
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 2003 – 2008

THE SENATE

Wednesday, February 18, 2004

The Senate met in the Senate Chamber, Parliament Buildings on Wednesday, 18th February, 2004 at 11.00 a.m.

PRESENT

His Honour Senator Sir Fred GOLLOP, K.A., J.P.
(President)

Her Honour Senator Dame Patricia SYMMONDS, D.B.E., G.C.M., B.A. (Hons.) (PGCE), J.P. (Deputy President)

Senator the Hon. E. R. GRIFFITH, G.C.M., J.P. (Minister of Agriculture and Rural Development) (Leader of the Senate)

Senator T. E. BARKER, B.A. (Hons.), M.A. (Econ.), J.P. (Parliamentary Secretary in the Ministry of Finance and Economic Affairs)

Senator the Hon. J. E. D. WILLIAMS, B.Sc. (Hons.), M.Sc., M.B.A., J.P. (Minister of State in the Prime Minister's Office and the Ministry of the Civil Service)

Senator Sir John Stanley GODDARD, K.A., G.C.M., B.Com., F.C.A. (Hons.), LL.D. (Hons.) (U.W.I.)

Senator B. R. COLLYMORE, C.M.G.

Senator the Hon. Mrs. V. E. NEWTON, S.C.M., B.A. (Spec. Hons.), M.A., LL.B. (Hons.) (U.W.I.), F.L.A. (Gt. Brit.), L.E.C.

Senator R. W. GRANT, B.A. (Econ.), G.Dip., M.A. (Parliamentary Secretary in the Ministry of Tourism and International Transport)

Senator the Hon. Miss L. V. EASTMOND, LL.B. (Hons.), LL.M. (Minister of Commerce, Consumer Affairs and Business Development)

Senator I. St. C. LINTON

Senator G. P. B. NICHOLLS, B.Sc. (Hons.), LL.B. (Hons.)

Senator G. P. I. GOODING-EDGHILL

Senator Miss S. C. V. HUSBANDS, B.A. (Hons.)

Senator F. J. STUART, B.A., LL.M.

Senator Dr. D. S. LOWE, Ph.D., Dip. Theology, B.A., MED, ED.D.

Senator the Very Reverend H. E. CRICHLAW, G.C.M., B.A. (Hons.) (Dunelm)

Senator Dr. F. L. CHANDLER, Ph.D., B.Sc. (Hons.)

Senator A. C. FIELDS

Prayers were led by Father Errington Massiah.

Mr. PRESIDENT: This Senate is in session.

ANNOUNCEMENTS

Mr. PRESIDENT: I have received a letter of apology for the absence of Senator Parris who is out of the island.

PAPERS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg permission to lay the following documents:

1. Annual Report of the Enterprise Growth Fund for the year, 2002.
2. Annual Reports of the Barbados Port Authority for the years 1999, 2000 and 2001.
3. Annual Reports of the Transport Board for the periods April, 2000 to March, 2001 and April, 2001 to March, 2002.
4. Annual Report of the Barbados National Oil Company Limited for the year ended March 31, 2001.

5. Annual Report and Financial Statements of the Fair Trading Commission for the year ended March 31, 2002.
6. The National Commission on Sustainable Development – The Barbados Sustainable Development Policy.
7. Annual Report of the Insurance Corporation of Barbados Limited for the year 2002.
8. Report on the Public Enterprise Investment Fund for the Quarter ended September 30, 2003.
9. Special Development Areas (Sugar Bay Developments Limited) Notice, 2004.
10. Special Development Areas, (Keystone Development Limited) (Revocation) Notice, 2004.
11. Value Added Tax (Refund) (Redemption Ministries) Order, 2004.
12. Annual Report and Accounts of the Barbados Agricultural Management Company Limited for the year ended June 30, 2002.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that Standing Orders Nos. 22(1) and 45(2) be suspended for the rest of this day's Sitting.

The question was put to the Senate and agreed to.

FIRST READING OF BILLS

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that the following Bills be read a first time.

1. The Juries (Amendment) Bill, 2004.
2. The Fair Trading Commission (Amendment) Bill, 2004.

Mr. President, you will recall that Honourable Members were informed approximately a week ago of some minor changes to both Bills.

I now beg to move that these Bills be read a first time as amended.

The question was put to the Senate and agreed to.

