside help.

Sir, at that time there were six unsolved murders in Barbados, yet the Police always claimed they were in control, which meant that they had a 90 per cent success rate. Even so, but that was no consolation to the Barbadian public that there were yet 10 unsolved murders in a small place like Barbados.

From time to time, I do prosecutions in the Eastern Caribbean, and these Governments have access to the Federal Bureau of Investigation (FBI). They take up the phone and call Bridgetown where the American Embassy is located and ask for help, and there is always available an aeroplane, ready and staffed to fly at an hour's notice to wherever the scene is and therefore, these cases are being determined in these Islands based on DNA evidence. Yet

we in Barbados always think we are in control and ought not to ask for outside help.

But what is our control? I saw a statement a few months ago, and I know that I have read and reread it. It is supposed to be a statement attributed to the Commissioner of Police in which he said, and he is fairly sure that they know who committed the Gillian Baynes' murder in St. Philip, but that they have not been able to get a confession. That statement makes the very point, Mr. Deputy Speaker, that the investigation has to be conducted regardless of whether or not the suspect confesses: '...we are going to put the evidence together to satisfy a tribunal beyond any reasonable doubt that he has confessed...' - and that is the Police approach to the whole matter.

That in turn may have caused this attitude of applying balance. We have to get that balance, regardless, but one very serious consequence is that there is this large perception that the Police is not always fair and the cooperation which the police receives from the hands of the public is certainly not forthcoming. Also, their information and fact-gathering exercise is seriously lamed, because of the fact that the public is not enthusiastic about co-operating with the police. It all arises from the fact that there is a wide-spread perception in this country that there is a lot of unfair play at the hands of the police and when one complains, he is not taken seriously.

Sir, I think clauses 17 to 19 of the Police (Amendment) Bill, 2001, constitutes some serious cause for concern if one is anxious to secure or promote a serious amount of impartiality on the part of the Police Complaints Authority. There is simply too much scope for the Commissioner of Police. The Commissioner has the power to call off an investigation on the ground that the subject matter of the complaint is trivial.

The Commissioner may direct the Officer in charge of the Complaints Office not to investigate or not to continue the investigation of a complaint whereas in the opinion of the Commissioner, the subject matter is trivial, the complaint is frivolous or vexatious, or the aggrieved persons does not desire to have the case taken or to continue with the case.

It seems to me that those decisions should be made by the Complaints Authority itself. One is complaining against the Police. The Police are the ones investigating themselves, and to me, this large failure, being the responsibility of the Commissioner of Police to determine whether the complaint is frivolous or vexatious, whether it is to be called off, or otherwise, defeats the very purpose of the Police (Amendment) Bill, 2001. The objective is to spread a feeling of comfort by promoting impartiality and independence when dealing with complaints against the Police. How can that be realized if the Police, not only is

the mechanism conducting the investigation, but the Commissioner of Police can say 'do not go any further, finish with that...'. That is a very, very serious deficiency and limitation of the Police (Amendment) Bill, 2001, which I would urge the Attorney-General to seriously reconsider. If there is no urgency in having this on the statute books within days, there is no reason why that should not be seriously rethought, because it is in direct conflict with the objectives it seeks to realise. Whether there is a review ordered by the Authority or not will depend on the quality of the Chair and the quality of those who constitute this Authority. I would urge the Minister to look for a robust and independent-minded person to Chair this seat. Whether he be friend or foe, he must be robust and independent-minded, and if he is not, then he does not qualify for this job. He may qualify for another job, but not for this one, because we have the disturbing spectacle of even some Magistrates seeming to be too close to the Police, so much so that persons still call the Magistrate's Court the Police Magistrate's Court or a Police Court. I complain very openly before the very Magistrates themselves, and ask them to take their distance. I do that in open-court before them '...take your distance, you have to work with them, but there is no reason why you should be seen as being on their side, as often is the perception...' Sir, it is very important that we get the right man as Chairman and the right persons on the Authority.

To that extent, I regard the criticisms and observations which the Honourable Leader of the Opposition directed to this point as being serious and well merited.

5.10 p.m.

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Hon. Dr. R.L. CHELTENHAM: The point has been made earlier that victimisation will not follow. A lot of people have been victimised at the hands of the Police because they were seen to be causing trouble to another policeman. The Police sees itself as a para military force and they unite in the sense of complaints and criticism and it seems to me that if there is evidence that any person complaining has been victimised, that the victimisation should itself constitute a specific offence which in turn, can be investigated and that should be very much mentioned here. That is the way to go about it.

