
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1999 – 2004

HOUSE OF ASSEMBLY

Tuesday, March 5, 2002

Pursuant to the adjournment, the House of Assembly met at 11.20 a.m. on Tuesday, March 5, 2002.

PRESENT

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

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

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

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

Hon. Miss M. A. MOTTLEY, LL.B. (Attorney General and Minister of Home Affairs) (Leader of the House)

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

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

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

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

Mr. G. W. PAYNE, LL.B.

Hon. R. C. EASTMOND, B.A. (Hons.) Dip. Ed., LL.B. (Hons.) L.E.C., J.P. (Minister of Labour and Social Security)

Mr. D. CARTER (Chairman of Committees)

Hon. R. N. GREENIDGE, B.A., LL.B. (Minister of Education, Youth Affairs and Sports)

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

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

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

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

Mr. D. St. E. KELLMAN

Mr. M. Z. WILLIAMS

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

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

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

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

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

Hon. R. R. FARLEY, B.Sc., J.P. (Minister of Economic Development, Industry and International Business)

Hon. Miss C. Y. FORDE, J.P. (Minister of State, Ministry of Education, Youth Affairs and Sports)

Prayers were led by Rev. Canon Ivan Harewood.

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

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, February 26, 2002.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that the Minutes of Tuesday, February 26, 2002 be confirmed subject to any omissions or corrections.

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

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

ANNOUNCEMENT BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: I am to report to this Honourable House that I am in receipt of the Accounts and Statements from the Accountant General for the months of October and November, 2001.

PAPERS

Rt. Hon. O. S. ARTHUR: I am commanded to lay the following documents:

1. Representation of the People (Expenses) (Amendment) Regulations, 2002;
2. The Barbados Estimates of Revenue and Expenditure 2002-2003 and the Schedules of Personal Emoluments 2002-2003;
3. The Statutory Boards (Pensions) (Pensionable Offices) Order, 2002;
4. Local Government (Pensions) (Amendment) Regulations, 2002.

Hon. R. N. GREENIDGE: Mr. Speaker, I am commanded to lay the following document:

Annual Report of the National Sports Council for the year 1st April, 2000 to 31st March, 2001.

GOVERNMENT NOTICES

Hon. Miss M. A. MOTTLEY: I beg to give notice of the Appropriation Bill 2002, and indeed, the Estimates of Revenue and Expenditure for 2002-2003 would be laid today.

I also beg to give notice of a Resolution to grant the sum of \$7 580 570 from the Consolidated Fund and to place it at the disposal of Government to supplement the Estimates 2001-2002 as shown in the Supplementary Estimates No.14 2001-2002 which form the Schedule to the Resolution and the Explanatory Notes to Head 19 and the amendment thereto as shown in Schedule 2.

REPORT FROM SELECT COMMITTEE

Hon. R. C. EASTMOND: Mr. Speaker, on or about the 26th of June 2001 this Honourable House agreed to establish a Committee known as the Joint Select Committee on the Employment Rights Bill, 2001. Unfortunately, Mr. Speaker, the report from such a Committee is not yet ready and in the circumstances I am respectfully requesting that

this Honourable House be minded to extend the life of this Committee by another six months to report no later than the end of August 2002.

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

FIRST READING OF BILLS

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. C. EASTMOND, the following Bills were read a first time:

1. International Financial Services Bill, 2002;

May I say, before I sit, Sir, that this Bill would be a Bill which would replace the Offshore Banking Act as currently exists.

2. Appropriation Bill, 2002.

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

ORAL REPLIES TO QUESTIONS

Rt. Hon. O. S. ARTHUR: Mr. Speaker, I beg to give notice that the replies to parliamentary questions Nos. 26 and 49 asked by the Honourable Member for St. John are ready.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the rest of this day's Sitting.

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

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

GOVERNMENT BUSINESS

ORDER NO. 10 – MAGISTRATES' COURTS (AMENDMENT) BILL, 2002

Hon. Miss M. A. MOTTLEY: Mr. Speaker, this amendment which is before this Chamber today seeks to do two things. It is designed to enhance the capacity of the justice system and the penal system to respond to the increased pressures of the additional numbers coming before it.

Indeed, if I may deal with the first amendment in respect of the Magistrates' Courts (Amendment) Bill, you would notice that the amendment which is brought in respect of Section 218 of the Magistrates' Courts (Amendment) Act is a response by this Government through legislative programming to allow for a more effective management of the criminal justice system and the penal sector.

What do I mean by this, Sir? At the moment, the law provides that any accused person who has been remanded into custody pending the completion of his or her trial must be brought down to court every eight days at maximum. In those circumstances, irrespective of whether the prosecution is ready or not to proceed, the longest period of time that the court can remand a person in custody is, in fact, eight days. This means, Mr. Speaker, that every single day from Monday to Friday, Her Majesty's Prisons at Glendairy must prepare prisoners for transportation, provide appropriate escort personnel and complete the appropriate paperwork on return if they are so remanded again to ensure that they comply with the current provisions of the law. This, as you would imagine, Mr. Speaker, puts considerable strain on the capacity of the Prison to effectively carry the numbers that they have to the eight or so magisterial courts across Barbados and in circumstances ensures that the system is always stretched to meet the demands.

11.30 a.m.

By the same token, the Government recognises that it is the inalienable right of any accused person to apply for his or her freedom by an application to the Magistrates' Courts or by separate application to the High Court for them to be put on bail even on their own recognizance or with the appropriate sureties being required. In no way would this Government wish to tamper with that inalienable right of accused persons who always must have that recourse in circumstances where we follow the system of law that we do in this country.

This amendment, however, recognising that in some instances persons may not necessarily even want to come down every week because when you arrest a person it is not appropriate or, may I say, it is unreasonable to expect either the police or the Director of Public Prosecutions to begin to lead evidence right away against the accused person. In those circumstances, very often it is usually two or three months before they can start to bring serious evidence before the Court for the magistrate to begin to make a determination as to the innocence or guilt of the accused person.

Sir, we recognise that if there was a provision that allowed us to bring a person once a month as opposed to once every week, particularly in those first three or four months before the evidence begins to be heard or while the

evidence is being heard, but not necessarily at the rate of every week, it would reduce the resources required by the prisons and, indeed, by the courts to provide for persons who literally just come into the court, are placed in the dock and invariably after a few weeks there is sometimes not even a further bail application because the magistrate has generally made it clear as to how he or she feels about that issue of releasing the accused person. What then happens is that the person spends most of his or her time sitting on the bench in the court but not being involved in the matter for which they were originally brought to the court.

Very often in the court system, Mr. Speaker, a person who has applied two or three times for release on bail to a magistrate and has been unsuccessful then exercises his right to apply to the High Court for bail. If the High Court turns him down for bail it is highly unlikely, unless the circumstances change substantially, that a magistrate would release that person on bail immediately. Indeed, for more serious crimes the magistrates tend not to release that person if they feel the person is a threat to society or if there are other circumstances such as a host of previous convictions and regularity of appearance before the court such as to ensure that when the magistrates balance all the issues they feel the deprivation of the liberty of the accused is preferable to releasing that person even with the most stringent conditions.

Mr. Speaker, in those circumstances, you can well imagine that if we had to bring a person four times in three months rather than 12 times as currently exists, how that would relieve the pressure on resources in terms of security personnel, transportation, paperwork and indeed, Mr. Speaker, Sir, very often the risk of a person escaping because they are outside of the prison itself. As I said, we have thought about this amendment very carefully. At no stage are we trying to remove any rights from the accused. The accused still has the right to apply both to the Magistrate's Court or to the High Court to be released upon bail. That point must be made absolutely clear in this debate.

What the amendments do are to provide for a number of conditions so that this power is not abused by anyone and in the circumstances the new section 218A sets out what those things are. If I may briefly recite them, Mr. Speaker, Sir, it says very clearly:

"(1) Notwithstanding subsection (6) of section 218, a magistrate referred to in that section may remand a person charged with an offence in custody for a period exceeding 8 clear days where:

(a) the person has been previously remanded for the offence."

Mr. Speaker, on your first appearance in court they cannot remand you for 28 days. I want to repeat that. The magistrate cannot on your first appearance in the court remand anyone for a period of 28 days.

Secondly, the magistrate must do it while the accused person is before the magistrate. The magistrate cannot do it if the accused person is still at Glendairy or somewhere else. They may be at another court appearing for another offence. So it is absolutely necessary for this power to be exercised that the person is present physically in front of the magistrate.

“(c) the magistrate, after affording the parties an opportunity to make representations, has set a date on which the magistrate expects that it will be possible for the next stage in the proceedings, other than a hearing relating to a further remand in custody or on bail, take place;”

Let me explain this very carefully, Mr. Speaker. What this means is that you still have to give both parties, the prosecution and the defence, the right to make representations. You are not taking away that right from them and therefore you are not breaching the rights for natural justice. Secondly, you are ensuring that this right to remand for 28 days does not take place until the prosecution is indicating that it is ready to start leading evidence. Let me explain the significance of this.

Some people may feel that if you do not have an indication from the prosecution that it is ready to start the case that a person may just get remanded for 28 days three and four and five times. This amendment will not allow that to happen. This amendment clearly recognises that the prosecution must have indicated to the court that on the next occasion on which it comes before the court it will be able to enter a witness for evidence to be given from that witness.

Mr. Speaker, what it in effect has the capacity to do is to force the prosecution to start their cases earlier, because even though they may not be ready to enter all of the witnesses there are certain formal witnesses that they can put on the witness stand and have evidence taken from them and ensure that there is a continuous delivery of that evidence rather than simply waiting until the last minute and after four or five months then bringing all the witnesses bunched up together. This would allow for orderly development of the case and for the strain on resources that the prisons currently feel to be minimised, and in no way does it breach the rights of the accused.

11.40 a.m.

Mr. Speaker, we are satisfied that it balances the interest of Government for greater productivity in the delivery of services within the criminal justice system with the rights of the accused person. It cannot be used if the person is appearing for the first time before the magistrate, if the person is not present before the magistrate or if the Director of Public Prosecutions indicates that on the next occasion the court meets, he will be ready to start leading evidence. When all those things come together, as they must, the court only then has the power to remand for a period not exceeding 28 days instead of the current power to remand for eight days.

Mr. Speaker, most people do not know that the current Magistrates' Courts Act allows the magistrate to remand for longer than eight days but only where the accused person requests and the magistrate accepts the longer remand. There were some prisoners, in my time, who felt very strongly they did not want to come down every week because they were shackled and handcuffed and it upset their entire routine. Admittedly, there are others who want to come down every week because it is a chance to see other people. So, the experience varied among accused persons. It can also vary depending on the kind of offence the accused person has been charged with.

Mr. Speaker, in our system it is not known that a person can get bail for murder. In those circumstances, the more serious indictable charges like murder, burglary, robbery and rape are the kinds of offences that we anticipate that this amendment would be more used for. We have consulted with the Director of Public Prosecutions, the Commissioner of Police, the Honourable Chief Justice and the Superintendent of Prisons and in every instance there was general agreement that this amendment allows for greater productivity and efficiency in the delivery of the criminal justice system while at the same time ensuring that we do not breach the rights of the accused person who at any stage, by reason of an application to the High Court of Barbados can apply for bail and be freed pending the completion of the trial.

Mr. Speaker, I will give some figures to indicate the kinds of problems we have been facing. Glendairy Prison currently has 158 prisoners on remand. The population at the end of last week was 883 prisoners. Mr. Speaker, this a prison that was built in 1985 and was built to accommodate no more than 350 prisoners. Of the 883 prisoners, 102 are foreigners and we have determined in my Ministry that we need to use a number of legislative and administrative policies to be able to minimize the numbers within the prison without compromising the safety of this country, the security of the institution or the rights of the accused person.

Sir, this Government in 1998 passed a Penal Reform Bill in this Parliament which provides for a range of alternative sentencing measures to be used by the courts in respect of accused persons found guilty. While we have seen a relatively genuine and generous application of community service orders, a number of the other sentences provided for under the Penal Reform Act, unfortunately, are not being used as consistently as we anticipate that they will be in the future. Some of it requires institutional support as the community service orders do because we have community service officers who help supervise persons who are put on community service orders throughout the community.

Sir, in addition to the Penal Reform Act of 1998, my Ministry is now conducting a study into the development of a system of parole in Barbados recognising that there are many persons currently in prison who may well be considered appropriate for that kind of parole system as they are no longer a threat to the society but still have long sentences to serve and are not being given the best opportunities to rehabilitate so that they can mainstream back into society.

Mr. Speaker, most people in Barbados do not realise that the average length of stay of someone in prison is relatively short as compared to the popular perception. We hear about persons getting ten years or 15 years but the truth is that most people spend between two or three years in prison by the time account is given for good behaviour.

Currently, the superintendent has the power to provide that a prisoner who behaves well can receive three months off his sentence for every year of his sentence such that if a person, for example, has five years to serve they can get 15 months off as long as they behave well and as long as it is the determination of the superintendent.

We may well have to consider implementing another tier between that three months and a system of parole because the process and policies we wish to be guided by in respect of the management of our correctional facilities is one of behaviour modification. Behaviour modification simply means that persons are treated according to the behaviour which they exhibit. In other words, if you behave well, you can have access to a certain range of benefits. If you behave badly, you are then denied those benefits and may well receive further sanctions compromising your stay within the prison even further.

Sir, we believe once people start to make the connection between what happens when they make the effort to rehabilitate and what happens when they continue to behave badly and display levels of criminality and social deviancy, that this can allow persons to make choices and

determination as to their own health and welfare within the context of prison.

Mr. Speaker, it may well be that we may have to consider not only three months off for good behaviour but those who truly exemplify the behaviour of a model prisoner may be able to get an additional period of time beyond the three months as a further incentive for them to reform their ways.
11.50 a.m.

The benefit of a parole system is to allow a person back into society. Should that person commit a crime or whatever else is considered as a breach of the parole, then he must return to prison and complete serving the time.

Mr. Speaker, this is important because invariably the parole lasts for a period of time. The person must behave well, not for a week, a month or three months, but once you come out of prison you must behave well for at least two years. In those circumstances, we hope that they insist that those persons must develop themselves in terms of respecting other people's rights and behaving themselves in order to avoid any re-entry into the prison system.

Mr. Speaker, for the benefit of the House I should say to you that on average in January, 32 prisoners were transported to all the Courts across Barbados. They were transported from District "E" in the North to District "C" in the South, District "D", on the eastern side of the island to District "A" in the City, District "B" central and District "C" in St. Thomas. It is not a matter of carrying 32 prisoners directly from Glendairy to Bridgetown. It is about having the resources to transport all those men. In February, the average rose to 36 prisoners a day. I am instructed by the Superintendent, Mr. Speaker, that on certain days the number went as high as 60 prisoners to be transported to courts across Barbados.

As I indicated, we also have implications of the number of escort officers accompanying those prisoners. With the averages that I gave, for example for February, it meant that no less than 18 officers had to escort these persons. Sir, that is not the number of officers that we would like to have but that is what we have been working with. Sir, we also have to provide escort officers in the holding cells and escorting the persons from holding cells to the courts because persons have been known to try to make good their escape at that point. We also have to provide supervision inside the courtroom.

I think that I have clearly established how we can see significant improvement in terms of the resources which must be deployed if we have to continue to transport the number of prisoners on a daily basis. I anticipate that it

would take about three months for this amendment to work itself through the system, the police, magistrates and the prisons before they can see optimum benefits from it.

I do not propose today, Mr. Speaker, to have a full dressed debate on the prisons or the magistrates because I can certainly give notice to you that this would be the first Head that we are likely to discuss in the debate of the Estimates of Revenue and Expenditure next week. I trust that we will have ample opportunity during the course of next week to discuss both the overall policy and philosophy that would drive the programming in this Ministry, as well as the details of Revenue and Expenditure. I have much to say on it since many changes are due throughout the system.

The second amendment which is before the Chamber with respect to this Bill, Sir, is the result of a plea and a request from the magistrates who indicated a level of dissatisfaction with the current Section 246 of the Magistrates' Court Act which removed from them any discretion in respect of the granting or withholding of bail once a person appealed after he was convicted of an offence. That Section 246 said that unless a person was convicted for an offence other than for a drug offence, that the magistrate had no discretion and that the person automatically went on bail pending the hearing of their appeal.

Sir, quite rightly, if you are going to balance the interest of society and the interest of the security of the society against the rights of the accused, it cannot be right that the magistrate should have no discretion in being able to determine whether a person should have bail or not pending the hearing of an appeal. For example, the person may well be a serious threat to society and the magistrate, having convicted and sentenced a person, would have to stand up and watch while that person walks out of court, maybe not to return to a Court of Appeal under a year or two, and, therefore, continues to be a menace to the society, given their previous behaviour and their current inclination for criminality and social deviance.

Sir, this amendment does not withdraw from them their liberty automatically. This new amendment simply gives the magistrate the discretion to determine whether bail should be granted or not, pending the hearing of an appeal other than for drug offences as provided by Section 246.

May I say that even if the magistrate determines that they should not have bail, that person is still free to apply to the High Court for their liberty. Therefore, it does not interfere with the inalienable rights of the accused person as it relates to acceding opportunities or pleas for their liberty.

Mr. Speaker, as I indicated, this was a request from the magistrates. I am happy that we are able to bring this amendment to strengthen the discretionary powers of the

magistrate in dealing with these matters, particularly at a time when the people feel that the society, sometimes, has to guard against those who would wish to render it insecure by reason of their indiscipline, reckless, lawless and criminal behaviour.

I commend these two amendments to this Honourable Chamber and look forward to an early date next week, to be able to discuss and debate at length the Head of the Attorney General's Office as well as the Head of the Ministry of Home Affairs, when I will, hopefully, have the opportunity to speak to the programmes, particularly as they relate to the criminal justice system and, hopefully, to the expansion of the current system into a department of correction with a holistic perspective, looking at it from a point of probation, parole and maximum security of prisoners; also, to give further details as to where we are with respect to the planning toward the construction of a new maximum security facility in Barbados.

Sir, I will also be able to update the House on the decision to have a full-time Coroners' Magistrate to be appointed. We are currently waiting for the Ministry of Housing to conclude the accommodation arrangements. We would wish to get rid of the backlog of approximately 300 cases. It is not 500 cases as reported in the *Nation* newspaper without comment from the officials. Nevertheless, 300 cases are unacceptable. Sir, we believe that with some dedicated magistrates with island-wide jurisdiction, if the Chief Justice so designates them, under Section 7 of the Magistrates' Courts Act, we can remove this backlog by early next year and ensure that we can have a steady hearing of coroners' inquiries. We recognise the extent to which it upsets the ability of individuals and families to be able to get on with their lives or to be able to have matters brought to closure financially or otherwise, as the result of the untimely deaths of persons in our society.

Sir, with those few words, I beg to move that the Magistrates' Court (Amendment) Bill, 2002 be read a second time.

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

Mr. D. J. H. THOMPSON: Mr. Speaker, I listened carefully to the Honourable Member. Today I would not trespass on those areas she indicated she wanted to reserve for next week. I believe that enough would be said on this particular amendment, perhaps, to focus her attention on the level of ingenuity and creativity that, I think, is going to be needed to cope with the problems of increased crime, a court system that is clogged and the need for additional resources to cope with the many challenges of the entire court system, including the prisons and all of the other appurtenances.

In my view, I think that both the Minister and the Parliamentary Secretary in this Ministry have the ingenuity to do better than this amendment. I see this amendment as only a stopgap measure. I say this because there are about four things that the Minister can look at, which would have a dramatic effect on the management of the court system in Barbados, particularly the magistrates' courts.

Sir, the Minister almost led herself to the correct conclusion when she pointed out that it is the height of inefficiency to have a court system with magisterial districts from "A" to "F". It is true that all of them do not meet every day but the majority of the urban ones do meet at the same time every day. The prison system has to ferry prisoners to all of those courts and each of the courts has to be staffed by public officers who do not necessarily come from that magisterial district. Each of the prosecutors, who are based at Central Police Station, have to move out into the districts for the preparation of their cases for that day. Witnesses very often have to take two buses even though they live in the parish in which the court is situated and other participants in the process have to be moved from point "A" to point "B".

Mr. Speaker, it should have led my mind to the conclusion that the most suitable answer to this problem is to centralise the magistrates' courts in Barbados. I do not know what the experiences of the Honourable Member for St. Philip North are. I do not know of a single constituent nor former client of mine, even people who had cases pending when I demitted as attorney-at-law in 1991 to enter into Cabinet, has ever complained to me about the relocation of District "C" Magistrate's Court to St. Matthias. Nobody has ever complained about it, because it is easier for someone living in Sherbourne to get to St. Matthias than it is for them to get to Station House Hill in St. Philip. Sir, it is simply because of how the bus system functions. Therefore, people from areas as close as Massiah Street, St. John were catching a bus to Bridgetown in order to take another bus to go to St. Philip to go to District "C" Police Station.

Sir, people in Rock Hall and Foul Bay, St. Philip, were going to Bridgetown to come back to Station House Hill, St. Philip, which in itself was badly located in terms of bus routes to get to court. That is just St. Philip. I remember practising in Horse Hill, St. Joseph and invariably on every occasion I did a case in Horse Hill, I had to drop my client home either to Blackmans or some other part of St. Joseph, which was not being serviced by the bus which was on the Horse Hill route. Mr. Speaker, I am certain that must have been the case for parts of St. Peter, St. Lucy and throughout rural Barbados.

I know that we like to talk about decentralisation because it gives the impression of participation and activity in an area. There was not a single person selling any drinks

or sweet biscuits at District "C". There was no economic activity or any other activity generated by having a court at District "C". If you were hungry, you could not go anywhere in close vicinity to get something to eat. It was the most absurd place to place a magistrate's court.

Sir, we came up in the police court system where we believed that you had to have these district courts. That was okay when people had to walk or ride a bicycle from home, but this is a modern era. I am of the firm belief that centralisation of the court system is something that everybody would welcome. The public officers who work in the courts, police prosecutors who would be closer to their central operating offices, witnesses, because the witnesses do not necessarily come from the neighbourhood. The witnesses can come from any part of Barbados and all of the other major participants in the process.