RESOLUTION

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to give notice of the following Resolution:

To approve the borrowing by the Government of the sum of US\$13 502 530 from the Bank of Nova Scotia for the purpose of financing the provisions of modern communications network for the Royal Barbados Police Force.

OBITUARY SPEECHES

SENATOR THE HON. E. R. GRIFFITH: Mr. President, before we proceed with Government's Business, I crave the indulgence of the Honourable Senate to deal with a matter which has occurred since our last Sitting.

As most Honourable Senators might know, Mr. Henderson DeLisle Husbands, the father of Senator Sandra Husbands has passed away. I think it is only fitting and proper that we should extend our condolences to Senator Husbands and the family of the deceased.

The late Henderson DeLisle Husbands, husband of Velda Husbands, father of Sandra, Diedre, and Joan, was born July 28th, 1929. He died on December 28th, 2003.

The late Henderson DeLisle Husbands was an outstanding salesman who was employed by McEneaney Limited. He was also an excellent and outstanding life underwriter, employed by ManuLife Insurance Company.

Mr. President, those of us who knew him would have been aware of his sterling qualities as a motor mechanic. He was an affable, generous and adventurous person and was a Member of the Ancient Order of Foresters.

Mr. President, not surprising, he was an excellent driver, and I am told that he was an expert dominoes player. A loving but strict father, he taught his daughters always to go after their dreams and to get up, if perchance they had fallen.

We have seen the fruits of his advice in no less a person than our fellow Senator. I, therefore, wish to extend our deepest condolences to the family of the late Henderson DeLisle Husbands.

11.30 a.m.

SENATOR F. J. STUART: Mr. President, I rise to associate myself and the Opposition with the sentiments expressed so generously by the Leader of Government Business in the Senate and to extend my condolences to my colleague, Senator Husbands. I did not know the late

Henderson DeLisle Husbands although it was my privilege and pleasure to have known his wife for 30 years having been at the University of the West Indies together as students in the 1970s.

Sir, when I think of it, I do not think I have to know the late Henderson DeLisle Husbands. I believe it was the illustrious English architect, Sir Christopher Wren, on whose tomb in St. Paul's Cathedral are the words "Si monumentum requiris circumspecte".

Mr. President, Latin is not taught nowadays but I am aware that Your Honour attended a school which boasted some of the best Latin teachers in this island and you, more than most of us, would be aware that translations are tricky things. In fact, my Latin teacher used to warn me that a translation was very much like a lover, the more attractive, the less faithful and the more faithful, the less attractive. I do not suppose I would have veered too far from the Latin if I say that the translation for the Latin just given is: "If you want to see my work or the evidence of my work, just look around you".

Sir, the late Henderson DeLisle Husbands, were he able to communicate with me across from the valley of the shadow of death, might say to all of us in here, if you want to see evidence of my work just look around you. Mr. President, to tell you the truth, that injunction is one of the most pleasing to obey because it cannot hurt to look at the evidence of the work of the late Henderson DeLisle Husbands.

Sir, none of us can ever get accustomed to death and even though it is the inevitable fate of all of us, whenever it comes, we still have to be generous enough to bear one another's burden and make our shoulders available for others to lean on.

I believe it was the Renaissance cleric the late Doctor John Donne, who wrote a sonnet on death, I call it a peerless apostrophe. In the sonnet he ridiculed death. He said that it should not feel proud, though some call it mighty and dreadful because it is not so. Having identified all the weaknesses in the argument that death is powerful, he posed an immortal question to death. "Why swelleth thou then, one short sleep pass, we wait eternally and death shall be no more?"

Sir, I can think of no better words to leave with my colleague, Senator Husbands, than the words of John Donne that once one short sleep passes from her father, he will wake eternally and death will be no more.

Mr. President, I take the pleasure on behalf of the Opposition in extending heartfelt condolences to Senator Husbands and her family.

I am obliged to you, Sir.

Mr. PRESIDENT: I should like to join the Honourable Senators who have spoken in expressing the condolences of the Chair to Senator Husbands and her family. As Senator Griffith said, the late Henderson DeLisle Husbands lived a full and productive life. He was clearly an influential role model for Senator Husbands and her siblings. I will not try to reach the oratorical heights of the Senator who just spoke but I certainly wish you and your family all the best in this period and may he rest in peace.

SENATOR Miss S. C. V. HUSBANDS: Thank you, Mr. President. I rise to offer thanks on behalf of my family and myself for the kind sentiments that have been expressed. I know it would have meant a lot to my Dad to have heard this debate.