I doubt that I or any of us in here, will have cause to complain. When I see them, they sometimes salute so vigorously, I have to ask them not to split their own points...

Asides.

Hon. Dr. R. L. CHELTENHAM: ...that is the differential way in which many of us, and some of us might have been treated so we ought not to be concerned about ourselves and with ourselves. Our brothers, sisters, cousins, neighbors and John Public are the ones who are unfairly treated and to whom there is discourtesy. They are the ones about whom we have got to be concerned.

I want to make one or two additional points before I take my seat. I would have wished, ideally, Mr. Deputy Speaker, that the Marshals could have been included under this Complaints Authority. I know that there are two separate and independent services, though not unrelated, because the complaints about them are fast and frequent.

It is not widely known and it needs to be said that there is a lady in this country who had several of the paintings of Timothy Callender and about two years ago, Marshals entered her premises and beat her severely. I have the photographs and the doctor's evidence in my possession and those paintings of Timothy Callender were taken away and to this day we do not know where they are. It is increasingly recognised that Timothy Callender was a distinguished man of letters and he had real talent too as a painter so that might be a loss to Barbados which may never be recovered.

There are instances and it is not a secret that large numbers of people in this country pay money to the Marshals to be passed over to the system for debts and so on and that often, they are not paid over. All of that is no secret. There has been in their ranks, an outbreak of utter lawlessness and there is every reason why they too should be subjected to some independent disciplinary authority. Nothing that I say, I believe, is any secret or surprise to the Honourable learned Attorney General so that it is necessary that they too be brought under the jurisdiction and competence of some independent complaints authority.

It makes no sense putting this piece of legislation on the Statue Books and not doing a series of programmes for the benefit of the public. Public education is very important. We get in here from Tuesday to Tuesday...

Asides.

Hon. Dr. R. L. CHELTENHAM: ...This is one of the busiest Parliaments of its size in the world and we pass a large amount of legislation. There was a time in the early 1970s and the early 1980s when I used to complain of legislative indigestion...

Asides.

Hon. Dr. R. L. CHELTENHAM: ...even the lawyers who were active did not know what was on the Statue

Books, we were running at such a pace and we continue to run at a great pace.

We applaud the sustained energies of the Attorney General in that regard and of the Government but it is important that the public for whom this legislation is intended to benefit, should know about it. There should be a series of programmes on radio, on television, some public lectures and so on, all designed to ensure that the public know their rights, what are the procedures, what are the types of things of conducts and behaviours, if I may use these expressions in the plural, about which complaint can be made. It is very important too, that the authority should conduct its business with seriousness and with despatch.

Under the old system, we had men who have been on half pay for upwards of nine and ten years, and at the end of the day when the Privy Council says that they have not been satisfied that a case has been established against them, they were no longer fit to be policemen. They had not worked, they had not exercised, they have been seriously depressed, some of them have been drinking and after then years, you could not get them back in the system unless you carried them through a programme of retraining.

Sir, if this is to operate effectively and efficiently, it is going to be important, Mr. Deputy Speaker, that matters be dealt with except there is some good substantial reason why it is not being dealt with expeditiously within the defined time frames. I hope that when the regulations are drawn up that that is among the issues that are addressed in the body of the regulations.

I was recently asked what happens in the event of death, the allegation of death at the hands of the police. In the normal course of things there would be an inquest. Would an inquest stand in the way of a complaint before the authority going forward and what if the inquest takes five and six years, as is customary around here now and what would happen to the investigation under the complaints authority? It is that sort of question too that should be addressed in the course of the regulations. There are important matters and they ought to be looked at but elsewhere, where there are large resources for research to be done in relation to these matters, those who are at work studying these matters now agree that often the excesses on the part of the Police reflect shortcomings in recruitment and supervision.

5.20 p.m.

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Hon. Dr. R. L. CHELTENHAM: There are, in the police force as big as ours and in many police forces around the world, people who cannot help lying on others and who actually take great delight in gaining satisfaction

from doing it. There are also persons who cannot help themselves and must apply violence to others, so how do we build a mechanism into our recruitment system to ensure that that sort of person, is best as we can, is excluded?

How do we ensure that the reporting and the supervision is satisfactory to the point to ensure that something is done about those who have been identified as breaching the code of professional conduct in these respects based on careful reporting? I suspect that that does not exist at present.