Sir, to my mind centralisation of the court would be the most cost-effective, efficient and sensible way to go. It is something that I have called for since 1987 and I appealed to the Minister of Legal Affairs, who in a previous Ministry agreed with me on this point, to move speedily towards centralisation.

Hon. Miss M. A. MOTTLEY: On a point of order, Sir. I know that the Honourable Member of the Opposition was trying to draw me out since he started his speech. May I say that he is misleading this Honourable House. I have been one of those people in this Government who felt strongly that centralisation of the courts, while attractive on the surface, will remove the power of magistrates to be intimately connected with a district and also exercise a level of jurisdiction over a district, as well as to get to know the characters in a district.

Sir, I must tell you that while the Honourable Leader of the Opposition and I agree on most matters pertaining to judicial reform, this is the one area that we do have some level of differences. I can give the assurance that there are Members on this Side who support centralisation. I genuinely feel that a district or parish must have someone who can exercise legal power there and resolve disputes.

This is a matter on which I am prepared to consult and be guided by the majority of the opinion because at the end of the day it affects thousands of Barbadians and it is not simply a matter of my inclination or....

Mr. D. J. H. THOMPSON: Sir, I am very glad that the Honourable Member made that correction. I was of the view she was one who agreed with centralisation. My recollection of the last debate that we had on this was that even if you centralise the location of the courts, it does not mean that you will be removing the jurisdiction of the

magistrates relative to the way in which the magisterial jurisdictions are divided.

For example, the people of St. John and St. Philip go to St. Matthias but one magistrate deals with all matters relating to District "C". It does not change the relationship. It is not like a magistrate in the United Kingdom who has the assistance of others, what they call Justices of the Peace, which may provide them with that knowledge, but he may be travelling from London to Southampton or he may be going from London to some part of Manchester.

12.10 p.m.

In Barbados, by and large, you are dealing with a few magistrates who get around the country and who, I think, have a sense... It does not mean that you do not have control because when people talked about Perry and the Pine, he was not only dealing with the Pine, he would have had all of the other areas which were depressed and are now emerging, for example, St. Barnabas, the Ivy, *et cetera*. But you are quite right because he saw a need for some influence in a particular area and he exercised it and there would be no reason why a Magistrate sitting in St. Matthias or Bridgetown cannot exercise the same degree of influence over a magisterial district.

I am talking not about breaking down the concept of magisterial districts, I am saying the physical location of the court is what is important. I would agree with anyone who said that you should keep the magisterial districts as they presently are because I think there is some utility to that. What is not important though is for the location of the court to be within that particular district. It reminds you of the folklore about the people of St. Kitts/Nevis and Anguilla who have an unspoken law that they will never sleep in the other's territory; they will not sleep overnight in St. Kitts, even if they get the last ferry back because of the tension that has always existed between them. The point is that each area has its own character and within a specific magisterial district, you may have two or three districts of people who, historically, have been hostile to each other. Therefore, the role of the magistrate is to apply the laws and the rules to deal with the social relationship, but that does not come from where he or she lives, neither from where the court is located, it comes from having an approach to justice which admits the considerations to which the Honourable Member for St. Michael North East talked about.

Sir, there is another option which is to introduce an intermediary ear into the court system that will deal with issues of remand and bail. In the Information Age, there is no reason why a court cannot indicate to an intermediary court whether it is ready to proceed with a matter. There can be that turnover of 30 prisoners in a location under the

jurisdiction of one magistrate who is responsible for bail, remand and specific applications; then that court will liaise with District "F", "E", "C", *et cetera*, to find out whether they are ready to proceed with the matter at hand. I believe that would introduce some element of efficiency and ensure that the resources that are needed for the prosecution are not applied to the wasteful efforts of having to deal with cases of remand on a weekly basis.

The third recommendation is a long-standing one which this House has debated on several occasions which is to develop a corps of prosecutors other than policemen who would deal with all of the matters in the magistrates' courts. Therefore the police who have the experience in investigation and other areas can then be deployed to undertake that because it is very wasteful to have some of your better managers in the Police Force involved in prosecutorial work rather than focussing their attention on where they are most needed. It certainly would not be that difficult for us to identify a cadre of prosecutors in Barbados, whether on a case-by-case basis or employed by the Crown. There are a large number of lawyers in this country and I believe that they could be quickly identified. There are even some policemen who are doing law degrees who are looking for an opening to come out of the Police Force and go into other areas, who I am sure, would like to see a department like that being established which can utilize their skills to a higher degree.

Sir, the fourth point is an over-arching consideration which is, to my mind, to remove some of the unnecessary pomp and ceremony from the court system in Barbados and to introduce a more businesslike and efficient process. That has always been my view. I am not as wild as Judge Pickle was to suggest that people should be allowed to come to court in jeans and slippers, *et cetera*, but I still believe that there are a lot of procedures that obtain in the courts in Barbados, which do not add to the authority of magistrates. They think that the procedures do and very often, because lawyers want to keep their exalted status, like to pretend that something is more complicated than it really is, but the highest court in Barbados is the Privy Council in England, a place where five men sit at a table like this with no gowns, no wigs, carry out their business in the most efficient manner. It is laughable to see them like that and lawyers having to wear wigs, gowns and other paraphernalia to argue matters before them, which tells you that either the legal profession itself does not want to change and the judges do, or that the entire system has been stood on its head and the most efficient court is the one with the least work – and that efficiency does not derive because it has the least work because even if you were to give those older heads in the Privy Council more work, they probably could not do it because of their age but the point is that it is run efficiently and effectively. As I say, it makes some of the paraphernalia and some of the ritual which lawyers

engage in almost laughable when one sees it in operation in the Privy Council in London.

I think we need to be more businesslike and efficient. We need to get to the stage where that is what we are focussing on so that judicial officers are by themselves able to manage their case load better; so that prosecutors can manage their case load better; so that investigators can manage their case load better; so that users of the court, whether accused persons or litigants in civil matters or witnesses, can manage their time better and juries and all of the individuals involved in the court system.

When this is looked at, it is a lot and is not going to decline. The mere fact that the Honourable Member for St. Michael North East has been frank enough to tell us how the prison population has climbed and what the level of resources will be required to put behind managing those in prison as well as the many others outside of prison who are merely knocking at the door, it tells us that we have to be serious about ensuring that trials are swift and efficient and that the entire court process system in Barbados is much improved.

Sir, the Minister therefore has made some comments about the reason for it in relation to this particular amendment. As I say, if perhaps he can deal with some of the other structural and administrative issues in the administration of justice, this amendment would not have been necessary. I do not place the blame at the Minister's feet because, as lawyers, we all know how difficult it is when dealing with preliminary inquiries far less matters which are for summary trial, for the prosecution to get ready. Then, very often, they are ready and you are not, because you are so tired from working yourself up to the point where you think the case is going to be heard – doing your research – and then when lawyers get to court, there is some flimsy or legitimate excuse used to adjourn it.

At the same time, I would not recommend to the Minister that she place too much emphasis on the readiness or non-readiness of the prosecution. I have stood up in courts on many occasions and heard the prosecution say that they will be ready on the next occasion and the magistrates have warned them that if they are not ready on that occasion, the case will be thrown out. But still on the next occasion all of the individuals stand up and go through the same ritual and the magistrate forgets because he or she did not make a note that he or she had promised, on the last occasion, that it would be thrown out the next time it comes up or the magistrate gets cold feet because the matter is so controversial or the day before that something similar has happened and he does not want the Press to seize on his decision to throw the matter out so that the matter is simply adjourned and adjourned for evermore. Therefore, I do not think that this amendment is going to do a lot more to speed

up the process unless it is accompanied by many of the other changes that I think are necessary and desirable in the system.

As I understand it, a magistrate has no discretion except in cases where sentencing or a request for medical examination has been sought, or where the person has consented to adjourn the case for a period longer than the eight clear days. Therefore, under this system, all three of these will operate in addition to the magistrate being able to exercise his own discretion after hearing representation from both sides about whether the matter will be ready to come on for hearing. Therefore, I see nothing in principle wrong with that because I do not think that it substantially alters the present scenario and unless a magistrate uses remand... This is the major concern that one has to have and the Honourable Member for St. Michael North East, I am sure, knows about some situation like that, where magistrates have used remand essentially to punish persons before they are convicted, at the stage at which they are only accused.

I have heard many complaints by lawyers who find it perplexing that their clients have been remanded for three or four weeks, even though they come down every week, for no reason other than the fact that the magistrate believes that the individual is guilty, or may believe the court cannot prove it therefore he is going to inflict that punishment. We have seen people being remanded for not speaking in the dock and I had to speak out about that nonsense that was going on in this country when I first became a lawyer. Nobody sought to find out what was wrong with the individual. The magistrate simply assumed that they were being belligerent. Nobody tried to find out if the person was mute, suffering from some mental problem, could not plea or was frightened.

Sir, there have been many proven cases throughout the world of autism. There is another affliction that affects people when they get in front of people, where children cannot speak when they get in front of authority figures, whether teachers or their parents. Sir, you as a teacher will know that can happen in a normal situation, a loving relationship even between teachers and students, a loving relationship between parents and children and somebody may suffer from that kind of disability. I only saw it happen on two occasions but I thought it was two occasions too many, where the magistrate was of the opinion that the person was not talking therefore he would remand them to Glendairy Prison for the week. That is the kind of behaviour that I cannot support at any cost, therefore, one still has to be extremely careful that so much power is not put in the hands of magistrates in our system to permit them to do this kind of thing and invariably when that happens the person is not represented. It is not going to happen to the person in the dock who has an aggressive attorney or even an attorney who is not aggressive. Invariably one sees that kind of thing happening to the person who is not represented.

Asides.

Mr. D. J. H. THOMPSON: I agree and this is one of the ways in which our system has turned itself on the head. We have people who are not represented, very often are not treated with the kind of care – and one has to be careful when using the word “compassion” because it is fashionable in Barbados for editorial writers to take the opposite view that no accused person has any rights in Barbados at all and that you are a bleeding heart if you take any position that suggests such. I saw one only in today’s paper where someone was talking about the rights of students and the person was basically saying that they do not have those rights. That cannot be modern Barbados. I say again, in the context of the manner in which our court system functions, we have to be ever conscious of those persons who are unrepresented and make sure that these provisions are not used against them.

On some occasions lawyers may speak out. Some of them may get penalised for speaking out, as has happened but, at the end of the day, they have a duty to the society because today is for me, tomorrow it is you. Therefore, I think that any powers that are given, and the Honourable Member for St. Michael North East will make it clear that when we extend the powers of magistrates or of any judicial officers in Barbados then it is expected that they would use those powers sensibly and compassionately and not use those powers to take away rights and to disadvantage persons who, for one reason or the other, may come to them under difficult circumstances; but to use that power to ensure that they safeguard the interest of the society as a whole. Sir, that is why I can support the second amendment. I see nothing wrong as long as those powers are used fairly and sensibly within our system.

There is just one slight matter which is in Clause 4, it refers to the word “shall” in the third line. It appeared in the third line in the Bill but I can see in the Act it is actually in the 4th line:

“246: Subject to subsection (2), upon notice of appeal being given and such recognizance being entered into, the magistrate before whom the recognizance is entered into shall liberate the appellant, if in custody, unless he is in custody with respect to any other charge or matter and the clerk shall, with all convenience dispatch, transmit to the Registrar

- (a) three copies of the record of the proceedings; and
- (b) all writings and other articles exhibited by the witnesses or any of them inventoried and labelled or otherwise marked so that the same may be identified on the hearing of the appeal.”

Sir, the word “shall” appears twice, I think it is important to make sure where the discretion is being given in this particular section.

Mr. Speaker, to just summarize quickly; I believe very strongly that the Minister needs to look at the question of centralising the operations of the magistrates’ courts in Barbados without breaking up the magisterial districts; to look at greater efficiency and resources for the prosecution which would include having persons other than police officers prosecute cases in the magistrates’ courts in Barbados and to make the entire court system more businesslike and efficient. This amendment will go a little way but without the other qualitative changes they will not make a lot of difference and we have to be conscious in giving additional powers and wider discretion to judicial officers in Barbados that they need to exercise that discretion fairly because it is not the intention of me – and I believe I speak on behalf of most persons here – to reduce or restrict the rights of citizens in this country by way of amendments which should really improve the efficiency of the court and nothing else.

Thank you, Sir.
12.30 p.m.

Hon. R. N. GREENIDGE: Mr. Speaker, I want to begin by agreeing with the Honourable Member for St. John that the time has now come for us to look at the location of our magistrates’ courts and, indeed, I think it would be a good time for us to re-examine the geographical jurisdictions of our respective magistrates’ courts.

First of all let me say that when I was practising in the magistrates’ courts, I could not predict on any given day what a magistrate would do in relation to bail. Some magistrates were more liberal than others and would give bail in instances where you least expect bail would have been given.

Sir, I remember we used to term some magistrates as prosecutors. I guess some of them came up with that in them, a lot depended on where they worked first and a lot of them came and were seen as prosecutors and those magistrates always tended to be a bit more stingy with bail than others. As the Honourable Member for St. John said, there were instances when we all felt that the magistrates were, from time to time, remanding persons as a punishment, using remand as a way to punish the accused persons.

Having said that, Mr. Speaker, let me also make this point that very often the granting of bail in the magistrate’s court depends on how the surety presents himself or herself to the magistrate. The magistrate is able to see the surety

and is able to gauge from the demeanour of the surety whether or not this particular person does exert that amount of influence on the accused person and would therefore be able to influence the accused person to return or to reappear at the court.

Mr. Speaker, it has been said on more than one occasion in this House that just as some magistrates are liberal and some are not when it comes to the granting of bail, the same thing happens with sentencing. You get a person who commits the same offence under the same circumstances, appearing before one magistrate and being sentenced to one year. You may get the same set of circumstances and another magistrate would give a sentence of two months and there is sometimes that wide disparity in sentencing.

I would believe, Sir, that the obvious answer to this is that we must now have a system of training for judicial officers so that they will know exactly what is the role and the method of sentencing. I think this is what is needed, more practice directions, as I am being urged by the Honourable Member for St. Michael North but they need this guidance. Sometimes it is too wide and if we do not pay attention and be serious about such training, we are always going to have this discrepancy in our courts.

Mr. Speaker, right now, in terms of the legislation dealing with the period exceeding eight clear days, we would now want to give the magistrate jurisdiction and power to remand an accused person in custody for a period above eight clear days. The point of the matter, Sir, is that right now this discretion does not exist under the Magistrates' Courts Act, so the magistrates cannot hold accused persons in custody beyond those eight days. Otherwise there would be a certain authority which they do not possess under the Act. If they do this, their action would be termed in law, as *ultra vires*, they would be doing something which they do not have the power to do.

Basically, Mr. Speaker, what we are doing here is extending the jurisdiction of the magistrate. Sir, as has been said by the Honourable Attorney General, the magistrate now can do this but he can only do it with the approval of the accused person, if he wants to remand the accused person for more than eight days. The Attorney General also pointed out that very often you do get the situation where the accused persons, because of the inconvenience of having the shackles and so on, always say they would rather be remanded for an extra month rather than an extra week.

The change will now give the magistrate the authority to withhold bail, virtually in the same way as the High Court. I have to say, Sir, that we should not see these changes as any attempt by the magistrate's court to usurp the power of

the High Court and I am referring to both amendments. Indeed, Sir, it is just the opposite because we have now reached the situation where more and more, the magistrate's court is being called upon to act as an adjunct to the High Court. There are many hybrid cases and I mean a case which can be tried either in the High Court or in the magistrate's court.

Sir, in every instance that you go before the law court with what you consider hybrid, the magistrate is under the duty to ask the accused person, would you rather be tried in this court or the High Court? Invariably, the accused person elects to be tried before the magistrate's court. I believe the accused, or the attorney of the accused would consider the magistrate's court sentencing to be a bit more lenient than the High Court but the majority of them prefer to be tried before the magistrate's court.

I am saying that it is because the magistrate's court is being called upon more and more to do a lot of what the High Court does, we also have to ensure that they are given certain powers in a way which would bring them not necessarily on par, but where they would be able to deal with these matters virtually in the same way that the High Court would deal with them. So the magistrates' courts is virtually sharing the work with the High Court and of the High Court and this amendment is allowing them to deal with cases virtually in the same way.

12.40 p.m.

Now, we are moving to a situation under this amendment where rather than remanding someone in custody for eight days you can remand the person for a month at a time and so on. I would hope that a corresponding level of efficiency is going to accompany this amendment. I think a similar point was also made by the Leader of the Opposition. Personally, I have always felt that outside of the obvious instances of treason, murder and so on that no individual should be denied bail for the sole reason that the prosecution is not ready. That very often is what happens in our court system. The only reason that the person has been denied bail today after coming to court for three or four months is because the prosecution is not ready.

I have to say, Sir, that a month at a time for eight months is a long, long time. There is talk about calling witnesses and so on but a person can be there a month at a time for eight months and the prosecution can call one witness, no more. This is something that we have to watch very carefully because even though you are going to put a proviso in there to say that you have to call witnesses if you want to use this particular provision you have to remember that you can call two witnesses and then relax yourself and keep bringing the man down but these things are certainly not right. A month at a time for eight months is a long time

to have someone incarcerated only on an allegation. We have to realise that when this man is coming down to court time after time that he is only in prison on an allegation, nothing more. He has not been found guilty of anything but he is being kept in there for a year or more and you just keep bringing him down.

So I would hope that this amendment would usher in with it a more sympathetic and a more concerned approach to the plight of accused persons. I would definitely hope that is what would entail after this amendment. I would like to see more time frames and more directions given to the prosecution as to how these trials should be managed, for example, by a certain time this should happen and if by a certain time this does not happen, you will have to give the accused bail. I would like to see those directions accompanying this particular provision because in my experience I have found that too often the prosecution refuses – I have to say that – to marshal the evidence speedily or properly and the police prosecution simply comes in and says they are not ready to proceed with this matter. It cannot be right or fair to the accused person who is in jail based merely on an allegation.

What is equally important is that we have to remember that the courts' function is not to convict the accused and I hope that point is made clear. The courts' function is not to convict the accused, the courts' function is to ensure that justice is done to the accused and justice includes having a fair trial and not keeping someone in jail for two or three years only on an allegation. So I personally, Mr. Speaker, would not mind if there was a proviso saying that there should not be any adjournment after, let us say, eight or twelve months or whatever unless the person is allowed bail. I would rather see something like that.

Before I take my seat, Mr. Speaker, I have to say that I know of an instance of a youngster who is now at the Government Industrial School. The only thing that separates our homes is a wall. He lives here and I live here and he has been there for over two years and the same reason or excuse of we are not ready is given and is perhaps still being given. This is a youngster who was taken out of school and has missed a lot of his schooling. I do know why he is there but justice is certainly not being done to him. That matter should have been tried as speedily as possible because justice delayed is justice denied.

I know the other family as well who have lost a youngster. In fact, I am very close to both families and both families have said on more than one occasion that they would want this matter dealt with. This is a situation where both families want the matter dealt with as speedily as possible and both families feel that they are the victims of the court system.

So, Mr. Speaker, I welcome the amendment but I would like to see, as I have said, a bit more efficiency, a bit more sympathy and a bit more concern now for accused persons in this regard. Do not give us something with one hand and then pull it back in the same slow and sluggish court system that we have existing today.

I am obliged to you, Mr. Speaker.

Mr. D. St. E. KELLMAN: Mr. Speaker, I rise to speak on this amendment by saying that in order for us to seriously tackle this particular problem we have to recognise the conditions that the magistrates and the court officers work under. For us to make any amendments we first have to consider, after listening to the case that has been presented by nearly all the speakers, that the workload of the magistrates is now nearly as much or more than the judges. Yet these officers are asked to work in certain conditions we would not want for ourselves and the level of remuneration is not appropriate for the demands required of a magistrate. It is true that when magistrates' courts were formed the level of criminality was not as high and we have to understand that our magistrates and officers of the court now have to work under more pressing demands when it comes to certain criminals and the cases they are now asked to deal with are much more serious than when they first took the position and we must consider looking at the whole restructuring of the court system and not just the restructuring of certain laws. 12.50 p.m.

If we are serious about tackling the problems within the court system we must be prepared to tackle them in totality and not only certain aspects. I think that the Honourable Member for St. Michael North East who used to frequent the courts fully understands the conditions under which the magistrates operate and the complaints coming from the magistrates as it relates to their terms of service.

I hope that the Honourable Member will make haste and send the necessary recommendation to the Ministry of the Civil Service provided that the Honourable Member has not done that already. Looking at the look on her face it is clear that she has done so and we can get some action from the Ministry of the Civil Service to rectify this particular problem.

I also want to say, Sir, that we also have to be very careful when we seek to lump all cases in a particular location. We have to understand that a police station at Crab Hill cannot be the same thing as a police station at Central and in the same way a court in rural Barbados cannot be seen as a court in urban Barbados. We have to be very careful how we blend certain situations together and that we are not creating a bigger problem trying to get justice to be very efficient but not recognising that sometimes we might be eroding something we have been protecting.

I would advise, Sir, that the money factor cannot be the only factor but we have to look at the social fall-out. I understand the importance of bringing the courts together because once there was a court at District "E" and now District "E" and Holetown are together. There is logic for that. I can understand putting a court where people can easily get to it but, at the same time, we have to be very careful where we locate those courts. I would advise that not only the money factor be taken into account but we also look at the social fall-out that can be created. We have to be very careful how we blend people of different cultures together. People will say this is small Barbados but rural behaviour and urban behaviour is different. That is one point that should be taken into consideration in dealing with a matter as important as this.

Sir, I have heard a lot of talk about magistrates giving different sentences but we have to recognise that discretion must be kept in their hands especially when there are other factors. If the cases are the same and there are not other factors to dictate that the sentences should be different, then the sentences should be the same; but when there is clear evidence that a magistrate has to use his discretion on a particular matter, we cannot expect, especially when advice is sought from other sources, to judge sentences just because of what appears in a newspaper, *et cetera*. You must know the full facts of that particular case.