Mr. PRESIDENT: I now ask all Honourable Senators to stand for one moment in silent tribute to the late Henderson DeLisle Husbands.

The Senate stood for a minute of silence.

PUBLIC BUSINESS

ORDER NO. 4 – RESOLUTION TO APPROVE THE BORROWING BY THE GOVERNMENT OF THE SUM OF US\$13 502 530 FROM THE BANK OF NOVA SCOTIA FOR THE PURPOSE OF FINANCING THE PROVISION OF A MODERN COMMUNICATIONS NETWORK FOR THE ROYAL BARBADOS POLICE FORCE

SENATOR THE HON. E. R. GRIFFITH: Mr. President, the matter before us is a Resolution which seeks the approval of Parliament for the borrowing of US\$13 502 530 from the Bank of Nova Scotia for the purpose of facilitating the provision of an upgraded communication facility for the Royal Barbados Police Force.

Sir, all of us would agree that it is vital for the Royal Barbados Police Force to be well-equipped so that it can stay ahead of the criminal-minded persons in our community. The question of borrowing is one which sometimes becomes contentious. This is so whether it is the Government, company or another organisation, but it is more contentious when Government borrows because very often, persons fail to reason.

11.40 a.m.

They become somewhat emotional about it and they lose sight of the reality of the situation.

Sir, the public debt of Barbados at the moment is \$4 billion. It is made up of \$1.3 billion in foreign debt and \$2.7 billion in local debt. Mr. President, although that appears to be a large total in the eyes of certain persons, it is not an unmanageable debt when it is taken within the context of the operations of our economy.

Persons who are familiar with the management of public debt know that the issue is always whether the country has the ability to repay the debt or whether the country is able to service the debt over the agreed period of time. The total debt servicing charges amount to \$274.2 million, 5.3 per cent of our Gross Domestic Product. Sir, my experience tells me that is a very manageable situation.

Mr. President, normally, I would not be speaking in any detail on this issue because I doubt any of us would disagree with the decision to upgrade the telecommunication facilities of the Royal Barbados Police Force. However, I feel compelled to speak a little about this issue because of certain misunderstandings that I have been hearing from time to time as I move around the society.

A few days ago, I heard a story on one of the radio stations about a report that allegedly came from Standard and Poor's about the health of the Barbados economy and it caught my attention immediately because the report that was being referred to was not one which represented the facts that I was aware of. Therefore, I did what I thought should have been done.

I immediately got hold of a copy of this document and I found that it was not a report on Barbados. It was a general report being made with reference to approximately 90 sovereign states and in that group there was reference, a few lines, to five of the countries within the hemisphere, and Barbados happened to be one of those countries. Reference was being made with respect to countries that had a fixed exchange rate or some type of regime similar to that. Mr. President, as you are aware, Barbados has had a fixed exchange rate for a long time and it has worked exceedingly well for us.

Sir, when I worked elsewhere, I had the task of often telling persons from abroad that it works for us and it was not an issue of using any theory in a textbook. It was an issue that was practical and workable for a small country like ours. They always came with their textbook theory which is a one-size fit, and we always had to rebuff them and explain to them that in theory that is good but in practice this is what works for us.

Sir, we have knowledge that to maintain this situation we have to tread in a disciplined manner and we are aware of that. The stability that has been provided through that system

has done us enormous good and they acknowledged that from time to time while still talking about a different regime, because that is how they have been taught.

There is a big difference between the management of a small country like ours and a large country like the ones from which most of them come. Mr. President, you can make errors in a large country and there are opportunities for you to paste them over and to recover from the impact. In a small country like ours, it is a serious error and it will reverberate throughout the entire system. Therefore, the type of stability which has been provided by our fixed exchange rate regime has worked well for us.

Mr. President, what distressed me was when I read the few lines, it became abundantly clear to me that the persons had completely misunderstood what was being said. Our rating had not changed from A minus. The statement with reference to the need to watch what was happening on the fiscal account had been made a year ago. It was nothing new but it had apparently captured the attention of persons who had not been doing their homework.

Mr. President, when I was elsewhere, I took part in many road shows across the United States of America and the United Kingdom on occasions when we were interested in going to the market or merely renewing acquaintances and updating persons with whom we had done business with previously, or persons with whom we were hoping to do business within the future.