I have been in the Magistrate's Court on occasions when the magistrate has had to comment on the fact that policemen have been found lying in particular cases and she or he has asked the prosecutor to draw the matter to the attention of superior officers. Weeks after, I was to enquire of the prosecutor whether a report was made and he said quietly to me on each occasion "Man, I could not bring myself to do that, man you know how much trouble that will mean for the fella."

We have people who are on suspension in this country for the second time in seven years due to allegations of violence at the hands of the police that resulted in death and more recently by allegations of violence that resulted in serious injury to persons. Among those on suspension on this occasion are persons who were suspended earlier on in relation to allegations of death - violence leading to death.

Is that not a matter of serious concern? Is it not likely that something is being remiss about the personality of the individuals involved? Does it speak well for our recruitment system? Does it speak well for our system of reporting? These are some of the matters that we ought seriously to be addressing.

I too join in welcoming the concept of an independent police complaint body. However, I fear, for the reasons that I have indicated, that the impartiality and the independence which are the twin goals which we set for the body will not be realised in this Bill as it is presently drafted.

As I said earlier, unless it is a matter of overpowering urgency for the Government, I will urge the learned Attorney General to reflect further and see if some of the valid criticisms made in the course of this debate cannot properly be accommodated.

I thank you, Sir.

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I wish to thank the two Honourable Members who have spoken in the debate. They have made one or two points

about which I can be persuaded. Some of the other points stem from a failure to read the regulations of 1998 and understand them. The other points made do not properly comprehend a total reading of the Bill but is content to rest upon a mere extraction of one section. In construing legislation, one always has to read the whole Act but I will deal with some of these points in detail, Sir.

I want to give both Honourable Members the assurance that I have made a note for the file and dated it and said “please keep this on file”. It is a note for regulations.

1. Officers under investigation should be legally assisted.

Although all we have to do is to borrow one that exists already in the disciplinary regulations where persons can be entitled to an Attorney-at-Law and add to that. What we do as a matter of practice is that if the officer asked for the Crown to assist with his fee we will pay a proportion of the fee. That is a good point but I think that we should put it in specific regulations.

b. The procedure in respect of complaints where the matter may be the subject of a coroner’s enquiry and also be the subject of an investigation.

We will look at that for the regulations although if you go to the regulations of 1998, you will see the idea there can be transported to the new law. It is not a difficulty.

Regulation 22 said for example:

“Where criminal proceedings have been instituted against an officer, disciplinary proceedings under the Disciplinary Code upon any grounds arising out of the criminal charge, shall not be brought unless: (a) the criminal proceedings have been concluded;

b. the time allowed for appeal has expired; or

c. the appeal has been determined or withdrawn.

c. An officer acquitted on a criminal charge shall not be punished under the Disciplinary Code in respect of the charge of which he has been acquitted.

What we need to do, as I have said, is to make the necessary adaptation but there is a provision which exists already in the Disciplinary Code, but exabundanté, I have made a note.

3. I like the point which the Leader of the Opposition made that there should be a time within which the authority is to respond to a citizen.

That will be prescribed in the regulations as one of the notes.

4. Both Honourable Members spoke about the need to ensure that complainants are not victimized.

I like that. I think this is a matter of substance that should properly go in the Bill not in regulations. This is not a procedural matter, this is a matter....

Asides.

Hon. D. A. C. SIMMONS: Right, we need to create an offence and I would deal with that and explain to Honourable Members what I propose in due course.

The Leader of the Opposition also made the point about the method of appointment. We struggle with this when it came to Cabinet and left it as it is but we are, I am certainly, open to persuasion. I do not want any responsibility if I do not have to have it. I do not mind having the authority to recommend one or two but I will look and see and discuss with the Leader of the Opposition and the Honourable Member for St. Joseph how perhaps we can have at least two persons on the authority appointed by virtue of their positions, status, standing, whatever. So we will look at that, Sir.

I wish to let Honourable Members know, if I may be pardoned for saying so, that I am not an adamant person and I believe I have shown myself willing during my time as Attorney General to take on board suggestions and to act upon them.

5.30 p.m.

Tuesday, February 20, 2001

Hon. D. A. C. SIMMONS: I do not, however, agree with the Honourable Member for St. Joseph that the basis of the jurisdiction of the Authority is too narrow because it is limited to serious bodily harm or death even allowing for the other provision that says “any other complaint”.