I am also requesting that magistrates recognise the particular problem that we are dealing with and I believe that if we have a system where all the prisoners leave Station Hill and go to certain courts along the way there are other matters that can be dealt with by the magistrates before the prisoners get to the courts. I am suggesting that it has more to do with allocation of work than actually changing certain laws and situations. Nobody can tell me that if you are working in a court in St. Lucy and a bus is coming from Station Hill and you start your court at nine o'clock that you are going to start your court dealing with cases of prisoners coming from Glendairy. I know that magistrates do not do that. So all those who would want us to believe that we have to change systems because the magistrates all start the courts dealing with prisoners and cases that relate to prisoners, would have to be wrong. Magistrates would know that there are certain local matters that they should push forward so that when the bus arrives, then they can deal with those particular cases. I would find it rather strange, Mr. Speaker, if what I am saying is not correct. Surely, Sir, I would hate to believe that we would have to provide a guide for people who should know better. I know, Sir, that it cannot be so, that those magistrates know what to do and how to allocate their work. All I am saying, Sir, is that in order to improve our court system we also have to improve the conditions of work of those magistrates.

Thank you, Sir.

SUSPENSION OF SITTING

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I beg to move that this Sitting be suspended until 2.00 p.m. today.

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

Mr. SPEAKER: Before I move the suspension, I would like on behalf of all Members to welcome the Honourable Member for St. Joseph back to Parliament after a brief illness. We wish you well, Sir.

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

RESUMPTION

Mr. SPEAKER: This Honourable House is resumed. The Honourable Member for St. Michael West.

Rev. J. J. S. ATHERLEY: Mr. Speaker, I rise to lend my support to the amendment before the House. Perhaps it would be incumbent to begin by refuting the less than honest suggestion of the Honourable Member for St. John that the amendment before the House represents another stop-gap measure on the part of this Government to respond to a need within the system of justice. This is quite the contrary as it is part and parcel of the progressive initiatives that this Government is undertaking towards addressing the problems and needs that exist within the society.

It is clearly evident that the approach we are taking is a holistic one. It is also evident that the approach we are taking towards law and order reflects a serious level of thinking and planning within the context of limited resources. These policy initiatives are designed to address the systems and the institutions within the total system of justice in Barbados. This is being undertaken at the level of the judiciary, the penal level with reference to resources, facilities and the competence of persons operating within the justice system in Barbados.

The Honourable Attorney-General indicated that shortly we will have the opportunity to give further ventilation to what is critical, important and progressive with respect to the policy framework within which Government operates as we ensure that the issue of law and order remains a prominent one in the whole context of the national development of this country.

You cannot consider this approach to be a stop-gap or *ad hoc* measure because we can speak with confidence about many of the initiatives in place and which are coming on stream like alternative sentencing with special reference to community service.

A brief mention of many of those things on the cards with respect to the policies being implemented by this Government are:

The issue of inmate rehabilitation at Glendairy and educational opportunities for the inmates at that penal institution.

The Honourable Member for St. Michael North East made special reference to the matter of parole which is under consideration and about a department of correction to be established to bring a greater measure of cohesiveness and planning to the whole issue of the penal institutions in Barbados as far as they operate.

The matter of expanded, probational services to move away from what we traditionally accepted as a limited approach to probation supervision.

The important business of curriculum reform at the Government Industrial schools.

The matter of psychological services and counselling to be offered more fully at the Government Industrial Schools because of deviant behaviour and to those who become inmates at Glendairy who are not criminal-minded but have run afoul of the law because of some mental deficiency.

The business of forensic services which must be a part of the new wave to policing and investigation to bring our investigative services more on par to what is obtained in international jurisdiction so that heavy reliance upon eye-witness testimony is not the singular prominent feature in those investigations.

The whole business of computerisation at the level of the registry and the court system.

The matter of continuous assizes which is of particular relevance to this particular amendment here today and the whole matter of human resources development.

As I said, this is a brief mention of many of those things on the cards with respect to the policies being implemented by this Government to ensure that law and order is seen as a significant issue in the context of ongoing national development.

We are very proud of the level of development we have witnessed and experienced in this country. The majority of

us here have been privy to this to the extent that in our lifetime we have been citizens of two worlds because Barbados today is not the same Barbados as when I was a boy only a few years ago.

Our economic, social and human development and quality of life is such, that the truth be admitted, some of our systems and institutions have been left behind in the wake of this national development.

I see the Government's policies with reference to these particular amendments as part of that carefully thought-out effort to bring on line some of the systems and institutions of our society which have been left behind in the wave of our overall national development.

Clearly these amendments are designed to address the deficiencies of the system in adapting to the pressures which are part and parcel of the reality today in which the system exists at the level of the prisons. There are all types of pressures created by force of numbers and the need to move inmates from point A to B. At the prosecution level there are pressures brought to bear on the system. Honourable Members spoke about the long time it takes for cases to pass through the judicial process but we must be able to respond to those pressures. This amendment seeks to give greater capacity to the systems to adapt and respond to these pressures.

Reference was also made to the manpower resources which must be made available not only by the prisons but, indeed, by the police from time to time when there is movement of inmates from Glendairy to point "A" or "B" on a day-to-day basis.
2.10 p.m.

There is also a nuisance factor which must be addressed with reference to such frequency of movement of inmates out of the precincts of Glendairy prison. Indeed, I have heard some inmates who have experienced the frequent movement from the prisons to the court on a weekly basis, speak of the fact that it becomes much of a nuisance to be carried dutifully every week to the court to hear that police are not ready yet to proceed and then it is back to Glendairy until the inevitability of the next week's deadline. So there is a nuisance feature associated with this exercise.

Reference also clearly can be made to the paperwork which is always attendant upon such processes, perhaps unnecessary paperwork which is attendant upon such processes because of the frequency of movement associated with those processes and, of course, the cost. As I understand it, you leave Glendairy and you are carried to the court to face the magistrate and you are attended by your

legal representative. There is a cost involved in having to go each week to make an appearance which really does not further your case. It just adds to your cost in terms of legal fees, as I understand it.

Security considerations must rank high in the context of this amendment which is before us. Transporting those who are criminally bent from Glendairy to the courts across this land is of necessity a risky business. We cannot continue to delude ourselves that we will always be operating in a situation where those who are responsible for such transportation and for the supervision of such movements, indeed, the wider society, will always be free of the threat of some form of assault, attack or injury that outflows from that situation.

We increase the risk by frequency of transport and movement and you should bear in mind that these days we have a criminal element amongst us who may not be of us but who are much among us and whose criminal activities tend to evolve the scourge of the drug trade and the monetary benefit to be derived from that activity. We understand that persons involved in this activity are not usually indisposed towards the use of violent means to protect their interests, trade and allies. Therefore, we understand that involved in these exercises of transport, movement and frequency of trips from the security of the penal institution, it would create the kind of risk that we would perhaps be better served not to be exposed.

I am glad that the amendment seeks to preserve and protect the rights of individuals even within the context of the proposed changes. I applaud the fact that such non-appearances before the magistrate would not exceed a period of 28 days. We are familiar with jurisdictions and practices elsewhere, within the context of which persons are made to be imprisoned before seeking a magistrate for a number of years, and after having seen a magistrate on one occasion, they are remanded for a number of years. We would not want to mention the names of any countries here but certainly, this is very much the practice in certain Latin American states where long years are spent on remand behind bars.

Indeed, I know of one particular situation where the remand population is much higher than the resident population. Clearly, we would not want to have that kind of situation here because we do not have the facilities for such. Certainly, our systems are not so deficient that they cannot handle these people in a better way than that, so I applaud the stipulation that the period in remand, without coming before the magistrate is no longer than 28 days.

Sir, these are the considerations that I think we need to look at as we discuss this amendment. I am not a lawyer and

do not know the legal ramifications and implications. There are many others who are of that disposition in this Honourable Chamber and I leave that to them but, as a lay person, these would be my concerns. The amendment reflects the fact that we have an increasing number of foreign inmates at Glendairy prison.

The Honourable Member for St. Michael North East pointed to the fact that perhaps eight per cent of the persons there are from countries outside of Barbados. Indeed, if you check the national origins of the inmate population at Glendairy – and if you do not include non Barbadian West Indians, if you do not include other Caribbean nationals at Glendairy – you will find that we have persons up there from 13 countries around the world. We have people there from Africa, North America, six countries in Europe. We are now in fact supervising policy here for an institution which has become quite international in terms of its inmate population; and that is not something that we ought to be careless about.

Therefore, there is the intrusion of foreign cultures which bring criminal activity and thinking that we do not identify with, even at this stage. Sir, whether they be Latin American, African, European, we have to be careful with the handling of them and I think that this measure enables us to move towards that objective.

The Honourable Member for St. John points to the fact that the growing numbers at the prison reflect on crime. That may or may not be true. The statistics tend to suggest that there is a decrease in crime, whereas there might be an increase in certain types of criminal activity. I think the police must also receive credit, because what we are realising and what must be applauded is that in difficult circumstances – perhaps not as resourced as we should be able to make them – the police have been having success in investigating and solving crime. I think that we should commend the Police Force for the tremendous success that they have had, especially over the past year, in investigating and putting a halt to some of the crime with reference to the drug activity around our shores and sometimes within our shores.

I see this measure and the overcrowding with which this measure, perhaps by some people would be associated, as testimony to the success of the police and not singularly to an increase in the levels of crime. Of course, certain types of crime may get very incumbent upon us that we protect the security of this State. Basically and above all else, is the responsibility for the security interest of the State. I think any initiative which is taken towards that objective, without interfering with or detracting or in anyway taking away from the rights of the individual, is to be commended and supported.

It is within that view, Mr. Speaker, I would wish to offer support to these amendments.

Thank you.

Mr. M. Z. WILLIAMS: Mr. Speaker, I, too, would like to lend my support to the amendment to this Act before Parliament here today and to see it from most likely the angle as similar to what the parliamentary representative for St. Michael West said, that is, not from the point of view of a legal aspect but from the point of view of a layman.

When you consider what was said earlier by the parliamentary representative for St. Michael North East in relation to the burdens placed on the officers in the movement of inmates to the various locations across Barbados, then one must understand clearly that it has to be a very tough situation in terms of cost to the parties concerned and also to the taxpayers of Barbados as far as that movement on a daily and weekly basis of the inmates.

It is not only the reduction in manpower at the prison, but it is also a case where it involves a considerable amount of money in relation to the movement of vehicles, the cost of gas and time spent in transporting the various inmates across Barbados to the various prisons. The important factor here, Mr. Speaker, would be that the time of 28 days is quite reasonable but we must also look at the fact that there are many people who could be on remand for the 28 days, and at any one time a large number of people are likely to go before the courts because the 28 days of remand have come upon them. As a result of that, there is still the situation where the burden of manpower and the production levels at the prison might have to suffer.
2.20 p.m.

I personally believe that a situation that can rectify that is something similar to what has been said by the Honourable Member for St. John in that you may need to look at having more courts across Barbados and longer sittings of the magistrate's courts as far as certain cases are concerned.

We know of situations in Barbados where cases are pending for almost two or three years and that person is either on bail or in some cases may have applied to the High Court for bail which was refused and there is the possibility that the person could be on remand for a considerable amount of time pending the charge which they are held on.

I was wondering if a provision cannot be made within the precinct of Her Majesty's Prisons to have some sort of court similar to the magistrate's courts where certain cases can be heard so as to reduce the amount of manpower and

the tremendous transportation cost which will result from having to take the inmates to court.

There has been talk of the security risk as far as that is concerned, but I believe that with proper provision and with proper thought being put in place that it can be done. This will allow the inmates to stay on the compound when the time comes to have their cases heard instead of the external aspect of it where they will have to travel to one of the out stations. As I said earlier, I am sure that with the provision of maximum security this can be done.

Barbados does not have a parole system in place as yet. It is being talked about and there is a possibility that there will be a parole system. It is a known fact that if there was a parole system in Barbados that most of the parole cases would be heard within the precincts of the court. So the case I am putting forward will reduce a lot of the high manpower cost because it will just be the case where that particular inmate can be moved from one block of the prison across to the particular hearing and you would not have to have all that manpower in terms of the security and the heavy support of transportation that is required to move that person to any point of the island. So we must look at that if we are looking at a cost saving factor.

The other aspect I want to look at is the prison population. Because of the density of the prison population there is the possibility of someone on remand having to rub shoulders with persons who by right are hardened criminals or with some persons who by right have not lived a straight life. It is alleged that some of the things that have happened in Barbados are planned behind the walls of the prison because some person or persons are unable to get on to the road before that other person. We have situations of behind the wall planning of certain devious deeds that have happened in Barbados. So when we look at remand, we must look at it in a situation where that person who is on remand and is likely to be on remand for a considerable amount of time can be faced with a situation of dealing with someone who is a hardened criminal.

We must also look at it from the point of view of someone who is being held because of a debt. The prison population has to receive these types of people and as a result of that there is a heavy burden on the manpower for the daily supervision of the inmates of Her Majesty's Prison.

We have heard in this Chamber that in many cases the police are not ready to proceed with the evidence before the court and because the police do not have the evidence to place before the court that person is likely to be on remand for a period of time in order to give the police time to investigate the issue. So if there can be speedier investigations of certain cases then there is a possibility that we can reduce the prison population, because the police will

then have the evidence to lead with and then there is the possibility because it might not have been a heavy charge that the person might be able to be released instead of being placed on remand. That is another aspect we have to look at.

So it is a case of looking with all parties involved not only to see this as an extension for remand for 28 days but also as a situation where we can look down the road and probably try to solve a lot of the problems in this area.

When you consider that you have to move an inmate from the prison to, let us say, the station in St. James and then you have to move another one to Oistins, you have a situation where a person will be outside the walls of Glendairy most likely for an entire day and then those inmates who are held in the holding cells at Central Police Station have to wait in some cases until the other cases are heard at the various courts across Barbados before they can be returned to Glendairy.

So we have to think in terms, as the Honourable Member for St. Michael West just mentioned to me, of whether those inmates are fed while they are being held for an entire day while waiting for transportation to take them back to Her Majesty's Prisons. So that is a very serious situation. You have to think of the human rights aspect of it as well in terms of the inmates who are likely to be diabetics or who may not be so well. These inmates who are placed on remand are just being held for an entire day after going before the court for 10 to 15 minutes to have a matter heard. Unfortunately for them, they cannot be taken back to Her Majesty's Prisons at that particular time because all of the manpower is sent to the other stations across Barbados to wait for other inmates and the results of those various cases that would have been held at the various courts across Barbados. So, Mr. Speaker, you have an inmate being held in the holding cells at the stations around Barbados who is not being held just there but is being held there waiting to be taken back to Her Majesty's Prisons to be fed.

Apart from the amendment before Parliament, there are certain points that we must understand fully that are extremely important not only to the inmate but to the warder or the supervision of the warder because as a right the warder is likely to move from there probably to get something and then you will have a situation where the security is at risk because certain families knowing that the person is on remand will assemble at the various courts across Barbados and will send messages or packages to the person and in some goodwill it is carried and the person receives the package which means that it is outside of the visiting hours of Her Majesty's Prisons. So then you are taking another security risk as far as having prisoners who are held on remand for a long time and who are given the right on a

weekly basis to move from point A to point B because they might have more than one case pending before the courts. 2.30 p.m.

Mr. Speaker, I believe that this is not the Barbados that it was many years ago and it is obvious that certain conditions will have to be looked at and certain changes will have to come along with time. We know for a fact that there are certain serious cases before the courts that people cannot be given bail and it is unlikely that they will be given bail because of the seriousness of the charge. Again, we must also look at some of the cases before the courts in Barbados. I remember that sometime back there was a learned lawyer who questioned the point of remand, that it seemed that people were getting put on remand for even just riding a bicycle without a light, people were getting remand for certain things. I am not questioning the right of the magistrate to place a person on remand, but we must also understand that there is a question of the remand status for certain frivolous crimes that have taken place in Barbados over a period of time and if that does not also cause a burden on Her Majesty's Prisons as to the type of case that has placed that person on remand there.

I think we need to look at that as well and to understand clearly sometimes that if it merits remand or if in the case of some person who, in truth and fact, is not a Barbadian, there is a possibility that that person might be difficult to get back to court because there might be a way of that person skipping the island and removed from being placed before the courts.

We also have another case where Her Majesty's Prisons would have to have a very heavy population because we have cases where people are found guilty before the courts and they are then sent back to Her Majesty's Prisons pending deportation to their various islands. Then you have a heavy situation and a burden that rests on the security services at Her Majesty's Prisons.

In supporting the 28 days that a magistrate can give to a person as far as remand is concerned, I am also supporting the fact that at some point during the 28 days you can have 10 to 14 people who might have to come out during those 28 days. At the end of the day, they still have to be transported to their various stations across Barbados and undergo the same routine. Even if there is a 28-day remand, it is still a repeat of what is likely to happen on that day when they have to go before the court.

In my brief remarks to you here, Mr. Speaker, and to this Chamber, I think that we must look at other areas that are possible as far as remand to prison is concerned. That situation might merit the fact that we look at it from the point of view that the person on remand if he goes before the High Court and asks for bail then he is likely, if the bail is refused, to be held at the mercy of the prison until the case

comes up and again it is likely to be for two years. I read of cases over the last couple of weeks where people were held on remand and it is almost over a year that they were held on remand.

We must ask the question as far as the inmate is concerned, how much time that person was transported to and from a court before the police were in a position to obtain the evidence. Again, the fact that we all must confront is that if the matters were investigated a little faster then there is a possibility that the hearings would be before the court sooner.

You must also look at it from another angle where the attorneys representing the accused are not ready because they are heavily burdened with other cases and they, themselves, ask the court for an adjournment and because they have asked for an adjournment it is likely that the person will be on remand until that particular attorney is ready to deal with that case. So from all angles you have situations that come head-on with the amendment to this Act as far as the 28 days are concerned. They are things that we all must be confronted with and I am hoping that as we go down the road that these human interest matters that I just raised in this Chamber will be considered within the 28 days remand.

Thank you, Sir.

Hon. R. C. EASTMOND: Mr. Speaker, I am heartened at the observations made especially by Honourable Members on this Side. I used to wonder over the years why every week you would see a bus load of prisoners brought down to the magistrate's court and then almost to a day the next week the same bus load. I used to wonder what cost there would be if a proper system could be devised by which that problem could be averted.

I used to wonder, for example, what would be the cost of the actual transport, what would be the effects on the prison where scarce personnel, employed primarily to function within the prison, literally had to be a type of security guard on a bus and remain in the courts for the duration when there are matters affecting those under their charge are brought up.

Mr. Speaker, I welcome the proposals to amend, but I want to make some observations in line with a submission made by the Honourable Member for St. Philip North. The Honourable Member for St. Philip North was quite clear when he said that currently before this amendment a magistrate would have been compelled to abide by the law and could not, except for one or two exceptions, remand a prisoner or prisoners for more than what we can call the statutory eight days.

Consistent with the submission of the Honourable Member for St. Philip North, let me say, Mr. Speaker, that magistrates derive their magisterial power and authority from statute. There are courts of law in this world which have what we call an inherent jurisdiction. Where a court of law has an inherent jurisdiction, it has a veritable plenitude of power to act whether or not a statute enables it to act.

A magistrate, however, does not have that plenitude of power, has no automatic inherent jurisdiction, does not even have an equitable jurisdiction but a magistrate gets his or her power from statute. Cap. 116 and Cap. 116A are enabling statutes. Where a body owes its authority to statute and has not inherent power, then it is very much prone to a judicial review if it does not function within the four corners of the statute and if it does not observe the principles of natural justice.

The philosophical point I am making, Mr. Speaker, is that in clear circumstances where a magistrate can only act in accordance with how the statute enables him to act, then clearly over time we would have this problem where magistrates could not remand for periods longer than eight days unless the person remanded had agreed.

What would lead a person to want to agree to a greater period of remand than the statute provided? Either there must be very special pull factors in the institution that would encourage the person to want to be there or the person might have considered that he or she would be safer being on remand for a longer period of time than the statute laid down.

What we are doing today is enlarging the period during which a person can be held on remand and in so doing we are allowing magistrates more power and authority than they have had up to this point of time.
2.40 p.m.

The Honourable Member for St. Philip North said that if an accused person on remand did not consent to an extended period of remand, then the magistrate would be acting *ultra vires*. This means acting in excess of one's statutory powers and would be susceptible to a process called judicial review where a higher authority, the High Court, would enquire into the behaviour of that inferior tribunal to make certain that it was acting according to law. If it was found to be acting out of proportion to its power or beyond its powers then the action would be squashed by way of a process called "*certiorari*".

Mr. Speaker, because of a number of policy elements, the Government decided to bring this amendment to allow for more commonsense to prevail in the way in which the system is administered. Clearly, Mr. Speaker, there will

be occasions on which a magistrate will be minded to remand a person in custody either because of the person's tendency to want to interfere with witnesses or the person's tendency not to show up in court or a number of other factors.

I do not think the average magistrate would grant bail or remand whimsically. Most magistrates would weigh in their minds the relative advantages or disadvantages in admitting a person to bail or to remand such a person. A person on remand, even though his liberty is taken away, is not on a real sentence as such but, at the same time, in instances where a serious offence has occurred and the likelihood of being put on bail is not readily forthcoming, then there must be some system by which those who are refused bail are kept safely in custody, especially when the interest of society must be protected.

Mr. Speaker, a system where scarce resources are stretched to the limit, is a system in need of review. The system is in need of review because the more frequent persons on remand are transported to and from Glendairy, the greater the risk of their trying to escape. There is no question that extending the jurisdiction of the magistrate will impact favourably in terms of cost savings.

Mr. Speaker, I will conclude by saying that where a magistrate's power is confined within narrow limits that magistrate would not have the type of latitude or flexibility which justice would require and warrant and the amendment significantly enlarges the scope and jurisdiction of magistrates.

This amendment is desirable and is going to achieve cost savings and will allow for less pressure on the administration of Her Majesty's Prisons. At the same time, it will permit magistrates in their deliberate discretion to determine whether or not a short period of remand would be fitting in the circumstances or whether it should be a longer period.