Sir, the strengthening of the disciplinary regulations in 1998 by the deliberate creation of the Disciplinary Code with a series of offenses running from (A) to (S), as I indicated earlier, substantially deals with the usual kinds of conduct which may offend the citizen but it is not of a violent nature. Other matters which are inherent in the officer’s own conduct such as drunkenness, malingering and so on, the Commissioner can deal with that. We are more concerned with the rights of the citizen as against the police because of conduct on the part of the police which offends the citizen.

Sir, the models that we have seen have all limited them and this Bill has limited them to death or serious

bodily injury, because usually it is the brutality of the police that excites the public. But we must always remember that, even if it is brutality or what the Honourable Member for St. Joseph said about theft of jewellery or whatever following a search, they are all criminal offenses. The officer is liable in the general way to be charged and some have been charged. If you are the victim of the theft, you should complain to the Authority.

Sir, if you complain to the Commissioner and let us assume that he follows up in the usual way, that officer should be charged disciplinarily. In fact, there is a provision which says that, if it appears that the officer has committed a criminal offense, the disciplinary proceedings have to stop and then they proceed criminally.

Aside.

Hon. D. A. C. SIMMONS: Sir, I am saying that in accordance with Section 7 which says:

“Any other matter whether or not the subject of a complaint referred to the Authority by the Commissioner which in the opinion of the Commissioner should be supervised because of its gravity or its exceptional circumstances.”

I really cannot see with this supervisory Authority in place how the Commissioner can refuse to send on a complaint from Mr. “X” that on the blank day of blank in carrying out a search the police broke down his bedroom and carried away whatever, because you would write to the Commissioner and ask for an investigation. If you had any sense, you would also copy it to the Authority because once it is drawn to the Commissioner’s attention he has a duty unless it is frivolous or trivial to refer it and the Authority will then monitor it. I do not think that Honourable Members ought to worry about the complaints reaching the Authority. I am going to accept what the Leader of the Opposition has been saying sotto voce that in the regulations when we develop them, we will put in the regulations that a copy of every complaint to the Commissioner under this legislation should be sent to the Secretary of the Complaints Authority. The Authority can then monitor what is happening in the Police Department.

Sir, the scheme of the Act contemplates an expansion of what we have already. The complaint is made to the Complaints Authority. It goes to the Commissioner who then has to act and report monthly to the Authority. Where a complaint is not one specified under Section 7 or

in the opinion of the Commissioner would not justify a criminal charge, the Commissioner may direct the officer in charge of the Complaints Office to resolve the complaint informally. That is Section 16 where we deal with informal complaints.

Sir, the point is that I understand the desire of the Honourable Member for St. Joseph to have the Authority as the ultimate decision making on whether the thing is frivolous or not. On the other hand, you may clutter up the Authority with a lot of these matters which could be filtered and processed at a lower level. It does not mean that the fact that the Commissioner says that the complaint is frivolous or not that it ends there. It does not end there to the extent that the Authority is not to know of the decision.

Aside.

Hon. D. A. C. SIMMONS: If the Authority thinks that it is frivolous, they should deal with it. I am just saying that you may get cluttered. It is better to have it dealt with at a lower level and then when it comes up to them they can say that we did not pursue this because we realized that the person who made this complaint was in fact released from the mental hospital or whatever.

Aside.

Hon. D. A. C. SIMMONS: A copy of the record will be given to the Authority. The Authority or the Commissioner may direct that the investigation be continued and shall give reasons in writing to the officer in charge of the Complaints Office and the complainant and officer concerned for the continuation of the investigation. It is not obliged to stop.

Aside.

Hon. D. A. C. SIMMONS: The Honourable Member for St. Joseph only read Section 15(1). It says:

“The Commissioner may direct the officer in charge of the Complaints Office not to investigate or not to continue to investigate a complaint where in his opinion it is trivial, frivolous or vexatious or the aggrieved person does not desire that action be taken or continued.

(2) Where any decision is taken pursuant to sub-section 1, the complainant and Authority shall be notified of the decision.”

5.30 p.m.

Tuesday, February 20, 2001

Hon. D.A.C. SIMMONS: Sir, I want to make two points before I ask for the Bill to be postponed for further consideration. Honourable Members will note that this Bill has been on the Order Paper since October. It is precisely for some of the reasons hinted at by the Leader of the Opposition that I did not proceed with the Bill earlier. That was at a time when the climate was not so propitious and I personally felt that it would have been better to let some of the dust settle.