Mr. Speaker, I think the statute is capable of the interpretation that there is still a measure of flexibility so that a magistrate who feels that 14 days remand would suit the circumstances would be free to do so and a magistrate who feels that 21 days remand would be justice in the circumstances would be free to do so.

I see this amendment as signalling further penal reform and as signalling a way to rethink what is transpiring at Glendairy Prisons. I would not be presumptuous to conclude that in about nine or ten days this Parliament may hear about new proposals to reform the penal system further, either to improve conditions in Glendairy or to set the stage for programmes of reform to be expanded.

It is well known and established that there is a kind of educational programme at Glendairy Prisons where prisoners are given the chance to study within the confines of prison and even to write certificates. Empirical observations show that most people incarcerated in Glendairy are young people. In circumstances where there are societal, economic and social pressures on young people, I think that we could be coming to the stage, not anticipating our learned, noble Attorney General, where we could be looking at forms of rehabilitation beyond what we currently have. I sense that is about to happen.

2.50 p.m.

Sir, when a youngster 18 or 19 years old is kept on remand, let us say for four or five months, and then is ultimately in prison for, let us say for another six months and that youngster, even if he is a second or third offender seems to be bent on reforming his ways, then any careful humanitarian prison system should set in train programmes and policies by which rehabilitation and reform should stand central as a philosophical point of departure in terms of bringing back and redeeming people who would have made mistakes.

It exists in the jurisprudence doctrine called "retribution". The retributory theory of justice and the retributory theory of punishment and sentencing seem to suggest that once a person has fallen from the straight and narrow way and has transgressed, that person should be visited with severe punishment. Some people say that the punishment should fit the crime. At the same time, the utilitarian theory based on humanitarianism suggests in circumstances where a person has made an error, yet the person seems to be a person whose ways can be corrected, that rather than inflict the rod of correction in a serious and brutal way, find forms of loving ways to bring back such persons into society. I believe that we can be entering upon an era where the excellent work done by this Government towards penal reform and rehabilitation could be further developed.

I think that the day has come where, rather than treat what prisoners do systematically, we look at the root causes. If a fellow is hungry to the point where he becomes bitter, and in some embittered rage induces on society, because he had a mean and hungry look and because a hungry man is an angry man, we should find resources by which we can feed that man and steer that man towards a course by which he can make something of his life.

I am looking forward when the learned Attorney General brings something before this Honourable House by way of correctional prison facilities that would get to the mind of the wrongdoer to see what are the causing factors inclining certain people towards deviance.

Yesterday, two fellows who normally inhabit a block somewhere in this country came to me in a very gentle and humble way. My initial reaction was that you all belong on the block and when I normally see you all on the block, you behave a certain way and today you are up to some trick because you come to me as though you are disciples of Christ.

Sir, they suggested to me that their problem is that they lacked attention. They told me so, Sir. These fellows go on the block in groups of six or seven and give trouble. Yesterday as a mere twosome, these fellows seemed to be meek and gentle and willing to be somebody good. I am saying that it is possible, especially the young first-time offender could be in that category, a person who is craving attention, a person who has got that attention or a person who has made an error but a person who is by no means a recidivist.

Mr. Speaker, there is no question that when this card called recidivism occurs, it must be dealt with firmly. At the same time, where it is clear that the offender is penitent and has become contrite, then look to see if he can be identified as one of the dozens who are craving an opportunity to be heard. There is no question, Mr. Speaker, if there are currently no facilities in prison for psychological counselling, I anticipate that we have come to a stage where outside of Glendairy, Dodds and Summervale, there is the need for a form of psychological counselling and assessment to ascertain the root causes of deviance, especially among those that we can identify as being other than incorrigible.

Mr. Speaker, I will welcome a full debate on the question of the extent to which a criminal justice system should practise the retributive system of punishment to the extent to which they should go and practise a system designed to reform and rehabilitate.

The Holy Book says that Jesus is prepared to forgive some of us seventy times seven.

Asides.

Hon. R. C. EASTMOND: Mr. Speaker, we have to look at the question of the extent to which, since World War II, we may have wasted opportunities to bring persons back into society; to the extent to which there are those who would not want to come back into society on society's terms and would, therefore, have to have their own regime and a special curriculum for them.

Mr. Speaker, I welcome moves to educate prisoners. Given the opportunity to truly change and make a right about turn, they would be able through the best possible facilities to be guided back into society.

I know persons in Barbados who have been to Glendairy and who came out and never went back and became good examples in their communities. I can call names. For example, I know a chap who did a very violent crime. He became contrite and was so treated in prison as to be given skills there. He came out and vowed never to go back to prison. I think that this should be the attitude and theme informing penal reform. Sir, to take into account that as humans we err and fall short of certain standards but at the same time when we make these errors, we are given a chance.

I am supporting the amendments, Mr. Speaker, without any reservation. As I said, I expect that over the next twelve months or so we are going to get more enactments and policies coming to this Parliament to do something about reforming those persons at Glendairy Prisons. A society that is a caring society will be concerned even when one person goes astray.

Mr. Speaker, I read somewhere about some sheep under a Shepherd and the Shepherd could account for 99 per cent of the sheep and one of the sheep was missing, that loving and kind Shepherd ventured forth to search for that lost sheep. I believe that should be the attitude. I am not talking from the point of view of unbridled optimism or some sort of transcendental idealism. I am talking about a society that has had a colonial past. A society that is now beginning to creep under the stresses of a form of urbanisation that has descended in a little place where urbanisation and the stresses that urbanisation brings, have been able to take the former colonial person and bring him around to a point where his behaviour is not entirely consistent with the norms of those who would normally comply and obey law.

Mr. Speaker, this Parliament must lend its support to every effort to make sure that we identify our people as our most precious resource and find policies where in terms of a human resource development strategy, we take into account the threats to our human resources and look to see how we can have these threats averted.

I thank you, Mr. Speaker.
3.00 p.m.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, Sir, I just want to thank all Honourable Members who have spoken today. The Honourable Leader of the Opposition spoke at length about the need for centralisation of magistrate's courts in Barbados in one physical location. On a point of order, I indicated to him my views which belong to the school of opinion that there needs to be a physical presence in a district to help exercise that level of leadership and exert influence over the behaviour of the persons in the district, while at the same time benefiting from intimate

local knowledge that can only be developed through an intense visiting of the district and an interaction within the district.

While I accept that it is possible to have separate magisterial districts in Bridgetown, I still believe that it is preferable for persons to be passing through, knowing all the key persons, sites and quirks in that particular district in order to better understand what dispute may arise within the context of that district. I also believe, Sir, that it is all part of keeping strong communities.

I do acknowledge, Mr. Speaker, that this is not an instance where a personal opinion should override. I have given the undertaking that we will be consulting on this issue but it is my belief that it is preferable to keep the system that sees us having a distribution of magisterial districts in their localities.

However, I do want to say, perhaps, it is unfortunate that the Honourable Leader of the Opposition believed that my speech and my introduction to this debate were meant to be a far-ranging speech on reforms within the judicial sector. I indicated then and I repeat now, that we will be debating the Attorney General and the Ministry of Home Affairs as one of the first Heads in the Estimates of Revenue and Expenditure next week. Therefore, I did not go into much detail today.

Sir, I can assure the Honourable Leader of the Opposition that a number of the issues that he raised are already engaging the attention of my Ministry and the Attorney General's Office. In circumstances for example where there is a need to revisit a number of provisions as well as a structure which was provided for Barbados that no longer exists, we are proposing a number of reforms which we hope will adequately meet the needs of a 21st century Barbados.

A person who ventures to suggest, Mr. Speaker, that Barbados' criminal justice system has not yet been brought in line with the 21st century reality of modern Barbados would be correct. Indeed, a prison built in 1955 focussing on the needs of a 19th century Barbados and not being substantially expanded since that time, cannot meet the needs of 2002 in Barbados.

I believe that on other occasions I have intimated the intention of this Government to deal with the issue of the establishment of a department of correction and to deal with the construction of a maximum security prison, not at the site of Glendairy. In respect of the judicial system, it is Government's commitment to start construction this year for a new Hall of Justice to deal with the High Court and Court of Appeal of Barbados.

In addition to that, I have asked, since being in the Ministry, the Director of Public Prosecutions (DPP) to

prepare a policy paper on the assumption that all prosecutorial duties in the magistrate's courts by persons who are trained lawyers rather than having police perform that duty on a consistent basis. A preliminary paper has been presented to me but it requires further work and discussion, not only with the DPP but also with other elements of the judicial system so that we can make the best possible plans. It is anticipated that even if we were to agree to this, this is not something that can be introduced before the year 2003.

We have also indicated, Mr. Speaker, that there are other elements of the judicial system that need modernising in respect to how we have cases structured. It has been developed over time with lawyers, accused and prosecutors having to wait, irrespective to whatever time they start. This needs to stop. We need to manage our case load as such that we can give people proper indicative time that they do not spend time doing nothing while in the courts. These are all burning issues but today was not the day for me to speak on them at length, Mr. Speaker.

I can give all Honourable Members the assurance that next week I am prepared to debate the whole week, if necessary, on the reforms in the Office of the Attorney General and the Ministry of Home Affairs.

Sir, these amendments before this Chamber were very specific. It is to begin the process of using both legal and administrative measures to bring the prison population within manageable proportions from the point of view of enhancing the manpower that is available from the existing number of wardens to the existing number of prisoners. If you reduce the number of duties that wardens have to do, then by extension, you have an increase in the number of hours that are available for other duties. Sir, all we are saying is that in circumstances where the accused has already been before the court, where they are physically present, where they have had a chance to make representation and the prosecution can indicate a date when the case is likely to start, the magistrate is empowered with the discretion to remand that person, instead of the traditional eight days, for a period not exceeding twenty-eight days.

Mr. Speaker, equally, I can give the assurance that I am settling with, as I have said on a previous public occasion, officers in my Ministry, the establishment of a committee under the Chairmanship of Mr. Leslie Haynes, QC, to review the Legal Profession Act because there are a number of issues pertaining to the practice of law in Barbados that require review.

3.10 p.m.

Some of them may in fact, remove the mystique of lawyers and others may well bring and require greater accountability from attorneys but what we will try to do is to

review the whole process of change that has taken place in this society since the passage of the existing Legal Profession Act in an effort to make the profession more responsive to a modern Barbados, both in respect to its social needs, as well of its need for economic competitiveness.

There is also, Sir, a belief on my part that there is need for an increase in the number of judges at the level of the High Court, but that will have to come in respect of, or after we are in a position to provide adequate physical accommodation for them. It is for that reason that I hope we will soon be able to start the new Hall of Justice, perhaps within two years and, therefore, put ourselves in a position to be able to respond to many of these needs.

The IADB Justice Project, I will talk more about next week, in respect of how that will improve productivity also but these are some of the things that, I hope, will engage the House's attention on the next occasion when we meet to discuss the Estimates of Revenue and Expenditure. Sir, really and truly it is only for me to say that I commend these two amendments to the Honourable Chamber as worthy of our support and will enable us to:

1. Respond to a direct need from the magistrates themselves to have a discretion of whether or not to grant bail after a person has been convicted pending appeal, where they have not been charged with drug offences.
2. Improve the management of the delivery of prisoners to the courts, while at the same time giving the Police Force an incentive to better be able to start their cases when they are prosecuting and to be able to respond better to the needs of allowing for greater efficiency within the management of the case load in the court system.

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

Hon. R. D. MARSHALL: I beg to second that, Sir.

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

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. D. MARSHALL, the House resolved itself into Committee, Mr. D. CARTER in the Chair.

COMMITTEE

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

Clauses 1 to 5 inclusive were called and passed.

The Schedule was called and passed.

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. D. MARSHALL, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On separate motions of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. N. GREENIDGE, the Bill was read a third time and passed and cited as the Magistrates' Courts (Amendment) Bill, 2002.

ORDER NO. 12 – TO MOVE THAT THE HOUSE RESOLVE ITSELF INTO COMMITTEE OF SUPPLY TO CONSIDER THE GRANT OF SUMS OF MONEY FOR THE SERVICE OF BARBADOS

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. D. MARSHALL, the House resolved itself into Committee of Supply, Mr. D. CARTER in the Chair.

COMMITTEE OF SUPPLY

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

ORDER NO. 12 – RESOLUTION TO GRANT \$7 580 570 FROM THE CONSOLIDATED FUND TO SUPPLEMENT THE ESTIMATES 2001-2002

HEAD 13 – PRIME MINISTER'S OFFICE – \$796 586

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the sums that are being requested in Head 13 on behalf of the Prime Minister's Office range over a number of areas but the major sum there, is really the sum required to pay the special envoy on trade who was appointed in October of 2001.

Barbados will have to continue to face increasing pressure in a number of trade negotiations. Indeed the pace has increased considerably in the course of the last year. We will be facing negotiations at an increased level with the FTAA, in the WTO in particular and indeed, Sir, generally with the ACP/EU relations in the post Cotonou arrangements.

In addition to that, Sir, the requirements for staffing of that office are also included in that sum that is being requested here. Suffice it to say, however, we believe that

the investment in a special trade envoy and the staffing of that office will pay dividends to Barbados because we should not at all be wanting to approach complex trade negotiations without adequate preparation for the same.
3.20 p.m.

In those circumstances, Mr. Speaker, the Government is entirely supportive of the work which would be done by the special envoy who has special responsibility for technology, investment and trade. Equally, there is a corresponding requirement for national insurance contributions and, indeed, plant, equipment and furniture for the equipping of that office.

Under the subprogram of National Defence and Security Preparedness there is a sum of \$519 755 which is required to meet the payment of value added tax on the vehicles imported for the Barbados Defence Force and the alongside charges at the Bridgetown Port for those said vehicles. May I remind this Honourable Chamber that sometime during the course of the last 18 months a decision was taken to re-equip the Barbados Defence Force, the Royal Barbados Police Force and, indeed, the Department of Prisons with new vehicles. In those circumstances, while the funds have been expended for and are being expended for the vehicles themselves, an amount was not provided for the payment of the value added tax or for the additional port charges and this amount here seeks to meet that need.

There is also a requirement for the Government Printing Services, the Government Printery specifically, to meet the wage cost under Other Personal Emoluments. This is essentially for the cost for overtime, the cost of salary and the cost of some temporary appointments which were occasioned by reason of extended periods of acting appointments and sick leave within the department. No provision had been made for this at the time the current estimates were passed last year and the requirement there is for some \$42 754.

Further, Mr. Chairman, there is a requirement for the payment of utilities which is required to meet the increased electricity cost as a result of the installation of more air-conditioning units and computers within the Government Printery and the sum required there is \$25 608. There is a small sum of \$9 357 which is required to meet the cost of value added tax on imported spare parts for the equipment within the Government Printery and those figures represent the details of the supplementary which is being required under Head 13, namely the Prime Minister's Office.

With those remarks, I beg to move that Head 13 stand part.

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

Mr. D. J. H. THOMPSON: Mr. Chairman, I have no problem with the salaries in respect of persons employed in the Prime Minister's Office but I believe that some explanation needs to be given relative to the office of the Special Envoy.

The first point I want to make is that the special envoy himself said that he was going to be running what you call a virtual office that is part of his technological skills and that he would not need to be at any physical location. In fact, I remember one day, Sir, and I suppose this is in just meeting him and asking him where his office was located, he said that in this modern age you do not need an office, that it is possible for you to set up a virtual environment, you could virtually do no work as well it is true, but I assume that he did not mean that, but that he meant virtual in the sense of the so advanced technology in that you do not need a physical space to occupy nor would you need staff.

The real point is that the Government must know what it needs in terms of personnel and the resources to carry out its tasks, but it would seem that the remit of a special envoy in the area of investments, trade and technology is such a large and significant portfolio as to suggest that the individual would be superhuman. Trade investment and technology are not, by the strict definition we know of them, amenable to promotion by any one individual. That is why in relation to trade you have a Ministry of Trade and you have a Barbados Investment and Development Corporation. In relation to technology, it is such a wide and vast area. Even in relation to trade, it does not say international trade only, so we are not just dealing with the World Trade Organisation, the Caribbean Single Market and Economy, the Free Trade Area of the Americas (FTAA), Mercusor or the Association of Caribbean States.

The word "trade" is used, but I assume that if you apply the widest definition to it, it would cover a vast array of activities. So I think the Government needs, on this occasion, to pin it down and tell us what the areas of emphasis will be in relation to technology, what is a special envoy apart from establishing that it is possible to have a virtual office, what would be his focus in relation to technology, what would be his focus in relation to investment, what would he be doing that the BIDC and the private sector investment institutions are not doing, what is his area of speciality and likewise in relation to trade what areas of trade are we dealing with. Are we dealing with trade in the domestic sense of vendors and shopkeepers? Are we dealing with international trade? Are we dealing with regional trade? So unless this is spelt out, one might get the impression that it is, in fact, a virtual job that the individual is doing.

I think the Government has a task today of explaining this very clearly for the benefit of the House because we are looking at an additional \$130 000 in expenditure to cover

this particular appointment. I will also ask the Government whether it advertised the position internally or externally and what were the qualifications required for the job? What are the duties? What are the terms of reference of the job, how long will it last, and other related matters? I think these are all very important questions.

I am sorry to put the Honourable Member for St. Michael North East on the spot and I would be perfectly frank in saying that if she says that she cannot answer those questions today I will understand fully. The point as I said, is that I think that there is a lot more information that should be forthcoming at some point in the very near future relative to this particular position and the matters that I asked in relation to it.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I just want simply to say that I have never known in my brief time in public life that a special envoy post is to be advertised. Indeed, I believe the Honourable Leader of the Opposition would have had some experience in appointing persons to act on his behalf in areas of trade, having had to appoint two trade commissioners in the form of Mr. Basil Forbes and Mr. Frank DaSilva, or being in a Cabinet that appointed the two of them.
3.30 p.m.

I have not known ever for the post of Special Envoy to be advertised. I am not in a position to give specific terms of reference because it does not fall within my Ministry. Suffice it to say that no one in Barbados needs doubt the volume of trade negotiations which this Government will have to be involved in at this point in time. As I said, it stretches from this hemisphere with the FTAA to the WTO, to the European Union and ACP negotiations, to even within the region with respect to the single market and economy for which there are still some matters being ironed out.

I believe, Sir, that the appointment of the Special Envoy is absolutely necessary and will allow Government to be more productive in its preparations for trade negotiations for we would not wish to repeat the mistake of the Democratic Labour Party of April of 1994 when it signed onto the WTO without ensuring that it was adequately prepared for the negotiations that had taken place prior to that.

Mr. D. St. E. KELLMAN: Mr. Chairman, I am very grateful to the Honourable Member for St. Michael North East for giving us that commitment that the Special Envoy will deliver on this particular job. When one looks at the three functions there is no doubt that this job is a very important job. In the days of trade liberalization and free trade, one has to recognise that any serious government would make sure that they put their best person in this

particular job. I am told that the name given to the Minister is Special Envoy which confuses me because I thought I would be hearing of Minister more so than Special Envoy. I did not know that you could be a Minister and a Special Envoy at the same time. I would like that particular name to be explained to me because it sounds that the person is a Minister instead of an employee of the Minister at the same time.

Aside.

Mr. D. St. E. KELLMAN: He is not a Minister now? He does not sit in Cabinet anymore? I did not realise that he disappeared from Cabinet. I thought he was still sitting in Cabinet. I must congratulate the Honourable Member for St. Michael North East for being able to bowl this googly and bypass my bat without even recognising that it is on the curve.

Sir, it is very important and I want this point to be made in the House that the future of Barbados depends on this particular job and this job cannot be taken lightly. When anybody says "trade", I understand the effects of trade liberalization and I expect anybody who has this job would understand the effects of trade liberalization and globalization and free trade on the economy of Barbados.

I also understand that we are in a new technological world and we must get up-to-date with what is going on in the world and that we must change our technologies to suit. When I look at this and I think about investment which is also very important this person has to deliver a lot. The truth is that a year from now when we come to do Estimates, I would like to know the opportunity cost of this job to the development of Barbados. As I said, it is trade – very important; technology – very important; leading edge and investment – very important also.

We must be able to get a yardstick to measure the performance and the delivery on this particular job. This is the job that can shape Barbados and put Barbados on the map. I expect that we will be able to get delivery on this particular job.

Under Head 13, I see there is a section here for the Defence Force. I want to say that I have been hearing a lot on the call-in programmes lately and I am a bit worried about the type of talk coming out of the Defence Force, especially on the issue of pension. We need to do something about it quickly because I do not like the talk that I am hearing and the anger that is coming over as it relates to pensions from the former officers of the Defence Force.

Sir, I already gave this House a suggestion and said that in my opinion the biggest problem facing this country is not war against Barbados but the war against drugs and I

honestly believe that there is nothing wrong with bringing the Barbados Defence Force and the Police Force under one head. Even if you understand the meaning of the blend and make the necessary separation, I believe because of the particular fight that we have that the Commissioner of Police should be directing the affairs of those gentlemen at the Garrison Hill. If we do that, Sir, we will solve the problem of pensions for the Defence Force and not have to worry about what they are saying on the call-in programmes and the contentious way they are saying it.

I hope that those who can hear will listen because as I have said I do not like the tone and you know well that I can listen to the drum beat very well. It does not sound good, Sir. It is a matter that must be resolved and we should do everything within our capacity to resolve that particular matter and I say nothing more on this particular matter.

Sir HAROLD St. JOHN: Mr. Chairman, there is one point I would like to make. Obviously I am supporting the Resolution. I would like to say a few words on the question of Program 041. It relates to a point made by the Honourable Member for St. Lucy. The Defence Force, particularly the Coast Guard, plays an important role in surveillance of the coast and in search and rescue. For a considerable period of time they have been much concerned about the lack of a base in the southern part of Barbados and their inability to use some of the lighthouses in Barbados for the purpose of having surveillance equipment.

I would like to inform the relevant Ministries that there is now available a building in the Government compound at Scarborough which used to be used by the Coastal Conservation as their headquarters. Coastal Conservation has moved and it is ideally suited for use as a base so that you do not have the ridiculous situation of the fast boats having to come speeding from Bridgetown up the coast some seven or eight miles and when they get there the other boats have gone.

As Honourable Members will recall, the Coast Guard had a site not too far from there but because of technological misunderstandings between the technical assistance officers of a friendly foreign country and the local knowledge of the area, the Coast Guard had to be abandoned. A great breach was created as a result of that.

This is a building that no one is using now and I would appeal to the relevant authorities that a serious investigation should take place immediately into the use of that building because I believe that it has great potential for use along the lines that I have spoken. It is a need that obviously has to be filled as there is a need in the North of Barbados near Harrison for some kind of equipment.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I have noted the comments made by the last two speakers and undertake to communicate the same to the substantive Minister.

With those words I beg to move that Head 13 stand part.

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

The question that Head 13 stand part was put and resolved in the affirmative without division.
3.40 p.m.

HEAD 19 – MINISTRY OF FINANCE AND ECONOMIC AFFAIRS – \$115 759 00

Hon. Miss M. A. MOTTLEY: Mr. Chairman, once again the substantive Minister is out of the jurisdiction on this occasion. As I indicated, we are coming to the end of the financial year so there are a number of housekeeping matters that we need to attend to. Supplementary funds are required to meet the emoluments of an approved new temporary post acquired after the start of the financial year on April 1. This post was filled in September 2000. It also requires us to meet the cost of National Insurance contributions to the end of the financial year.

There is also a requirement under Plant, Furniture & Equipment for \$62, 814.00 which represents the majority of the requests for the Town and Country Planning Department which is expected to relocate from its current premises from Block B in the Garrison to its new office at Block C and, as a consequence, the additional plant and furniture as well as a wall safe is necessary.

In the circumstance, I beg to move that Head 19 stand part.

Mr. D. J. H. THOMPSON: Mr. Chairman, I have two questions. The first is about the Addendum as well as the Minister's introduction did not say what was the name of the post acquired.

I know some months ago Government gave some undertakings relative to the operations of the Town and Country Planning Department. We were presented with a list of information relative to the backlog of applications that had been cleared as well as the number of applications made to the Town and Country Planning Department that were pending. At that time Members complained about the slow pace at which the Town and Country Planning Department dealt with matters. We were told that very often environmental studies were required but, by and large, the complaint was about relatively straight-forward applications

which took an inordinate amount of time to be dealt with and approved. Therefore, I would like to know whether there was any improvement in that regard because there was quite a significant reaction to the criticism.

Secondly, whether the backlog of applications which were identified were clear. Very often we hear that when Government departments move into new offices that there should be an improvement in the level of efficiency.

I understood the comments of the Town and Country Planning Department which was seeking to clear three times the number of applications with the same number of staff they had about ten years ago with a few additions. This was the argument that the Chief Town Planner was adducing and which was put before this Parliament.

Therefore, it is important for us to know whether steps have been taken to improve the efficiency and timeliness in relation to town planning applications.

Mr. D. St. E. KELLMAN: Mr. Chairman, I also want to speak on Head 19. We heard a lot of talk in this Parliament about the importance of the Garrison area for heritage tourism and the development of tourism and I thought that we would have used this particular building for heritage tourism instead of using it for a Government office. We should, therefore, develop the entire area for heritage tourism.

I honestly believe that the Town and Country Planning Department should be located in a central area and not where it is located presently when one considers that this location could be better used in the development of our tourism.

I hope that consideration would be given to this particular suggestion and that the Town and Country Planning Department will be located in a central area so that one and all can get there easily and it is not seen as a deterrent.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I regret that the substantive Minister is out of the jurisdiction but I trust that next week when we have the opportunity to debate this Head we would be able to give full and adequate responses to both the Honourable Leader of the Opposition and the Honourable Member for St. Lucy.

Suffice it to say, I am aware that steps have been taken to increase the complement of the Town and Country Planning Department staff as well as to increase the level of productivity. We should always be wary in an island this size of wanting to take decisions that may well be irreversible in respect of how it alters our physical landscape. I am not one of those who quarrel when the Town and

Country Planning Department require certain things from developers before they proceed swiftly.

I do undertake to let the substantive Minister know that the Opposition has raised these queries and that she should be prepared to answer them during the course of the Estimates next week.

I beg to move that the Schedule be amended as stated and that Head 19 stand part.

The question that the Schedule be amended as stated and that Head 19 do now pass was put and resolved in the affirmative without division.

HEAD 34 – MINISTRY OF EDUCATION, YOUTH AFFAIRS AND CULTURE – \$552 225 00

Hon. R. N. GREENIDGE: Mr. Speaker, in moving that Head 34 stand part, I want to say that this sum of money relates to the design works to be done on the project at St. Leonard's School.

We continue to experience difficulties on a number of the sites where we are doing construction in relation to our EduTech project. It has proven to be more expensive than we first envisaged but that has to do with the state of the buildings and we cannot now derail the process.

We cannot have a situation where we have all of the EduTech equipment ready but the buildings and surroundings are not compatible with these elaborate projects. We must, therefore, from time to time, continue to pay for the design and redesign aspects of the works. In this case it relates to the redevelopment at St. Leonard's School. We know that delays are inevitable and with the best will in the world we do experience delays in many areas of life, including in the law courts, as was mentioned this morning. We also experience delays sometimes with our airline industry and whatever else.
3.50 p.m.

Therefore, Sir, from time to time we continue to pay for the design aspect and in some instances, the redesign aspects of the work; in this case, work concerning the redevelopment at the St. Leonard's School. As I said, and as we all know, delays very often are indeed inevitable, and with the best persons in the world, we experience delays in many areas of life including the law courts. As we have said this morning, we experience delays sometimes with our airline industry and whatever else and in almost every form of human endeavour.

Sir, as I said, some of the scope of work need to be altered for various reasons. I can also say the many schools,

which have first been altered and then finished, are well appointed and prepared and ready for making our students world students, because in effect that is what we are trying to do. I have to say, too, Sir, that the work at St. Leonard's has progressed on schedule and the work paid for so far is in keeping with the work done.

Mr. Speaker, just to give you an indication as to what this work entails, we underestimated the cost of the Block M at St. Leonard's, that is, we did not think that it would have been as expensive as the alteration and renovation work proved to be and, indeed, no work has been done on that block since last year.

Mr. Chairman, it is now crystal clear to us that it is going to take as much money to have a new building erected as it would take to renovate this particular Block M. We have therefore come to the conclusion that it is more prudent to construct a new building under those circumstances than it would be to do the renovation. It is almost like having a television set in one's home, where a part for the television is going to cost \$275 and where a new television set costs \$300. Obviously, the prudent decision would be to purchase the new television rather than pay the \$275 only for that part. Therefore, why renovate when we can virtually get a new one for practically the same amount of money? Sir, that is one aspect of how we encountered this expense, that is, that the replacement cost of the building costs virtually the same as renovating the building at St. Leonard's.

Sir, there was another building where when we examined the needs of the school in terms of classrooms, we realised that there was a particular building which was very long but it proved to be too narrow for having the computers, *et cetera*, and would have been too uncomfortable for the students. What is happening there is that we are extending all of the 23 classrooms outwards by six feet and that is going to be also expensive and in the circumstances, in the proximity of \$1 million but, as I said, this is mainly for the redesign work of this particular project.

Sir, in addition to that, we also have the situation where we are supposed to be paying a debt owed to Rayside Asphalt Paving Company for work done. That work we are referring to is the work of constructing a hard court at the St. Leonard's School for which Mr. Rayside has not yet been paid.

Those, Mr. Chairman, are the details to this supplementary provision that we are requesting and in the circumstances, I will ask that Head No. 34 stand part.

Mr. D. J. H. THOMPSON: Mr. Chairman, just to clarify a few points. First, as I understand the Minister is saying that this project, except for the adjustments that are being proposed, is on stream, on time and within budget.

Now, there are just a few matters which I would like the Minister to clarify for me; whether this is the project at St. Leonard's School, which has been so controversial – the same project I assume. Whether a bond was put up by the contractor? What is the value of that bond? What was the amount that was given to the contractor as a mobilisation fee on the project? I have all evening, I do not mind, I can wait on him. Whether the contractor is still on the project? Whether it is anticipated that that company will be the contractor to complete the project? Relative to the proposed additional work that will be done which will cost an additional million dollars, whether this is going to form part of the substantive project cost, or whether that is going to be separately bid for. In other words, whether this is an additional \$1 million to the original contract price.

Asides.

Mr. D. J. H. THOMPSON: Oh, I see. Okay.

...or whether this will be done by the same contractor. Perhaps the Minister can answer those questions because, as you know, I am extremely concerned.

When this contract was awarded, I issued some warnings to the Government. Unlike the contractor, I bear no personal grudges. As Chairman of the Public Accounts Committee, I have a responsibility and any comments I have made in here have been able to stand up to the scrutiny of this Parliament, whether it was relative to the work on the markets, which was commented on by the Auditor General. Whether it was the contract in St. George, which this Parliament had to pay some 40 per cent cost overrun, or whether it was this particular project. I am extremely concerned about it but there are some other elements about it as well.

I have always thought that it was still a requirement, whether of the law or morally, that a contractor on a government project was required to provide certificates from the National Insurance Department showing that his National Insurance payments were up-to-date. Now, I know there have been some amendments in recent times but this particular contractor, unlike all of the other business persons in Barbados who cannot give that excuse, said that his excuse – after he tried to push down a Caribbean Broadcasting Corporation (CBC) cameraman – was that he was owed money by Government and because he was owed money by Government, he was not able to pay his National Insurance contributions.

4.00 p.m.

Now, there was a time when a number of contractors in this country – and no doubt he was a Minister then too – were not even permitted to bid. They could not qualify unless they could produce a certificate that they had paid

the National Insurance. But let us go beyond that, it was changed by the Government for a valid reason, yet I was the one who recommended that it be changed and for the simple reason that foreign contractors were allowed to come to Barbados and bid on contracts and were not required to produce any evidence that their National Insurance contributions were paid up, whereas, local contractors, some of whom it is correct to say, were owed money by Government, were very often not able to compete on equal terms. Therefore, what we did was to remove that provision but recommend that the National Insurance be empowered to take more aggressive action against companies, both local and foreign, that owe National Insurance.

In this regard, I believe that the National Insurance Department has an obligation to become aggressive and in the particular instance, the Government has a political obligation to be aggressive in ensuring the National Insurance contributions of this contractor are paid up.

Mr. Chairman, whenever questions are asked, I do not have access to the airwaves because fortunately, I am not a call-in moderator but abuse was heaped on my head Monday after Monday to the extent where, on a radio programme in this country, somebody was allowed to say that he hates the Leader of the Opposition. I do not have the luxury of hating anybody, Sir. I love him as much as I love all other Members – I love some of you more. I grew up with one disability, Sir, as the product of the Parish of St. James and that is my then parliamentary representative.

Asides.

Mr. D. J. H. THOMPSON: I have lived to see him continue on that trend to the point of near retirement where he has continued to be an embarrassment to the Barbados Labour Party (BLP) and an embarrassment to this Government and continues to believe that because his Party is in office, he has the God-given right to display the most odious behaviour towards the citizens of this country. Sir, I saw it on television with my own eyes and one would think that if a contractor had a problem in paying the National Insurance Contributions, he would be contrite and sympathetic and would not be trying to push down a CBC cameraman with a briefcase and all of those other scenes that were witnessed on national television and, Sir, one assumes with the sanction of certain persons who shall, for the time being, remain nameless.

Mr. Speaker, Sir, every week, simply because the Opposition had to raise concerns documented by the Auditor General and then subsequent concerns documented by Ministers of the Government in relation to a project in St. George and now documented concerns relative to this project at the St. Leonard's School, the gentleman hates the Leader

of the Opposition. Sir, I do not hate him. I hope that in his retirement, he would be able to do as well as he boasts he is doing and I wish him a happy and effective retirement from politics that is but I believe that standards that are set relative to public contracts in Barbados must apply to everybody and that the Government should not be seen to be condoning favouritism at any stage. I am not making that allegation now but we will have to wait until the outcome of this project because, as I said, the warnings were given relative to this contractor. They were not given on an *ad hominem* basis. They were responded to on an *ad hominem* basis but they were given, as I said, on the basis of information that was provided by the Auditor General and to this Parliament by Ministers of the Crown, in requesting supplementary provisions in respect of nearly all of the projects so far that particular contractor has been involved in.

I think it is important to the integrity of the system that we very closely manage this project. That is why it is important for me to know whether the contractor is still on the job or whether the Government is seeking other contractors to complete the job at St. Leonard's; whether the NIS contributions have now been paid so that the workers can draw whatever benefits to which they are entitled; whether a bond was put up and what the mobilisation fee was as a percentage of the contract.

Asides.

Mr. D. H. J. THOMPSON: But the one at Warrens was more than 10 per cent, they gave the man at Warrens \$9 million on a \$30 million project. He had the largest mobilisation fee in the history of this country.

Asides.

Mr. D. J. H. THOMPSON: So there is no guarantee that it would be \$1 million.

Asides.

Mr. D. J. H. THOMPSON: I am not talking about St. Leonard's. The Honourable Member said that St. Leonard's was 10 per cent. I said that there was no guarantee it is 10 per cent because there had been a project in this country in which the contractor had been given way over the usual amount. I am speaking about the project at Warrens, St. Michael – the National Housing Corporation building. Look at it and you will see the percentage of the mobilisation fee.

Mr. Chairman, that information has been made to Parliament. None of it is new. The private sector knows it; they are the ones walking around telling everybody that it was the largest mobilisation fee as a percentage of the total

cost of the project. I am not dealing with that now, I am dealing with St. Leonard's. I said I hope it does not speak to a trend in Barbados which needs to be nipped in the bud and particularly in relation to this contract. I hope that the Minister will be able to provide us with the necessary information.

Mr. L. R. TULL: Mr. Chairman, it is a tradition that Ministers do not put successors in office. In the same way they stay under pressure and I do not intend to stray away from that tradition.

Asides.

Mr. L. R. TULL: Therefore, I am commending the Honourable Minister for moving in the direction that many of his predecessors have gone in providing the resources and facilities for a good quality education in this country.

Sir, however, I do have one or two short questions to raise in relation to the St. Leonard's School.
4.10 p.m.

I have some recollection that at one time when a demographic study was done in relation to where the school children in Barbados come from, that the St. Leonard's School was a good option for closure, not only because of the demographics but because the school is located in an area with a high incidence of social problems. I do not want to go into details of which social problems but it has a long history of having problems in that school and in that area. In the light of those two facts, I was just wondering if it would not have a better option to have built a new St. Leonard's School at a completely new site.

When the Minister mentioned that the cost of repairing and refurbishing the old plant would be almost as expensive as building a new one, it was then when that thought struck my ears that I thought maybe it was an excellent opportunity to relocate. For example, the St. James School with the excellent ambience of St. James, the playing field and particularly with the Minister of Youth Affairs and Sports, the Deighton Griffith School in Christ Church which is an excellent example of what a school in Barbados should be. When we look also at the Lester Vaughan School and the Queen's College School, one would have thought that the movement in that direction to get out of the high incidence of population in the crowded St. Michael's area, to relocate the school in areas of excellent ambience and with the facilities for not only teaching in the classrooms but also in the development of extra-curricular activities, I would have thought that this was an excellent opportunity for the relocation of that school.

The schools that I have just mentioned, Sir, are almost impeccable in what they provide the community in education: Lester Vaughan, Deighton Griffith, St. James Secondary. Why are we going to spend over \$11 million in a hot house, in the middle of the old Richmond area where conversations and other activities in peoples' homes on the periphery of the school are observed and heard in the classrooms? I do not know how far we have gone with it, but I would like the Minister to help me and even if some money has been spent already, I am urging the Government that there are times when it is necessary to cut losses, instead of throwing good money after bad. If a lot has not been spent already, I would like the Minister to tell me because I am not caught up in these things.

I would like the Minister to tell me what is so wrong with reconsideration of relocating that school. If he does that, he would not have to be building a plant in an area that is not quite suitable for it and he would be able to build a new state-of-the-art secondary school at a proper location in the country.

Sir, there is also the question of the use of the St. George Secondary School. Everyone knows that most of my constituents are familiar with that school. I understand that the registration of the school is now about half of what it was some years ago and a lot of the classrooms are not being used because of the continuing drop in the numbers of enrollment in that school.

There has been a lot of talk over the years about the Common Entrance Examination, partial zoning, proper allocation and equal distribution which has been going on for over 30 years. It still happens that the St. George Secondary School – I do not know if it is the salubrious atmosphere of the St. George Valley – but it seems to be the catchment school for the vast majority of low achievers. As a result of this, there are a number of social problems that are engendered and the school is no longer a school in the sense of which we were accustomed.

It is now time, then, Sir, for the Minister and the Government to give some serious consideration to a different use. I heard the Attorney General in an aside talking about closing St. George Secondary School. I have recommended many years ago that the St. George School be discontinued as a secondary school. It attracted the criticism and, indeed, the abuse of some people but that was my view then, it was viewed during the intervening time from then up to now and it remains my view, that the St. George Secondary School need not be continued as a secondary school with a delivery of education and that it seems to me totally unsuited to the children who attend that school.

What was envisaged at that time also and talked about by this Party is that perhaps a technical school would be

more appropriate, in whatever configuration they make them these days. I am no longer in the position to speak with any authority on the specifics, but whatever configuration and I do not mean physical configuration, I mean, configuration in its schedule, curriculum and so on. It is now time for a bold decision to be taken about this alternative use of that particularly well placed plant. It is easy access to central St. George and many parts of the island.

Asides.

Mr. L. R. TULL: Sir, if the Government is a little nervous about taking the big decision of making a major structural change to the school, the Member of Parliament for St. George whom it will affect most, is not worried about it.

Aside.

Mr. L. R. TULL: Since it has been intimated to me that there is planning to bring about the kind of change I recommended for the St. George Secondary School, let me humbly urge the Minister of Education that when changes of a major nature, in fact even sometimes minor ones that are going to take place in the constituencies of any Honourable Member, now in my constituency or anything to do with St. George, that I be – not consulted because I do not know if the Government considers me important enough to be a consultant – notified of what is going on and ask me if I have a point of view. I can then feed in my point of view which they can take or do not take, but at least I would like to be in the position when these things are being thought out and discussed in the official border of thought that I am put in a position that when I talk to my constituents, I can give them some idea of what is being planned. The Honourable Member for St. Philip South understands what I mean.
4.20 p.m.

I am not getting into the tempestuous waters that have been swirling around the St. Leonard's Boys' School in recent times. I know when to stay on my side of the fence and I am not getting into that.

I would like to urge the Government to be a little bit more circumspect in the awarding of large building contracts. I am not on anybody's side. Who can do the work, can do the work. We have to be very circumspect because we are the guardians of the people's money and we have to make sure that it is spent in the best possible way. I am mentioning these things because we need an atmosphere in this country where people will feel that they are all citizens in this place and have equal access to what is going on. I will leave it as general as that for the time being.

I make these remarks to my colleagues not to get into any, stir up...

Asides.

Mr. L. R. TULL: Well, that is the difference between when you are a big man, independent and take no directions from anybody, unlike a certain person who made the comment who is under the thumb of other people. I am not under the thumb of anybody. I have a responsibility to the people of St. George South who said that they have weighed me in the balance and so far they have not found me wanting. Those are the only people I have to answer to.

So I want to wind up where I started.

Asides.

Mr. L. R. TULL: I do not have to commend the Minister, the Minister's head is screwed on the right way and his heart is in the right place. I want to assure him that he can come to me and if he talks to me from time to time about these things I would give him the benefit of whatever knowledge and experience I would have picked up when I was Minister of Education.

Asides.

Mr. L. R. TULL: I would seriously ask him to look at the most substantial part of my submission, that is, if the St. Leonard's Boys' School has not gone too far, that the Government give serious consideration to building a new school at a different location on a few acres of land where you can get playing fields rather than in the heart of Richmond which is one of the most densely populated areas in St. Michael. I hope that those words would not be taken in the wrong way.

I thank you.

Mr. D. St. E. KELLMAN: Mr. Chairman, I also rise to speak on Head 34. I would like to know from the Government how much money has been drawn back because it is quite obvious to me that this project has cost a substantial amount of money because I am aware, and I can be corrected on this, I do not claim to be an expert on anything, I think the financing policy is where Government spends the money and then it draws back the money. It is obvious if the Government is spending the money and they are not drawing back the money that this is creating a particular strain on the Government.

I am sorry that the Honourable Member for St. George South spoke when he did for the simple reason I also believe that piece of land could be better use for housing and that it is unreasonable at this point in time to expect a school to be located in that particular area. When one considers the location of the school and the environmental problems that

particular school was confronted with, I think it is unreasonable for anybody to expect school children to continue to go to school in that particular environment. If I were the parliamentary representative for that particular constituency I would have “kicked a dust” for allowing anybody...

Asides.

Mr. D. St. E. KELLMAN: “Kick a dust” – that is Bajan parlance.

...to spend that amount of money for repairing a school like St. Leonard’s School when one considers the amount of controversy about the location and the environmental problem that the school was involved in previously. I think that to spend the sum of money that is now being spent on that school we could easily have built a new school somewhere else with the right type of environment which would be environmentally friendly to the school children instead of the opposite. So, I hope that the call from the Honourable Member for St. George South would be taken into consideration. For some reason he seems to have read my mind and it is no wonder he got up so quickly to speak. I hope that in future the opportunity cost of doing these things will be taken into account.

I am surprised to know that there is a Cabinet Minister in the form of the Honourable Member for St. Philip South and he has not yet worked out the opportunity cost of these particular projects coming to the Government and has not advised the Government on the opportunity cost of these particular projects. I will forgive the others but I cannot forgive the Honourable Member for St. Philip South because I know that the Honourable Member for St. Peter will rely on him in a strong way for this type of advice to blend along with his. I am saying that when this matter went to Cabinet, my good friend should have offered this type of advice to the Honourable Member for St. Peter in the same way that my friend should have offered this advice when we went for that foreign loan to build concrete roads. He should have said to them that the opportunity cost of providing local funds against foreign funds would have been better served.