The second thing that I want to declare about this Bill is that the procedure and all the research has been contributed to by the associations, Sergeant Reid and Constable Alleyne as well as the Commissioner and two senior offices. The police have been satisfied with this. I do not think that there will be any misunderstanding because the police have been aware that this Bill was on the Order Paper since October. I told them that when we were bringing the Bill to liberalise their industrial relations that I wanted to deal with that one first.

I am not rushing this Bill because as I indicated there is some money in the Estimates of Revenue and Expenditure, 2001-2 to allow us to start it after April 1st. We need to look at the staffing and the operation of this legislation and I thought that if we brought it now it would still give us lead time so that early in the new financial year, not necessarily in April but early in the new financial year we could set up this new authority.

In view of the submission made about changing the manner of appointment of the Authority, I would wish to revisit the procedure and perhaps look at other options for trying to ensure that the leadership of this authority is strong and independent, always remembering that independence of this like independence of the judiciary is so much a matter of personal integrity. You can create whatever structure and mechanism but the people who actually run the thing have got to have the courage to be independent.

I am grateful for the...

Aside.

Hon. D.A.C. SIMMONS: What we had thought of was having an attorney at law, somebody like a very senior

respected, retired public officer at the level of permanent secretary, and a retired senior police officer to represent the police interest and the public interest.

Perhaps, I will write the Leader of the Opposition and the member for St. Joseph and suggest a mechanism like that and then we can reduce it to language. I think the interest of the public and the interest of the police should be represented and it should perhaps not be left arbitrarily to a Minister to do it. It should be ingrained in language and I am grateful for that suggestion, Sir.

Mr. Deputy Speaker, I pledge to the Honourable Members that some of the other points they made I will look at in the interval between now and when the Bill finally is debated. If I could beg to move that further consideration of this Bill be postponed. Obviously, Sir, I cannot conclude my speech now and I would wish to reserve the right to conclude my speech subsequently.

Those are all the points. In respect to DNA evidence if anybody is interested we already have DNA equipment in the Forensic Lab and you will see in the Estimates this year that funds were provided. When the new Forensic Lab is finished next year, it will be the most modern in this part of the hemisphere and thoroughly equipped with whatever you can think of but presently they do DNA testings.

Before I sit down I am not sure I heard the Honourable Member for St. Joseph complaining about legislative indigestion but we are determined to keep a steady stream of legislation.

Asides.

Hon. D.A.C. SIMMONS: There is a fair amount coming in the pipeline. I have to make sure that there is work for Parliament to do.

Mr. Deputy Speaker, I beg to move that further consideration of this Bill be postponed.

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

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

ADJOURNMENT

Hon. D.A.C. SIMMONS: Mr. Deputy Speaker, I beg to move that this House do adjourn until Tuesday, February 27, 2001 at 11:00 o'clock in the morning.

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

The question was put and resolved in the affirmative without division, and Mr. Deputy Speaker adjourned the House accordingly.

5.48 p.m.

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WOOD, Hon. A.P.

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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Masthead. The session is not stated in the source, so no session line is printed.

Q2. Opening and Minutes. The PRESENT list shows His Honour J. M. Edghill (Deputy Speaker) presiding and the Deputy Speaker is addressed throughout, but the opening and Minutes remarks are labelled ‘Mr. SPEAKER’. Printed as in the source.

Q3. Minutes. The Deputy Speaker’s words ‘Mr. Deputy SPEAKER: If there are no corrections or observations, then let these Minutes stand confirmed.’ are run into Hon. Miss B. A. Miller’s seconding speech in the source. Printed as in the source.

Q4. Suspension of Standing Orders. The Standing Orders are given as ‘6,16,18,2042(5), 43 and 44’; ‘2042(5)’ appears to run together two numbers (perhaps 20 and 42(5)). Printed as in the source.

Q5. Order No. 6, Committee of Supply. The procedural note says the House ‘went into Committee on this Bill’, although the business is a Resolution in Committee of Supply. No heading is given for Head 33 (Ministry of Labour, Sports and Public Sector Reform), whose debate follows Head 20 directly. Printed as in the source.

Q6. Order No. 6, after Head 34. The procedural note reads ‘the Resolution was a first and second time and passed’; a word such as ‘read’ appears to be missing. Printed as in the source.