This might sound simple, but we cannot continue to make decisions like we used to because of the climate that we are in today. We must find the opportunity cost of every decision that is made now in order to have the best alternative because as a small country we cannot afford to make errors. There is a cost and we must take this into consideration. This is a very competitive world and we must be careful that in every decision we are evaluating that we consider these particular problems. As the Honourable Member said, if we are not too far into this project there is still time for us to stop and rethink and give the Honourable

Member the opportunity to have some more house lots in that particular area. I did not say houses, Sir, because we also have to look at the opportunity cost of the National Housing Corporation building houses for poor people. As I said already, it is not in the interest of poor people for National Housing Corporation to build houses for them. It is in the interest of poor people to get house lots.

4.30 p.m.

Thank you.

Rev. J. J. S. ATHERLEY: Mr. Chairman, though I would hasten to express my appreciation to the Honourable Member for St. Lucy for his obvious concern about the need for housing in St. Michael West communities I would want just as quickly to suggest that we do not need the St. Leonard’s site for that purpose. Certainly, housing represents a need in this community and I do not think we need to trade off the St. Leonard’s site to provide housing. We have already identified both to the Ministry of Housing as well as the Ministry of Finance certain sites across St. Michael West at Goodland, at Barbarees Hill, at Strathclyde, at Passage Road, large areas of land for various types of housing. In addition, the constituency is very appreciative of the fact that there is already a significant housing project ongoing at the Country Road/White Park Road junction.

Though I express my appreciation to the Honourable Member who last spoke I would not go so far as to suggest that the St. Leonard’s site should be traded off as a venue for future housing. I will get back to that in a minute.

I want to say, Mr. Chairman, that the St. Leonard’s Boys’ School as we have known it, the St. Leonard’s School now at Richmond, has been for a long time in need of a kind of remedial refurbishment, indeed, rebuilding, to some extent and works which are currently ongoing. These have been outstanding for so long that a sense of being discriminated against was something being expressed by both members of staff and students of that school. I was alarmed to see the extent to which this sense that the St. Leonard’s School was being discriminated against by successive governments was existent on the precincts of the St. Leonard’s School.

I, therefore, want to look at this matter in very strict parochial terms and welcome the fact that works are now ongoing there to address substantially the problems of a facility which had outgrown, to the extent that it existed within its old shape and fashion, its usefulness. I am glad to see that there are expansions coming, that remodelling is being done, refurbishment being done.

In spite of this protracted period of delay in getting to the St. Leonard’s School I think we can all acknowledge that the school is in a position to boast of having products of

pride who are very clearly represented across this society, even in this Honourable Chamber. There are those who have been students at the facility and they have not come out the worst for it. There are those who are proud to tell you that they spent many valued years in teaching at that facility and that these were some of the better years of their working lives. I think there is something to be said for the St. Leonard's School in terms of how it has served Barbadian society at all levels across the years. I am glad that this period of neglect has come to an end under this current Administration and that the works are ongoing.

I have to let the Honourable Member for St. George South know that I do not support this doctrine of abandonment which seems to be creeping across these halls. Indeed, it is the second time for today that I have heard this doctrine of abandonment of communities being espoused. When it is not that we believe that the courts should be centralised and removed from the precincts of the community and the districts and the parishes, it is the schools that must be removed. I do not support the doctrine of abandonment of communities. I think the Honourable Member for St. George South was espousing the philosophical position. However, I have more serious concerns over the comments from the Honourable Member for St. Lucy who, I think, came very close to being offensive to the people of the Richmond area, indeed, irregardless of parliamentary privilege, it is my serious view that he came very close to being offensive to the people of the Richmond area and I think he needs to offer them an apology for remarks to the effect that a school should not be placed in a community such as that.

Richmond community is no different from any community across the St. Michael working class community. It is no different from any working class community in St. John, in Christ Church, in St. Lucy. I think it comes very close to being offensive under the protection of privilege to suggest that the people of Richmond are not worthy to have a school in their midst. I believe the Honourable Member needs to give serious consideration to apologising to them.

You cannot stand on the Floor of this Chamber one day and espouse the doctrine of the small black man, the working class black man, and the next day suggest that the small, working class black man is not a fit person to have a secondary school located in his community. This is a very serious position to take. We continue to extricate from our traditional districts, villages and communities, institutional symbols of long standing that have served serious positive benefits to those communities. Now we are espousing that magistrates' courts should go and espousing that the schools should go, the St. Leonard's School. I cannot support that.

We have seen the exit of the professional from these districts, from these communities, from these villages. We

have seen the exit of those who acceded to the middle class from these districts, all part of a process of abandonment. In my view, Mr. Chairman, we are even seeing the withdrawal of the more contemporary evangelical, non-traditional church from these communities and these communities are no better off for that. Irrespective of our view of the traditional church, the Anglican Church, for instance, I think that if there is one thing that must be acknowledged it is the fact that the Anglican Church continues to be identified with a particular parish. As a result of that, there are certain social relations between the community and the church which serve both the Anglican church well and the communities well. Now we have more modern contemporary non-traditional churches that withdraw from these communities adding to the process of abandonment.

I cannot stand here in this Honourable Chamber and support any position that we should remove the St. Leonard's School from Richmond Gap because it is a community unbecoming of having a school in its presence. I cannot so offend my own conscience and sensitivity and so offend the people of Richmond and Alkins and those particular areas. This doctrine of abandonment does not swing with me, Mr. Chairman, and I am sure that it does not swing with you either.

St. Leonard's Boys' School was a bastion in terms of school, the St. Leonard's School is to me inextricably linked with the Richmond community. Perhaps, apart from Combermere and Parkinson as well, there is no other school in Barbados so inextricably identified with the community with which they are located. I do not hear anybody standing and saying Harrison College sits right in the middle of the City, a very busy commercial area, and so it should be relocated. No. There is history, there is prestige, there is tradition associated. Rather than remove that school, we are now setting up walls to honour our former students who have ascended the heights of glory in this land; but the St. Leonard's School which is more representative of working class society in Barbados we would want to have removed from St. Michael West. I cannot support that doctrine of abandonment and I cannot support that seeming view of the people who live in the Richmond and Alkins area at all.
4.40 p.m.

I hope that people understand that the school is part of the community and that young boys and girls should have access not only to school building facilities but to the precincts of the school for sports, entertainment and such community activities which are essential to developing positive behaviour of people in communities across Barbados.

I have alluded to the fact that the school has a history of achievements. I see no need to politicise this issue. I see no need to bring this type of institution with a history of

such achievement into the realm of partisan politics; and we can see the good to be served in properly addressing the needs of this school.

Mr. Chairman, the standard of teaching at St. Leonard's School is excellent. His Honour the Speaker is numbered among those who taught there. The Honourable Member for St. James South and the Honourable Member for St. Philip North also taught there and today the quality of teaching at St. Leonard's School remains high.

Mr. Chairman, if you visit St. Leonard's School on a Saturday morning you will see the numbers of people who come for extra tuition. Children of working-class people and children from middle-class backgrounds are dropped off in their jeeps and large cars for extra tuition.

Mr. Chairman, I was at the site at St. Leonard's School when this debate started and I hastened to get here when I heard the Honourable Member for St. John because I did not like the tone of the debate. It seemed to be as though it was being drawn into the realm of politics more so than anything else.

At the site, work is ongoing and I saw a nice site being levelled for whatever purpose. Government promised to put a community centre for the young people and I had no knowledge that the centre had begun.

Mr. Chairman, we cannot dismiss the school, the site, the people of Alkins, Richmond or Westbury Road or what we call "Vietnam". They have a right and the school is well located and continues to serve the purposes for which it was designed. We need to do everything we can in terms of improving the school.

I want to express appreciation to the Ministry of Social Transformation, the Minister of Public Works and the Minister of Finance. Not only is the St. Leonard's School being improved as was promised but there is a sense for which this Government is possessed that the school is a part of the community. If we are going to address the problems of disrepair at the school we have to address the problem of physical disrepair in the community as well.

I am very thankful for work which have been ongoing in terms of house repairs within the precincts of the school.

A lady passed me on Belair Road two Saturdays ago and said thanks to me because her house was finished. This is another individual who benefited from the social policies of a Government which is sensitive to the needs of the people. Another lady said they are coming to her house next week to fix the well and the back of her house.

Mr. Chairman, if you know the St. Leonard's School area, there was a rocky area that was impassable when it rained that adjoin the Alkins area to the Richmond Gap area and the entrance of the school. It never had a road all these years, but it got a road in the year 2001. I am very thankful for that.

Mr. CHAIRMAN: The Honourable Member has one more minute.

Rev. J. J. S. ATHERLEY: Mr. Chairman, you can now journey from Upper Goodland by car or by foot but formerly there was no road on that side. There is now a road on the north and south adjoining Lower Richmond and Upper Goodland to Richmond Gap proper and leading into the St. Leonard's School. This road now exists where before there was no emergency vehicular access.

I await patiently the construction of the community centre. These are part of the efforts being made to improve the area but I cannot support the abandonment of the school.

I have a few problems with the way the project is designed. I think that Government needs to pay more attention to the advice which is given by engineers. The way the project is designed there is no sporting facilities for the students. A pavilion is being erected but it seems to me, a lay person, that the pavilion is going to take in too much of the playing field so that instead of having a larger playing field, there will be a smaller playing field. Sir, this is a school with a reputation for having succeeded well at sports.

Asides.

Rev. J. J. S. ATHERLEY: Yes, Ryan Hinds in the West Indies team is a product of St. Leonard's School.

These are some of the concerns I have but, by and large, I am totally satisfied that an attempt is being made to address the needs at St. Leonard's School and I compliment the Ministry of Education and the Government for its foresight.

I call on the Honourable Member for St. Lucy to rethink that view and offer an apology to the people of Richmond, Alkins and "Vietnam" for thinking they are not fit people to have a secondary school in this area when there is one in St. Lucy.

Hon. Sir HENRY FORDE: Mr. Chairman, I have been in this House for 31 years and have listened to many speeches by Honourable Members and I must commend the Honourable Member for St. Michael West for one of the best speeches I have ever heard made by a representative defending his constituency, being cognisant of their interest and articulating that interest in a very serious manner.

Sir, if I lived in Richmond, not only would the Honourable Member have my vote but I would be getting the votes of other people for him as well. He has clearly shown that he understand his community, his constituents' needs, is aware of what is going on and that his heart is planted in St. Michael West for a long time to come. May the good Lord help him to prosper and continue to represent the people of St. Michael West as long as I have represented the people of Christ Church West. Sir, I really wish that for him.

Sir, I got into this debate not to discuss so much the broad policy of education but to support the decision of the Government to include this project in its EduTech programme and for spending money to upgrade the facility at St. Leonard. If there is one thing that we can agree on is that those facilities needed upgrading for a long time. It has taken us as parliamentary representatives and this Government too long not to have attended to the problem there.

4.50 p.m.

I have some connections with St. Leonard's Boys' School, my sister taught there. Also, I looked at it as one of those parents, who on Saturday, have visited St. Leonard's Boys' School. I was always concerned about the failure to improve the surroundings. One cannot fault the teaching at St. Leonard's Boys' School. It has outstanding teachers who take a great interest in their pupils.

Sir, I want to let the public of Barbados understand this. On Saturdays and sometimes during the week, if you go to St. Leonard's Boys' School, you will find children there whom teachers are giving their time for free. You will also find children there from Harrison College, Queen's College, Combermere School and some of the other schools, going to be taught by the teachers who teach at St. Leonard's Boys' School, particularly in sciences and mathematics. Sir, you hear all about these other schools but here is a school that we are going to be told today that everything is wrong with it and the children from other schools are coming to the same teachers because they want to achieve grades Is and IIs in the Caribbean Examination Council (CXC) and they cannot achieve this from the teachers at their own schools.

I think that we have to recognise in this community that we do have outstanding teachers in our secondary and primary school system, and they are not all at the so-called top schools in this island.

Sir, if anybody asks me what school I went to, I always say Foundation because I only went to Harrison College after I reached fifth form. Not that I am denying Harrison College but I went to Harrison College late, after I had reached the fifth form at Foundation and I went there rather late. Sir, I always look back, even when I was doing the Barbados

Scholarship, that the people who were teaching me, as they were teaching the late Robert Thomas, were the masters at Foundation. St. Leonard's Boys' School seems to be one of these schools but other schools are getting the glory from the teaching that is taking place at St. Leonard's Boys' School. I must commend the Minister and his predecessor for persisting with this project.

The Honourable Member for St. John was at his best today in his *ad hominem* approach to the subject. It was not the broad deepest hue of education that he really wanted to lash. He really wanted to lash his political friend, although he said that he does not like him, but they are good friends.

Asides.

Hon. Sir HENRY FORDE: Sir, his contribution to the debate was to attack a former Honourable Member of this House and I can understand. We will get time to deal with that. I am not going to be *ad hominem*.

I can assure the Honourable Member insofar as he raised issues relating to the National Insurance Scheme that he knows that the National Insurance Scheme staff and the Board do not discriminate in collecting National Insurance arrears from persons. There have been people on both sides of the political spectrum that defaulted. I am not going to call anybody's name because it would be highly improper. The Honourable Member would be the first to ask me not to behave in that way, knowing his standard.

There are people on all of the political parties' sides, NDP, BLP and DLP, who run businesses in individual capacities who have defaulted at times on paying their National Insurance contributions on time, so we cannot make the issue a political one. We have to say, and what we have said consistently on this Side, is that where workers' funds are collected by whomsoever, whether a corporate personality or an individual, those funds are being held in trust in accordance with the Act and must be paid in promptly. If they are not paid promptly, we go after them.

The Honourable Member for St. John is quite right when he said that a decision was taken not to prohibit persons or companies who are in arrears from tendering on contracts with the Government. At first some of us queried that decision. I can understand the sense of it, because if they tender on a contract and they have access to money, what happens now, the Ministries keep the National Insurance Office informed. You will see that when payment is due to be paid by the Ministry, garnishment takes place or they are made to assign part of the amount so that they can still continue to employ people. We have been able last year and the year before, to collect through that mechanism a large amount of arrears due by contractors.

It is not only the small contractor. It is the big contractor too, who gets into trouble. The only one that I will call now, because they are no longer here. Miller Buckley Construction, for instance, which did a lot of the Government's contracts years ago, owed a considerable amount of money at one time to the National Insurance Fund. We were able to collect those funds. There are a number of other contractors that have gone under and have left here.

I want to assure the Honourable Member that whether the contractor of this project belongs to the NDP, DLP or BLP, makes no difference to the National Insurance Fund. We are going to ensure that whatever is due to the Fund is duly collected and if I have to garnish my Honourable friend in his Ministry, Sir, we will file the garnish proceedings to collect any money that is due.

Therefore, let the word go forth quite clearly, that wherever Government awards a contract to a contractor and that contractor is in arrears to the National Insurance Fund, we are collaborating, and the Ministries collaborate with us, to make sure that we collect by way of attachment or garnishment. The unpaid certificates are filed promptly and we go in, wherever we know that there are funds, in order to collect arrears of National Insurance contribution.

I will end by congratulating the Ministry for having the foresight to follow through on the EduTech programme. I have no doubt that it will be very beneficial to the people of St. Leonard's Boys' School and the surrounding areas. I have no doubt that with the improved conditions, the teachers will be very happy to continue the outstanding teaching which they have been rendering to the people of that community as well as rendering to people from outside the community.

Sir, the Minister has my support on this Resolution.
5.00 p.m.

Hon. R. N. GREENIDGE: Mr. Chairman, in winding up under this Head, first of all I want to thank all those who have contributed to the debate today: the Honourable Member for St. John, the Honourable Member for St. George South, the Honourable Member for St. Lucy, the Honourable Member for St. Michael West who I thought was brilliant today and the Honourable Member for Christ Church West for their contributions as well as on numerous occasions for their advice.

In winding up, I have to begin to say it is a hand that was dealt to me and I have to play it and to play it well. Sir, let me first of all say that as a former Minister of Labour and now presently as Minister of Education, I will not turn a blind eye to anyone, whether that person is a former Cabinet Minister, party member or supporter, DLP or whoever, Mr. Chairman, who treats his workers badly or who refuses to

pay Value Added Tax or National Insurance contributions. Sir, I have to say that none of what was ascribed to that particular person was done with the sanction of anyone on this Side.

There have been garnishment orders and I have to say that was done with the full approval and cooperation and, perhaps in some cases, the full instigation of the Ministry of Education. Therefore, the pointing of fingers at the Ministry of Education or at this Minister is to be frowned on where this is concerned. There is no favouritism of any sort on my part or on the Ministry's part.

I must confess, Mr. Chairman, that I do not have at my fingertips all of the information which would have been asked of me concerning this particular project. Yes, in answer to the question posed by the Leader of the Opposition, a mobilisation fee was paid. I know it would have been over \$1 million. I do not have the full figure at my fingertips but it was less than ten per cent because more than ten per cent does not really apply to this particular project.

In terms of who is on the project, *et cetera*, I have to say that the contract is done with PCC Steel Works and the Government of Barbados and it has to remain that way. I would think that if there is a situation where any contractor is experiencing problems with being able to deliver on a particular contract and he is able to enter into an arrangement to facilitate the completion of that project with any subcontractor ...

Aside.

Hon. R. N. GREENIDGE: I am going to get to that point now, Mr. Chairman. If that arrangement is acceptable to the Ministry of Education, up to now the contractor would still be on the project.

I know that the arrangement has been made with the contractor and I have to meet with officials now to find out what came out of the meeting that they had. I will have a meeting to ensure that everything is above board. Mr. Chairman, in terms of what has happened to St. Leonard's School, a lot of the points which were made a short while ago by the Honourable Member for St. Michael West in relation to where St. Leonard's School is and whether or not the community is deserving of having a school, those points were taken into account at a PCC meeting.

I have to say that where St. Leonard's School is concerned I have a soft spot for the school. I taught there as well. I taught under some conditions at that time which were appalling, where teachers had to be dodging the raindrops, where one could look out through the siding of the school; it was definitely in very poor shape. The staff room was a

prefab building and when there were approximately 20 or 30 members in the staff room, the others had to sit on the step outside to take their lunch; it was that kind of situation.

Mr. Chairman, the decision to remain at St. Leonard's School was well thrashed out at that PCC meeting. It was felt that since the St. Leonard's Girls' School was moving to the Lester Vaughn School that there would be more space in that area to accommodate the St. Leonard's Boys and that we would try to control the numbers at St. Leonard's Boys and if that was done, then the facilities would prove to be adequate. Mr. Chairman, the facilities that they are getting now are way beyond what they had, and in many cases, beyond what they expected.

Mr. Chairman, like the Honourable Member for St. Michael West, I do not believe that we should close schools so easily. I believe it is a decision that we should think long and hard about. When one closes a school, very often it is as though you are closing a chapter of a person's life. Let me explain what I mean, Mr. Chairman. I believe, Sir, and it has happened to a number of my friends who have returned from Canada, England or the United States of America. When the school that they attended is closed and they return here and realise that there is no more Federal High School in Barbados, they cannot show their grandsons where they went to school. There is no more Mapps, no more Regent High School, no more Modern High School, no Washington High School, no more Lynches Secondary, no more Wakefield High School. Therefore, when people return and say to their children that they went to a particular school, indeed, there is no more school and it is as though you are closing a chapter in some person's life. Sir, I do not think that people should go around just closing down schools willy-nilly. I do agree with the Honourable Member for St. Michael West that we have to be very careful and to think hard about making such a decision.

Mr. Chairman, in answer to the Honourable Member for St. George South, yes, we have plans in train as to what will happen to St. George Secondary School; that is a school at which I also taught. I taught at a lot of schools. Indeed, Mr. Chairman, I can say on the Floor of this House that I have to give the feature address at their speech day tomorrow and this is one of the points on which they would have wanted to hear the Ministry's position.

Mr. Chairman, the numbers at the St. George Secondary School have dropped and have done so tremendously to the point where a school that was built to accommodate some 1 200 students, now would have a roll of a mere 600.
5.10 p.m.

We at the Ministry of Education have plans to make St. George a school of excellence with our sports and culture.

We have taken no firm decision on it yet, but we would want to have those that we have earmarked as good athletes, artists, dancers and so on attend that institution. They would have their core subjects: English, Maths but they would specialise in sports and culture.

We do not think that we should close the school completely. Indeed, the whole thinking behind it was that we would take the 400 or 600 students which are there, when we are ready to run with the school of excellence, and try and distribute those students to other schools. This idea is still alive and well at the Ministry but we are not at the stage where we would want to bring in the representative for the constituency, the Honourable Member for St. George South, but when that time comes he can be assured that he will be involved.

Asides.

Hon. R. N. GREENIDGE: Sir, we are working out the subjects and the timing but when we come to working with the real thing, we would have the Honourable Member for St. George South involved. As he said, it is an excellent site and has perfect ambiance. It is not the type of institution that you would want to close and not make good use of. So whatever is the decision, the St. George Secondary School will become a school of excellence or something of that nature will go on, on those grounds.

In fact, when we bring together all the stakeholders, the decision might very well be that the plans are okay but do not close the St. George Secondary School, so I do not want that at the end of this evening, it will be said that the Minister of Education said that they are going to shut down St. George Secondary School. We are making plans to have the school of excellence.

Mr. Chairman, I must say again that I commend and thank all the Honourable Members for their support and comments. I beg to move that Head 34 stand part.

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

The question that Head 34 stand part was put and resolved in the affirmative without division.

HEAD 37 – MINISTRY OF PUBLIC WORKS AND TRANSPORT – \$6 116 000

Hon. R. D. MARSHALL: Thank you very much, Mr. Chairman. Mr. Chairman, the Government is seeking today the amount of \$6 116 000 to supplement its Estimates for the year 2001-2002.

The Ministry is seeking money under its General Management and Coordination Services in the amount

of \$120 000 in order to make payment to the utility companies to the end of this financial year. On average, the Government pays to the three utility companies: the Barbados Light and Power Company, Cable and Wireless/BARTEL and the Barbados Water Authority a total of some \$93 000 monthly.

As I said, this \$120 000 is to supplement the Head General Management and Coordination Services up to the end of the financial year, which is the end of March. Also, under Highway Construction and Maintenance, the Government is seeking a supplementary in the amount of \$3 996 000. This money is needed to pay to two engineering companies for services rendered to the Government.

Mr. Chairman, in 1992 the Government of Barbados entered into a contract with the World Bank on which the project objectives were to:

- A. Preserve the capital base of the road infrastructure.
- B. Improve road maintenance, planning and practices.
- C. Improve road safety.

This project was scheduled, Sir, to start in 1992 but because of the structural adjustment programme in the early 1990s, this programme did not start until 1993. This road maintenance and the application project comprise certain components:

- 1. Rehabilitation
- 2. A safety programme
- 3. Bridges and culverts
- 4. An overlay programme made up of four packages: A, B, C, D.

Mr. Chairman, packages A and B were contracted to the C. O. Williams Construction Ltd. and the packages C and D were never started.

Sir, a contract was executed to C. O. Williams Construction Ltd. in the amount of \$11 879 441 for the overlay of certain roads in Barbados and a number of roads were completed under that programme, namely, Spring Garden, Fairfield Road, Carrington Village, Highway 4 running into Salters, Hoytes Village, Roebuck Street, Bann Hill, Trents Road, Highway I – the Airport to Crane and Highway W are all part of this package. There were also a number of culverts, rehabilitation of bridges and replacement of culverts including construction of new structures, paving of short stretches, flattening out of respective roads and

vertical alignments. As I said, packages C and D, the civil works were not executed.

Mr. Chairman, when Barbados graduated from the World Bank in 1998, these programmes had to come to an end. During that time, I named the programmes that were being carried out and, as I said, packages C and D never got started but there were some engineering works that had to be done in preparation for the start of these works.

We are asking here that this Parliament vote this \$3 996 000 to pay the contractors, professional engineering services, and Errol Clarke Associates Ltd. 5.20 p.m.

During the first quarter of the year 2001, Professional Engineering Services Ltd. submitted a claim for the sum of \$2 065 528.76 inclusive of VAT for work done in respect of package C. As I said, this would have been for the engineering and design work. Errol Clarke Associates Ltd. submitted a claim in the sum of \$1 930 028.90 for work done in respect of package D. As no funds were included in the year 2001-2002 Estimates for this money, the amount is still outstanding and due to the contractors. So we are asking for this \$3 996 000 to pay the contractors.

Although the actual work has not been done in package C and package D, the money that will be paid to these two engineering companies for the services that were performed will not be lost. The professional engineering services as well as the designs that were done would be used in future when Government is in a position to go back to complete these two programmes which will be the overlaying of a number of roads that fall under package C and package D. As I said, it is not money that will be lost, it is for the work that would have been done by these two engineering contractors. The actual work that was done would be at the Ministry and when we are in a position financially to undertake this work in this country, the same design work and so on that was done, would be used in implementing this work.

The other part of the supplementary looks at the infrastructural improvement to Bridgetown. In December 1996, a Memorandum of Agreement was signed between the Government of Barbados, represented by the Ministry of Foreign Affairs and the Ministry of Tourism and International Transport, and Errol Clarke Associates Ltd. to do the design work for the rehabilitation of certain parts of Baxters Road, Tudor Street, Milk Market, Swan Street, James Street and High Street. The scope of the project includes the upgrading of the existing roadways and sidewalks and the provision of an adequate minor drainage system for the area which is designed for a storm minimum of two years. The detailed design will be part of the overall major drainage system for the urban Bridgetown area.

The civil works contract in the sum of \$6 299 725 was awarded to Rayside and Company Limited. However, the project was extended to incorporate proposals approved for the work on the Bridgetown infrastructure programme which is to be carried out by the Barbados Tourism Investment Inc.

Mr. Chairman, the Ministry has been experiencing some difficulties in this area as it relates to the utilities companies in Barbados. We have been able to get the Barbados Water Authority and BARTEL to come around to the Ministry's way of thinking. When I say that, I am talking about them asking Government to pay money to them to do certain work especially when you find that a lot of the assets that they own are fully depreciated.

The Barbados Light & Power Company is of a different view and to date they are still asking the Ministry of Public Works and Transport or the Government rather for over \$2.7 million for work to be done in the area. As I said, Mr. Chairman, a lot of this work that they are asking us to pay for, like the removal of poles and the running of overhead wires, is work that they have to do in the future in any case because they have to make infrastructural changes in there and these assets that they own are fully depreciated. As I said, we cannot get them to come around as yet, but dialogue is ongoing between the Ministry and the Barbados Light & Power Company Ltd.

We are very concerned about these utilities companies in Barbados especially in areas where Government has done good work in the re-paving and the rehabilitation of certain roads. Sometimes before the roads are completed they are asking permission to cut the roads. The Ministry, mindful of what is going on, is looking at what is known as a proposed Street Work Act where we are looking at getting these utilities companies to coordinate their services with the Ministry. It is generally felt also that a mechanism should be established for the sharing of cost.

This Street Work Act that we are talking about when introduced will be able to control the placement and timing of utility installations. This would allow for the effective coordination of utilities' road works and penalties will be imposed for non-compliance with Government's requirements. The proposed new Act will place responsibility on the utilities companies for the repair and rehabilitation of roads which they have damaged.

Mr. Chairman, as I said, this money that we are asking for is to supplement the Estimates of 2001-2002 and with that I ask that Head 37 stand part.

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

Mr. D. St. E. KELLMAN: I rise to speak on this particular Head. It is quite interesting to note that the engineers are being given a large sum of money and that the

contractors have not been awarded the necessary contracts. I hope when this project is allocated or awarded to the contractors that when the engineers call for more money, that the contractors will not be blamed for the quantum of money paid out to the engineers.

I am a bit concerned about the request being made by the engineers in this country and their attitudes towards the contractors which cause them to incur high cost in carrying out the project that they are given because the contractors are being blamed wrongfully for the high cost of the projects that they are asked to administer.

Mr. Chairman, I am saying that any engineer who has the responsibility to look after a project, whether it be a road or a building, and that engineer finds something wrong with the foundation and the contractor takes it upon himself to get a seismic test done, that the engineer should at least have the decency to look at the test that was done.

I am saying that a lot of small contractors in this country are being blamed wrongfully. The engineers are drawing large sums of money and the impression is being given that the contractors are the ones drawing the money. This is something that must be made clear. They frustrate the contractors. They behave as if they are lords among themselves, but then the contractors are given a bad press in this country. I am saying that this is something that must be investigated, especially when the Parliament of Barbados is asked to pay these engineers large sums of money.
5.30 p.m.

I believe that the truth of these matters should be told. Innocent people who set about to do a good job and who have a track record of doing good jobs should not be crucified and sacrificed because engineers set about deliberately to frustrate and embarrass people whom they feel do not have the capability of doing large contracts. A word to the wise is enough. I am saying that some of these engineers sit back and believe that they are the only ones who should land large sums of money and they do everything within their capacity to destroy other small people.

I want to know if this amount of money being paid to the engineers is the final sum, if this will be included in the cost of the road or whether these engineers will come back for more money. I want to know from this House whether this fee is for building roads or does it also include the fee for building buildings.

Sir, I do not believe that small contractors should be frustrated. There are many small contractors building roads in Barbados and building good roads, who are being frustrated by engineers because they feel they are professionals and because the contractors have the capacity

to do what they think they cannot do. They are frustrating the people. Sir, this has to be investigated to find out why these engineers are frustrating these small contractors and even sometimes creating medical problems for the contractors just because they feel that because they are not able to build the roads themselves that the small contractors should not be able to get these large sums for building the roads.

I am saying, Mr. Chairman, that this is a dangerous thing and any progressive government would investigate these charges because it does not speak well that you allow professionals to walk on the masses of people in Barbados just because they are jealous. The biggest problem facing this country is something called jealousy. Just because people feel they do not have the capacity to do something and feel that it can be better done by other people they feel they have a right to sabotage people. I am saying that an end must be put to this type of thing.

Can you imagine, Sir, an engineer has a right to charge all the money he wants and when he sees a small contractor he frustrates him and makes him look bad saying you will never be a large contractor in this country? They feel that they must dominate them all the time. I am saying that I was sent here to represent the interest of the masses and whoever is against it I am very sorry because whenever I see an injustice being done I will defend the masses.

I am calling the contractors who refuse to look at the information given to them by a small contractor who has the capacity and the ability to get advice from other professionals that they must not frustrate small contractors.

I am also asking other people to stop walking around giving the impression that the sum of the contract is only for the contractor because that is not correct. You must tell the whole truth of these matters because there are some fees as you can see, Sir. Already a road contract has not been awarded to the contractor but \$4 million in the pockets of the engineers. When this contract is given out, you will hear that the contract cost X, Y and Z. Everybody will believe it is the small contractors drawing all of this money.

What is regrettable is the same names appear all the time creating bare headaches for small contractors with people walking around saying that small contractors cannot do good work. Foolishness! Just because the engineers do not have the capacity to build the roads themselves but they are advisers, they feel they have a right to pressure poor people. Let me tell you all something, you all are joking! Wherever you go, whether it is building roads or building houses, whatever it is, the same names appear creating unnecessary pressure all the time.

Mr. Chairman, you are not a contractor and I know you are not an engineer either and you cannot defend them. You have to defend me. The same way they think about me they

will think about you. I am hoping, Sir, that I will not have to say anymore on this particular matter and those professionals who feel that they have a right to go and oppress poor people, whether you are a boat owner and they tell you that you have to cut the shaft when the shaft does not need cutting, or whether you are a road builder where they frustrate your foundation to the road or whether you are an engineer at a construction site and ask for the foundation to be done in a particular way and the contractor feels it should be done in another way. Stop oppressing poor people in this country! Stop oppressing poor people just because you feel you have the capacity when you do not have the capability!

I thank you.

Hon. R. D. MARSHALL: Mr. Chairman, I heard the Opposition Leader speak and I heard his words and I move that Head 37 stand part.

Hon. A. P. WOOD: I beg to second that.

The question that Head 37 stand part was put and resolved in the affirmative without division.

On the motion of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. C. EASTMOND, Mr. Chairman reported to his Honour the SPEAKER, the passing of one Money Resolution in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. Miss M. A. MOTTLEY, seconded by Hon. R. C. EASTMOND, the Resolution was read a first and second time and passed.
5.40 p.m.

Hon. Miss M. A. Mottley: Mr. Speaker, I also beg to give notice of a Resolution to grant the sum of \$9 438 427.00 from the Consolidated Fund and place it at the disposal of the Government to supplement the Estimates 2001-2002 as shown in the Supplementary Estimates 2001-2002, No. 16 which forms the Schedule to this Resolution.

GOVERNMENT BUSINESS

ORDER NO. 13 – TO MOVE THAT THE HOUSE RESOLVE ITSELF INTO COMMITTEE OF SUPPLY TO CONSIDER THE GRANT OF SUMS OF MONEY FOR THE SERVICE OF BARBADOS

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

COMMITTEE OF SUPPLY

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

ORDER NO. 13(a) – RESOLUTION TO GRANT
\$25 785 203.00 FROM THE CONSOLIDATED
FUND TO SUPPLEMENT THE
ESTIMATES 2001-2002

HEAD 25 – MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT – \$6 000.00

Hon. A. P. WOOD: Mr. Chairman, last week in this Honourable Chamber a Resolution was passed for the sum of \$6 000 to supplement the Estimates of the Ministry of Agriculture and Rural Development. However, an error occurred with the Object Number. On that occasion the Object Number used 1EX02 – Other Personal Emoluments. We are seeking the approval of this Honourable Chamber to make that correction and insert the correct Object Number – National Insurance Contributions.

The \$6 000 requested is needed to cover the payments for the remainder of the financial year.

I beg to move that Head 25 stand part.

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

HEAD 27 – MINISTRY OF TOURISM
AND INTERNATIONAL TRANSPORT
– \$22 103 404.00

Hon. N. A. LYNCH: In moving that Head 27 stand part, this amount of \$22 103 404.00 voted is being asked specifically for three programmes under the Ministry of Tourism and International Transport. Firstly, to supplement the Estimates for the monies voted to the Barbados Tourism Authority in the sum of \$4.8 million.

This sum is being sought for marketing support towards the introduction of the new service by US Airways into Barbados. We are well aware that airlift out of the US market has always been a serious issue for our tourism and in November 2002, after much work, a new service was started out of Philadelphia by US Airways on a four-day week basis.

In February 2002, this service became a daily flight. Between November and January the load factor of that airline was in the region of 40 per cent. This was thought to be a good performance for an airline introducing a service, particularly after the events of September 11 and for the month of February it actually performed better with just over 60 per cent average loads.

The amount initially asked for the US Airways project in terms of marketing support was US\$3.9 million in the first year to help support this programme. This amount would have been matched by the Barbados Tourism Authority.

However, after the September 11 incident and the fact that there was no advertising immediately after the events of that day, the amount was reduced to \$4.8 million. To date, \$1.4 million has been spent overall from the existing budget of the Barbados Tourism Authority leaving an amount of \$3.4 million.

Sir, at this juncture I can report that even in the face of much adversity and challenges relating to travel and tourism globally after the September 11 incident, the US market for Barbados has continued to do well given the circumstances surrounding those events.

Sir, I know that the number for January was 12 percent and the preliminary numbers for February are in the same region. We will have an opportunity next week during the Estimates debate to speak widely on tourism development and marketing. September 11 seems to have a more severe impact upon global travel than was originally estimated even by the experts in the industry. There is still a lot of apprehension about air travel by many people, particularly many of our markets. There are also two other issues that affected the tourist market. Sir, one is the hassle associated with international travel.
5.50 p.m.

It has come to our attention that in many of our source markets people would still like to travel internationally. The thought of going into an airport to immigration, customs and security is not what a lot of our consumers want to do at this time. In addition to that, there are many of our potential customers who are still interested in travelling. A lot of them would prefer to travel domestically because it does not involve travelling by plane. It is estimated that some 30 – 40 per cent of our potential market may be wrapped in those areas. Therefore, what we are seeing is a substantial decline in arrival to the region.

I am pleased to report that Barbados has done better than any of our neighbours during this period. Even though we are down by approximately 11 per cent for the first two months of this year, we are doing a lot better than many of the countries around us. These figures are based only on arrivals. I want to repeat that arrival figures are not the best measure of tourism performance. Other estimates of performance include occupancy level and bed nights and dollar spent per passenger, give a better picture of how the tourism industry is performing.

Sir, we have observed during this period, even though arrivals are down, some of the other measurements of tourism performance are not as hard hit. One airline in particular has had substantially reduced loads during the first two months of the year. That airline had traditionally brought Visiting Families and Relatives (VFR) and ethnic travellers into the region.

During the months of January and February, the Carnival period in Trinidad, that airline left the United States of America and other source markets fully booked, the number of passengers that got off at Barbados was substantially reduced. The numbers were down but VFR people do not traditionally patronise the hotel sector.

The \$12 000 that we are seeking as a grant to the Caribbean Tourism Organisation (CTO)... The Government must meet the full cost of accommodation under the Headquarters Agreement which we have with the Caribbean Tourism Organisation. I do not have to tell members of the importance of the work which the CTO has done in relation to the work in the region.

However, on February 4, 2002, CTO moved offices from the Frank Walcott Building to One Financial Plaza. Under the agreement with the Frank Walcott Building, janitorial services, security and utilities were included in the amount that was paid in rent. At One Financial Plaza, the Ministry of Housing has indicated that they will not meet these costs because it does not fall under the Ministry of Housing, therefore, until the end of the financial year we are seeking \$12 000.

Sir, under Subprogram 346, Urban Rehabilitation, we are seeking the sum of \$17 291 402. One million dollars were allocated in the Estimates of 2001-2002 to meet the Caribbean Development Bank's counterpart funding requirements for the Streetscape Development Project at St. Lawrence Gap. Additionally, funding is required to execute other projects for which approval was granted. These include \$5 million for the rehabilitation of the Town Hall; approximately \$2.6 million for the Jubilee Gardens Rehabilitation project; \$2.1 million for coastal defences in Speightstown; \$4.5 million for the Salt Pond drainage project and approximately \$3.1 million for the Streetscape project in Speightstown.

I think it is important that Honourable Members understand that these projects are fundamentally important if we intend to enhance our tourism potential in terms of making Barbados not only an attractive place for visitors, but also to add to the concept of promoting the advantages of investing in the tourism industry in Barbados. These projects are also needed not only for tourism but they add to the quality of life of Barbadians.

With those words, I ask that Head 27 stand part.

Mr. D. St. E. KELLMAN: Mr. Chairman, there is no doubt that the tourism industry needs more money to promote it. I am concerned about the way we are giving money to various airlines. When one considers that there are some American airlines which would look at what we are giving to other airlines. Those American airlines which can present stronger cases would tell you that they have been spending their money on a long-term basis to help our tourism product. Now that we have found new players and we are quite prepared to help them market their product, at the same time we are not doing likewise to the players that we had before. September 11 would have affected them the same way that it would have affected other players. I hope that we will not have a situation where all airlines would believe that because Government is paying out money, that they can now put a case for some of these funds.

I believe that it might not be a problem in helping airlines with marketing but at the same time we must make sure that we get something in return. I would like to know from the Minister what commitment he has received from the airline players that they are doing everything in their power to use that money to promote the local market and that this money is not being used to supplement other budgets elsewhere.

Sir, one would admit that this is not an airline that is only plying the Caribbean route. We have to make sure that the allocation that is being used by this particular airline for marketing which it is now asking the Barbados Tourism Authority (BTA) to match the amount of funds that they are spending; we have to make sure that they are indeed spending that money on our market and that they are not using a red herring. For example, they are saying that they are investing \$4.8 million and we should invest \$4.8 million, when, in fact, they are only investing \$2 million and spending the other \$2.8 million somewhere else. I know that airlift is important but at what cost are we going to get airlift.

We also have to make sure that in terms of marketing, the people we appoint to do the marketing for us overseas, that they truly have an interest in Barbados and that they are not using our funds to market other areas and they are not using us as a tool. We must also get some commitment from those players that we are getting the best from this investment.

I support the idea of developing areas in Barbados to make sure that we develop Barbados the right way, not only for Barbadians but for tourists alike. I understand why we would spend this money, but cannot understand why the Garrison area which needs to be preserved is not being preserved for a certain type of tourism. It does not make sense having an asset and not using it.

I think that we are misusing the asset because those buildings at the Garrison have historic value and I do not believe that the best opportunity cost is being achieved by keeping the Town and Country Planning Office there, when we can relocate and make it more accessible to Barbadians and better utilise the buildings at the Garrison.

I am saying that buildings with the historic value such as the Garrison are going to create a high maintenance cost for the purpose which there are being currently used. I believe that those buildings need to be preserved rather than to be destroyed.

6.00 p.m.

There is a project that can allow Barbadians to have the St. Joseph's Hospital being used as a hospital again and a small airport being built in St. Lucy. I want to hear from the Minister what he knows about the particular project and how he is treating this particular project because the capital amount allocated for that project is enough that would stop us from having to borrow. I have said in this House that we need to have inflows but we have to be very careful how we get them and the cost of them to the country. Owing is not the right way, there are other ways to achieve those inflows and I am saying that a project like that can bring the necessary inflows into Barbados. Mr. Chairman, not only that, what happens is that it would kick-start the project at North Point and that is the type of substantial investment that we need in Barbados, especially in the area of tourism that can continue to have an ongoing supply of foreign exchange for the country and not a one-off investment.

Asides.

Mr. D. St. E. KELLMAN: I mentioned that already and it is true. I do not have the documents here with me but I can make it a Document of the House if I have to but I will not make it at this point in time because I deliberately left it at home.

Sir, I am saying that I can understand the Minister of Tourism's excitement; he wants to see hardware on the tarmac at the Grantley Adams International Airport. He wants to see the hardware in the Bridgetown Port – and any Minister would like to see that. Sir, what we also want coming out of the hardware is the need to maximise the spending of those tourists coming to this country and as Ministers, you must make sure you put policies in place so that selfishness among the hotel sector is not allowed to continue. They must not continue to believe that the tourism product is only for them. They must learn to appreciate that the tourism industry is for every Barbadian in this country to get a little from tourism. The tourism industry is not only for "too few" but it is for every citizen. The day that we can get our tourism industry positively on the minds of every single

person in Barbados, we will not have to worry about crime against tourists because citizens will see them as people they have to protect and not as the enemy.

Sir, I hope with those few words the Minister of Tourism understands quite clearly what are the expectations of Barbadians on the ground and not only come in here and put the position of those who float at the top and believe that they are high-flyers, that everything belongs to them and that the crumbs must drop down. Sir, this tourism product is a product for the masses like the high-flyers. Sir, the high-flyers must understand that if there is not a foundation within the tourism industry some day they will drop and become part of the masses. I thank you, Sir.

Hon. N. A. LYNCH: Mr. Chairman, let me quickly address a few issues that might bring some semblance of order to the muddled thoughts of the Honourable Member for St. Lucy, particularly in relation to the airlift issue.

Sir, the Ministry of Tourism has never said anything about giving any airline money as opposed to any other airline money. We spoke about joint marketing so that airlines could increase airlift into Barbados.

Sir, the issue is a simple one. One of the biggest problems we have in tourism development and, indeed, the region, is that many of our tourist markets, even though there is...

Mr. D. St. E. KELLMAN: Mr. Chairman, on a point of order. The Honourable Member is misleading the House by giving the impression that the only way one can give an airline money is by putting it directly into its hands, which is wrong. If an airline has a marketing budget of, let us say, \$9.6 million, of which they inject \$4.8 million themselves and one goes out into the marketplace and spends \$4.8 million to promote that particular airline, that is also like giving them money, therefore, the Minister has to be careful.

Aside.

Hon. N. A. LYNCH: Sir, if the Honourable Member for St. Lucy will pause for breath and think, he will be given to understand the issues relating to this.

Sir, in relation to a joint marketing programme, we put up a sum of money, the airline puts up a sum of money – we match funds. How we do it, we have one advertising campaign of which we have copies of the tier sheets, of which they have copies also. It is something called direct marketing. It is not money put into a pool that could advertise anybody else, that particular money is spent only on this destination and that is what I want to get abundantly clear.