Q7. Order No. 6, Head 33. Hon. Miss M. A. Mottley’s speech refers to the ‘Ministry of Labour, Sports and Public Reform Reform’; the PRESENT list gives the portfolio as Labour, Sports and Public Sector Reform. Printed as in the source.

Q8. Order No. 3, close of debate. The Attorney General’s reply breaks off (‘I am grateful for the...’) followed by a paragraph reading ‘Aside.’; the Bill was then postponed with his speech unfinished, as he states. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 20th February, 2001 at 11.30 a.m., with His Honour J. M. Edghill, the Deputy Speaker, presiding; prayers were taken by Canon Father Ivan Harewood. The Minutes of Tuesday, 13th February were confirmed. The Attorney General and Leader of the House, Hon. D. A. C. Simmons, laid the Report on the Social Investment Fund for the quarter ending December 2000, gave notice of the Fiscal Incentives Amendment Bill, 2001, and obtained leave of absence until 30th April, 2001 for the Member for Christ Church South, who was recovering from surgery. Standing Orders were suspended for the rest of the sitting.

Under Order No. 6 the House went into Committee of Supply, Mr. D. Carter in the Chair. On Head 20, Ministry of Commerce, Consumer Affairs and Business Development, Hon. R. St. C. Toppin sought \$73 232, of which \$56 821 was for utilities and \$7 368 for overtime paid to Inspectors of Standards. The Leader of the Opposition, Mr. D. J. H. Thompson, did not oppose the sum but asked what role the Price Control Division would play now that few items were under licence and new bodies such as the Fair Trading Commission were being created, and whether consumers could expect protection from the Ministry. Mr. Toppin, Hon. Miss M. A. Mottley and Hon. R. C. Eastmond replied; Mr. Toppin listed the Small Business Development Act, the Fair Trading Commission Act, the Utilities Regulation Act and the Electronic Transactions Act as legislation he had brought, said consumer protection legislation was on the way, and said a study of the Ministry’s restructuring was under way. Head 20 was agreed to.

On Head 33, Hon. R. N. Greenidge sought \$895 486, chiefly \$131 695 for the Amateur Athletic Association’s hotel debts from hosting the CAC Games (it had asked for about \$360 000), the salute to the Olympic athletes at the Bay Street Esplanade, and pavilions and sporting facilities. Mr. D. T. Gill spoke on playing fields in the City and on the decline of groundsmen, and Hon. Miss B. A. Miller intervened on access for the young people of the City. Hon. R. R. Farley, Hon. A. P. Wood, Hon. R. C. Eastmond, Mr. L. R. Tull and Hon. Miss M. A. Mottley spoke on facilities in their constituencies, Mr. Tull urging the Government to settle its social priorities. After a suspension until 2.15 p.m., Mr. Greenidge replied, promising a Green Paper on a national sports policy and congratulating the cricketers on winning the 2001 Busta Cup, and Head 33 was agreed to.

On Head 34, Ministry of Education, Youth Affairs and Culture, Hon. Miss M. A. Mottley explained that the sums were for the School Meals Department, including \$50 000 for maintenance and \$72 000 so that the Department could continue to buy chicken from local producers, and

said a new central School Meals Centre was being planned. Hon. A. P. Wood spoke in support, Head 34 was agreed to, and the Resolution was reported and passed.

Under Order No. 3, Hon. D. A. C. Simmons moved the second reading of the Police Complaints Authority Bill, 2000. He recalled the 1994 manifesto commitment, the working party which had studied legislation from Australia, Canada, the Cayman Islands, New Zealand, Trinidad and Tobago and Jamaica, cases of police misconduct abroad, and the Complaints Office which would investigate complaints and report monthly to the Authority and the Commissioner. Mr. D. J. H. Thompson supported the principle but raised the costs borne by officers who had to retain counsel, the resources the Authority would need, and

the Minister's role in advising the Governor-General on appointments. Hon. Dr. R. L. Cheltenham, the Member for St. Joseph, spoke on self-incrimination, false complaints and victimisation.

In reply, Mr. Simmons said an offence would be created, disagreed that the Authority's jurisdiction was too narrow, and undertook to revisit the manner of appointing the Authority, suggesting an attorney-at-law, a retired senior public officer and a retired senior police officer. He noted that funds were in the 2001-2 Estimates and that DNA equipment was already in the Forensic Lab. Further consideration of the Bill was postponed, and the House adjourned until Tuesday, 27th February, 2001 at 11.00 a.m.