Asides.

Hon. N. A. LYNCH: When the money is drawn and the tier sheets are run, we know that the advertising is run only for Barbados. It cannot be run for any other destination. Sir, I want to go beyond that; it is an archaic view to hold the thought in tourism that one cannot subsidise the cost of an airline or share the risks of the airline seats into a particular destination. That is old-time tourism thinking and does not make any sense. Every tourism destination subsidises every part of the distribution chain that causes people to come to a destination. Sir, in other words, they do joint marketing and advertising with the tour operator and they do not know if that money goes into only promoting your destination or the like, but one has to weigh the cost of that as against the net benefits that the destination receives.

6.10 p.m.

In addition, Sir, if you bring travel agents on a Fam Trip, you put them up in a hotel, the hotel gives them free accommodation and you give them free meals, you are subsidising that particular part of the distribution chain. The issue is, that when you spend the money with all the concepts and components of the distribution chain, you will never be assured that you may not be, at some measure, supporting some other destinations. You have to weigh the net benefit to your country or destination as it comes to the amount of money you spend and the amount of money you receive.

The Honourable Member for St. Lucy at times has flashes of brilliance and asks some of the right questions. The issue is that at some part of the distribution chain, you will never be able to determine overall that the money is only spent in your particular destination.

Sir, in the case of the airlines and the USAir programme, I am sure that the money that has been matched with USAir has been spent only to advertise Barbados.

He spoke about other things, Sir, which we will have the opportunity to debate during the Estimates debate, issues relating to the development of Barbados and the St. Lucy Airport. Also, we will have more of an opportunity next week to debate a number of issues relating to tourism development.

Suffice it to say, however, there was a time when everyone complained about the fact that we were putting all of our eggs in one basket and that was when we were concentrating vigorously on developing the U.K. market. It is to our credit, Sir, that with this USAir programme and with some other initiatives that have been put in place, there have been substantial increases in airlift capacity out of the U.S.A. in terms of numbers, even in a recessionary period.

Sir, it is important that we now have almost equal distribution across both sides of the Atlantic and I think when we do get over this period of serious recession in terms of the tourism industry globally, that Barbados would be the better off for it.

Sir, with those words, I ask again that Head 27 stand part.

The question that Head 27 stand part was put and resolved in the affirmative without division.

HEAD 28 – MINISTRY OF HOME AFFAIRS – \$25 780 203

Hon. Miss M. A. MOTTLEY: Mr. Chairman, the sum which is before this Honourable Chamber relates to a number of matters that are necessary in order for us to bring to book series of different types of expenditure incurred throughout the financial year. Some of this expenditure was planned for, some of which exceeded what was planned for and some of which was not contemplated initially.

Under the sums being requested for the general ministry, most Barbadians would have been aware that there was a Commission of Inquiry into the escape of Winston Hall and that pursuant to that Commission of Inquiry, expenditure was incurred such that there are outstanding sums to the Commissioner, the legal counsel for the Crown, the Prison Officers' Association as well as for the former Superintendent of Prisons. In those circumstances, the sum which is stated here is anticipated to be able to cover all of the outstanding debts in relation to the inquiry.

I would wish to say at this stage, although I will say to you that we will go into it further next week, it is my hope that once certain personnel matters which are still sensitive can be completed, I would wish to lay the report in Parliament at a soon date and have the report circulated to the public, subject to those matters in it which pertain to national security being withheld from the report.

There is a sum for professional services in respect of the consultants' fees and related costs for both the Arch Hall Fire Station and St. George complex. That is a very small sum of \$47 041.84. This really, as I said is just for the consultants, namely, the engineers, architects, QCs, in respect of the works already completed.

In respect of the national emergency services, specifically CERO, there is an amount here for \$13 000 for maintenance of property which is required in order to be able to have repairs done to vehicles. As you know, this organisation would ensure that there is a lot of wear and tear on the vehicles because what people do not realise is even

when there is not a hurricane or a major emergency, basically when there are high winds or a lot of rain, they have to respond to emergencies all over Barbados at any time of the day or night, on an ongoing basis throughout the year.

In respect of the Fire Department, the major sum there is for the payment of value added tax in respect of the purchase of two crash tenders which were purchased under an agreement with Angloco Limited on April 18, 2001. As you know, there is a systematic replacing of crash tenders for the Fire Department on an ongoing basis, such that we do not ever have to replace an entire fleet at any one time. We are simply at this stage asking for the sum of \$307 560 for the payment of the value added tax in respect of these crash tenders.

Under the Prisons Department, Mr. Chairman, we have a number of requests, the most important and the largest of which is for personal emoluments the sum of \$601 679, partially as a response to the Belgrave Commission of Inquiry report and also as a result of a new initiative taken by the Ministry of Civil Service to provide flexibility allowances. The sums that were originally provided for other personal emoluments prove to be inadequate. The Ministry of Civil Service agreed to a request from the Ministry of Home Affairs for the creation of an additional 15 prison officers in September of last year and those posts have been created.

Sir, I should say at this stage that we have introduced a mandatory requirement for training for all new prison officers coming on board, as well as security clearance for all persons being employed by the prison service. Neither of these two happened in a systematic way before and it is an effort to ensure that when we do hire persons that they are specifically suited for the job, having gone through a process of training, as far as we can provide. In fact, that eight weeks training programme is going on at Paragon as we speak.

We also provided the requisite national insurance contributions to deal with the other personal emoluments which were provided for and it is of regret that officers have had to wait so long to be able to receive their salaries. I hope that at some stage in the future, we will be able to make this process far more efficient than it is today. As a result, there is also increased travel and a small sum of \$6 000 is being required for the prisons. The other major item is for supplies and materials where we need the sum of \$125 000 to supplement this item.

This morning I would have indicated in another debate, Sir, that we have, in fact, seen increased numbers in the prison. The number at last Friday stood at 893 persons. Therefore, increased persons mean that there is a greater need for the provision of supplies to those persons. In the

circumstances, we also have some difficulties with the fluctuation of prices and as a result we have run short of the provision.
6.20 p.m.

Under maintenance of property, there has been an increase in the cost for repairs and vehicle parts and the sum of \$40 000 is required to meet the shortfall of the sums that would have been provided for under that Head.

Equally, as you are aware, Mr. Chairman, the Prison is in a Zone One area and periodically we have to provide for the systematic cleaning of the sewerage wells. Unfortunately, Glendairy still has the unfortunate practice of slopping and in the circumstances we have to do all we can to ensure that there is no contamination of the water supply for Barbados, particularly in the St. Michael area. Hence a sum of \$95 000 is required so that we can embark on the cleaning of the Prisons. Next week when we come you will hear about our initiative to start to make that a thing of the past on a phased basis where we can do so. We must remember that some of these buildings were built in 1855 and to touch them will literally lead to the collapse of some of them.

There is a small amount that is required for plant, equipment and furniture for the office of the Superintendent of Prisons. The chairs there were virtually falling apart and I am sure none of us would begrudge that \$2 194 for the restoration of furniture in there.

In respect of the Government Industrial Schools otherwise known as Dodds and Summervale there is a small amount as well that is required. An amount of \$10 832 is required to supplement the travel of officers. The van which the school has, has virtually broken down on more occasions than it is capable of being used and, therefore, officers, unfortunately, have had to incur more travel in doing the business of the school than they would otherwise have to do had that van been functioning properly.

There is a small amount of \$24 200 for supplies and materials and this has been occasioned by the change in proportion between inmates. We now have more girls on a consistent basis at Summervale than we have boys at Dodds and this has, therefore, changed up the structure of the kinds of things that we need to provide, particularly as it relates to personal hygiene and taking into account the passage through adolescence by the young ladies.

There are two sums that are being required because the construction work on Summervale has taken a little longer than we anticipated because we had to move the girls from Summervale into the old headmaster's residence at Dodds.

We took a decision to provide additional security and the Government has been hiring the services of a security firm to boost what was otherwise a fairly open area in terms of running into a secured area and as a result of the overrun in time it means that we need the additional security services for another two months or so and hence the sum of \$45 000 is required to complete the payment to the financial year.

Equally with the structures of the actual building there is a small sum of \$80 000 that is required to ensure that we can finish the building. As I said, there were some little difficulties, not major ones, that were not envisaged largely as a result of the type of walls that the building would have been built in. As you know, Sir, many of these older buildings are built far differently from the ones that you build today and when you touch the walls, the lath and plaster as they usually are called, have severe implications for other parts of the construction. An amount of \$53 597.96 is required for professional services as a result of the consultancy services consequential upon the repairs to Summervale as well.

The last major amount is for the Post Office. Many of us would be cognisant that post-September 11 there was a very unfortunate scare where persons were receiving anthrax through the mail and we have to ensure throughout this jurisdiction that we considerably enhance security so as to ensure that persons are not affected. In the United States of America some people even die from this. While we had two or three scares in Barbados, fortunately none were actually confirmed but it was felt out of an abundance of caution as well as in recognition of the fact that Barbados is a trans-point for much of the mail to the Eastern Caribbean that we needed to enhance our security measures. As a result, the Post Office is going to be purchasing two Hi-scan TX-Ray inspection systems for scanning packages and flat mail. These two pieces of equipment are very costly and they come to the amount of \$398 820. We believe both in the interest of protecting Barbadian postal workers, the general Barbadian public as well as preserving our transit business that the investment in these two machines is absolutely essential.

Mr. Chairman, with those few words I beg to move that Head 28 stand part.

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

Mr. D. St. E. KELLMAN: Mr. Chairman, the only thing I want to say on this particular issue is that there was a concern by some officers at the Prisons that they have been working for long periods without getting any payment. I hope that this one has been corrected and that this will not occur again for the simple reason that we might forgive other government departments but not the Prisons or the Police because these are very highly sensitive areas and I believe

that we should do everything in our power to make sure that this one does not recur.

Hon. Miss M. A. MOTTLEY: I thank the Honourable Member for his words. That has been brought to my attention and, as I indicated in my opening remarks, it is a matter for which I am deeply regretful that Government has not yet found a more efficient way of processing new workers because very often new employees in the public service have had to wait three to four months before they receive their first pay cheque. It is a totally wrong and an unacceptable thing and I hope that is one of the areas of public sector reform that we would assiduously treat to in the next year.

I want to apologise to those prison officers who had to suffer this fate and to thank them and commend them for working in spite of that at the particularly high levels that they have been working recently and trust that we would continue to see that sense of public-spiritedness on their part while ensuring great detail to ensuring the security of the institution is not compromised in any way.

I beg to move that Head 28 stand part.

The question that Head 28 stand part was put and resolved in the affirmative without division.

HEAD 30 – ATTORNEY GENERAL – \$1 477 780

Hon. Miss M. A. MOTTLEY: Mr. Chairman, Head 30, like Head 28, represent the bringing about of a number of expenses for a lot of small things. There are two large items in here which would be (1) the completion of payment for the technology firm that supplied the services for the computerization of the Probate Records of the Registry of the Supreme Court. We have the sum of \$242 464 for them in order to pay them for the services rendered.

Of course, the other large item of \$126 540 is required to pay for post-mortem fees. As you know no Government can actively or accurately predict what level of post-mortem fees would be required in any year given the vagaries of mortality and death. The sum which I am very happy to bring, and which I believe all members of this Chamber will be happy to agree to, is the sum of \$198 663 which represents the arrears of the inconvenience allowance to the court marshals who, as you know, would have represented very strongly last year about the inability of Government to settle this amount. I am happy that we can bring this to book before the end of this financial year such that these gentlemen and ladies can be properly compensated in respect of that inconvenience allowance.

6.30 p.m.

The last big item under the Police is required essentially to meet the cost of the upkeep of the vehicles. I said today that we bought the new fleet and if you have a new fleet you have to maintain it, if not, it is quickly going to become a very old fleet. The last sum for the Regional Police Training Centre is to meet the cost of the completion of the shooting range and installation of water tanks at that Regional Police Training Centre.

As you know, Mr. Chairman, the clubs at Waterford and Paragon are overused and therefore to have a proper shooting range at the Regional Police Training Centre was desirable as well as to ensure, cognisant that Barbados has some water shortages occasionally, that there is adequate provisioning of water by reason of having the water tanks placed there.

Mr. Chairman, I beg to move that Head 30 do now stand part.

Mr. D. St. E. KELLMAN: Mr. Chairman, I will not be long on this one. I want to say that I am very happy that the court marshals will receive their money finally because they have been complaining to me bitterly and I have been representing their interest. I am happy to see that this matter has been solved and I also want to find out from the Attorney General when the matter pertaining to the police will be corrected because we have dealt with the prison officers and now with the court marshals and the outstanding matters with the police should also be now dealt with.

Hon. Miss M. A. MOTTLEY: Mr. Chairman, as far as I know, the police have surplus resources in the flexibility allowance. One of the difficulties for me since I have been in this job has been to impress on the police that they need to manage better their processing of the flexibility allowance so that persons can be appropriately compensated. The question as to whether they have over-estimated what was required or whether it is simply being affected by administrative and bureaucratic delays has really to be resolved. The reality is that funds are available in the provision for the police for the payment of the flexibility allowance and more than adequate funds.

I beg to move that Head 30 stand part.

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

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

HEAD 50 – POST OFFICE – \$398 820

Hon. Miss M. A. MOTTLEY: Mr. Chairman, I would have spoken to this issue already and therefore beg that Head 50 stand part as well as the Schedule be amended to read as stated in the document before the House.

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

The question that Head 50 stand part was put and resolved in the affirmative without division.

ORDER NO. 13(b) – RESOLUTION TO GRANT \$9 438 427 FROM THE CONSOLIDATED FUND TO SUPPLEMENT THE ESTIMATES 2001-2002

HEAD 19 – MINISTRY OF FINANCE AND ECONOMIC AFFAIRS – \$956 664

Hon. R. C. EASTMOND: Mr. Chairman, at the start of the 2001-02 financial year, responsibility for National Insurance and Social Security was vested in the Ministry of Finance. Of course, as you are aware since October 1, national insurance came under a different Ministry. You will recall that in the Financial Statement made before this Honourable House on August 8, 2001, there was the announcement of a policy to adjust upwards the pensions paid to old age pensioners. Permit me, Mr. Chairman, to refresh the memories of all Honourable Members as I quote from pages 116 and 117 of the Economic and Financial Statement of August 8, 2001. It says:

“This adjustment will be in keeping with the inflation over the three year period since 1998 and will represent a cost of living allowance at a rate of 7%. This will see the minimum contributory pension moving from \$98.00 per week to \$105 per week and the non-contributory pension moving from \$80.00 per week to \$86.00 per week. All other social security pensions will be increased accordingly by a similar percentage rate.”

In consequence of these increases, it has now become imperative that a sum of \$928 537 reflecting the expenditure incurred on those increases be voted by this Honourable Committee. I am therefore asking that this Honourable Committee be minded to approve the application for \$928 327 for the payment of funds incurred in consequence of the increases already mentioned. It represents really an application to make up the shortfall related to the increase in non-contributory pensions and all the associated under-funding for the fiscal year.

With those remarks, I beg to move that Head 19 stand part of the Resolution.

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

The question that Head 19 stand part was put and resolved in the affirmative without division.

HEAD 34 – MINISTRY OF EDUCATION, YOUTH
AFFAIRS AND CULTURE
– \$8 481 763

Hon. R. N. GREENIDGE: Mr. Chairman, this request for supplementary provision by the Ministry of Education, Youth Affairs and Culture deals first of all with the Other Personal Emoluments Head which we are requesting the sum of \$152 920 to meet salaries and wages incurred during the months of February and March 2002. What was provided for in the previous year, this year has proved to be inadequate and we now have to deal with those two months in terms of the extended periods for acting appointments, sick leave and the necessary substitutions and so on.

The bulk of this supplementary goes to the University of the West Indies and there is no need for us to try to justify our commitment to the University of the West Indies. In fact, just a few weeks ago we had a debate here where we mentioned the tremendous contribution which the University of the West Indies continues to make in this region and I also have to say that we as Barbadians can hold our heads high and say that we have a good record when it comes to assisting the University of the West Indies.
6.40 p.m.

Sir, we have to pay tuition fees for Barbadian students and there is a balance of \$1 269 666.00 owed by the Government of Barbados to the University of the West Indies as tuition fees for Barbadian students. If we boast about giving our students free secondary and tertiary education, then we have to meet the cost because there is a high cost attached to tertiary education.

We also have to settle outstanding fees which are owed to the Council of Legal Education by four Barbadian students.

It has been my experience that requests from students at the University of the West Indies for assistance can be very high. Some students write to us from Mona and St. Augustine and say that they find it difficult to make ends meet and request financial assistance from us. In such circumstances, wherever possible, we try to assist them.

We are also requesting supplementary provisions for the School Meals Department. One of the concerns of the

School Meals Department is the whole question of how nutritious is the food being served to students. This year we have decided to make it healthier for the students and healthier means more expensive.

We have a pilot project which provides fresh milk for students and this is where the expense of \$110 409 comes. We are simply doing a pilot in a few schools and not all of the schools are yet in the project. The first week of the project, it was realised that the children were not too receptive and some public relations was done as to how nutritious the milk was, the flavours were changed and the children are now receiving it well.

Sir, the pilot project with fresh milk is taking root and the children are indeed very happy about it. When we were at school we got biscuits and powdered milk but these children are more fortunate and they are getting fresh milk.

In the circumstances, I am asking that the sum of \$8 481 763.00 as required by the Ministry of Education, Youth Affairs and Culture to supplement their application stand part.

Mr. D. St. E. KELLMAN: Mr. Chairman I agree with the Minister that we must support our own and accept that the University of the West Indies is a good university and that any degree from it must be appreciated. I hope the Minister would use his good office to make sure that the dental profession in Barbados recognises that the Caribbean Governments have spent lots of money qualifying people to be dentists and that it is unfair that after people qualify to be dentists that they then have to sit an examination to suit outside standards.

Sir, if we accept the University of the West Indies as the one we will work with, it is then unfair to ask our people to sit an examination to suit the standards outside of Barbados. Sir, if that is the case, students should be sent outside of the Caribbean instead of to the University of the West Indies.

I think that the University of the West Indies are shortchanging themselves by requesting students to sit this examination because it is an insult to the University of the West Indies. I find it extremely difficult to believe that the University of the West Indies would be requesting its own student to sit this particular examination.

I am asking the Minister to use his Ministry to correct this problem or the taxpayers' monies would be wasted to send students to Mount Hope to be qualified. We should take that money and send the students elsewhere because at least they would be able to practise when they return home.

Sir, I hope that the Minister would use this Head to make sure that students who were in Barbados for the last seven months and who cannot work would be able to get to Trinidad to sit the examination.

Mr. Chairman, this problem cannot be ignored and I am asking the University of the West Indies to recognise the power and authority put into their hands by the people of the Caribbean and that the people who work with the University cannot just draw large sums of money without giving an opinion on the economy and the things that affect the Caribbean.

Sir, those professionals are shortchanging the Caribbean especially at a time when we are going through globalisation. One would expect a high level of debate generated by the University of the West Indies but instead they are shortchanging the Caribbean at a time when we need them to guide the people. They are depriving the taxpayers of Barbados and elsewhere of the opportunity to understand what is going on in the world.

Sir, I thank you.

Hon. R. N. GREENIDGE: Mr. Chairman, I am very much aware of the case of which he speaks. I have met with the young man that was referred. I have also met with the University and I have spoken to them on this matter and they have promised that they will deal with it. I know that they have appointed someone who is virtually the Chair of a committee that has been set up to deal with this particular matter.
6.50 p.m.

I want to say that I do agree that what is needed at the University is a mechanism where we can be sure that there is always some kind of quality assurance in terms of what our people are studying and how relevant it will be when they leave the university and whether they will be able to apply the knowledge to the profession in which they desire to make a living.

It is very often left to the whims and fancies of our National Council. They may have a Council of Dentistry or Architecture. It is often left to them to decide what quality and standard they are going to accept. If they are not in sync with what is happening at the University, then obviously, as the Honourable Member said, he will be shortchanged.

I remember a few years ago some of our engineers who were at St. Augustine thought that they would have been full-fledged engineers when they graduated. They did not realise that our Engineering Department at the University of the West Indies was taken off their accreditation by a few universities, including the English universities. They had to fight a battle to be acknowledged. I think that battle was fought by our own Professor Hillary Beckles to get them back at that standard.

As I said, I know of the incident. I met with the gentleman and the University and I hope that very shortly the matter will be resolved.

I now ask that Head 34 stand part.

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

The question that Head 34 stand part was put and resolved in the affirmative without division.

On the motion of Hon. R. N. GREENIDGE, seconded by Hon. R. C. EASTMOND, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of two money Resolutions in Committee and Supply and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. R. C. EASTMOND, seconded by Hon. R. N. GREENIDGE, the Resolutions were read a first and second time and agreed to.

ADJOURNMENT

Hon. Miss M. A. MOTTLEY: Sir, this brings us to the end of Government Business for the day. In moving the adjournment I would wish to alert all Honourable Members that when we meet on Monday, March 11, 2002 at 11 o'clock, we anticipate that we will commence the second reading debate on the Appropriation Bill 2002-2003 and that debate should run the entire week until Friday, March 15, 2002 with the appropriate time-lines as observed in recent times still being observed. I also at this stage give the Members of this Chamber notice that when we finish next Friday evening, the House will be going on its Easter break and that we will be anticipating that we will return on Tuesday, April 9, 2002. Honourable Members can plan their business appropriately and get the prerequisite rest and be recharged for a very full Order Paper. As you are aware, we have the International Financial Services Act, the Education (Amendment) Act, Grantley Adams Airport Authority Bill, Sustainable Tourism Bill, which will be laid as soon as we return and there are a number of major pieces of legislation which have to be completed on our return.

I am just alerting Honourable Members to what essentially will be the work of the Chamber for the first six months and when we will be taking the Easter break.

Mr. Speaker, with those few words, I beg to move that this Sitting be now adjourned until Monday, March 11, 2002 at 11.00 a.m.

The question that the House do now adjourn until Monday, March 11, 2002 at 11.00 a.m. was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.
7.00 p.m.

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