Sir, one thing they have always said, even now by the authors of the report to which persons were referring – I subsequently heard the Managing Director of the Company explaining that he was shocked that people in Barbados misunderstood what had been said and that Barbados is the best managed economy in the region. I knew that, Sir.

Sir, not long ago I dealt with an institution where I often had to explain to persons from larger countries what the peculiar problems are in a small economy and they would say that they did not know what I was talking about. They would ask what was a small economy and I would have to make reference to the working of the capital markets to show that even the capital markets make a distinction between a large economy, which may very well be a developing economy and may even be less developed than Barbados, and a small economy.

I also had to make the point that even though our economic fundamentals were excellent and that in the various ratings which we got from the institutions, we were always told ... "I cannot give you the best that you deserve, because you are a risk," and when asked why, the answer was that because you are small.

11.50 a.m.

They would refer to larger countries that had worse economic fundamentals but had greater potential for diversification and development in the future than we have, and they would say, "You are still limited in the range of options that are available to you and, therefore, if you falter in one area, there is a greater risk in dealing with you, than dealing with country "A", which though, not as well managed as you have, nevertheless, greater potential and greater opportunity to shift from one operation to another, to take up the slack that results from the downturn in one part of the economy," and that is the issue here. Therefore, anytime you have to deal with these people, they will put down certain markers to remind you that you have to be always disciplined in your approach.

I took part in a road show once, when we went to a particular market. The bond issue was over-subscribed within two days, but everywhere we went during that period of time, the potential investors said the same things to us, that is, we know you well, you have always managed your affairs well, we know you will continue to do that but, if there is a downturn in this market or that market, how are you going to cope? We believe that as you have done it in the past, you will get out of it somehow, but we have to take that into account, so we will give a good rate, which you deserve, but we cannot give you the best rate.

Therefore, the point I was making when I spoke to those other countries is that even the capital market, while acknowledging the strength of our economy and the good management that exists, was always still, though giving us a better rate than some other developing countries, would still not give us the best rate, because they regard the country as small. Therefore, it has to be very disciplined in what it does, and there are always more potential risks in dealing with a small country than dealing with a large country.

For example, if you take China, it is no way where Barbados is in development, but the potential is huge. Therefore, even though the fundamentals may not be as good, it would always get a better rate. It has nothing to do with the fundamentals, so that persons who do not understand the finer points about these issues, run away with those statements which they do not quite fully understand and then they spread a lot of misinformation.

I thought that I should pay a little attention to this today. I will have another occasion when I will speak in detail about these issues, not too long from now, in another three weeks or so, because there are some things which I think we need to put to rest, once and for all.

Sir, I will now speak to the issue of the debt. I saw in one of the journals, I think, that some persons were asking

why do we have to borrow in foreign currency, when we can borrow locally? Now, I used to teach economics at one stage in my life, and if I had a student in my class that had asked me that question, I would have to take that person aside for a good talk. Now, let us understand the issue. The equipment which is being bought for the Royal Barbados Police Force is not made locally. It is foreign made, so you are importing equipment and you will borrow local dollars to pay for equipment you are importing? Now, all of us who have dealt with the question of importation of one kind or another knows that when you do that, you have to go to a commercial bank and buy foreign exchange.

There is no way that you can pay, although I must tell you that when I was in Rome not so long ago, I was pleasantly surprised to see that the Barbadian dollar was one of the dollars quoted by the currency exchange booths, and that reminded me that even from that distance people recognised the strength of the Barbadian dollar. There is no way that I can import equipment from Rome, and pay my supplier in Barbadian dollars. I would have to pay either in Euros, US dollars or some other currency that can be easily exchanged.

Sir, the issue is not as simplistic as some people would try to make it. If you are importing goods, and you even borrow locally, you will have the currency of the country from which you are importing the goods. This is not how any person who understands dealing with these issues would go about it. The only issue could have been – and please note carefully that I said, could have been, because from all that I said, it is clear that it is not an issue – is if that amount of money could have been described as the last straw that will break the camel's back and, therefore, when added to our existing debt would put us at such a point, where we would go over the brink. We are nowhere near that, so it is not going to create any jeopardy for the economy.

There is no possibility of anyone producing any evidence to say that we will not be able to service it or repay, so that it cannot be an issue. It is simply any person who seeks to make it an issue within the context of our debt management situation, certainly misunderstands what are the basic issues. Sufficient for that, Mr. President, we will deal with that another time.

The point here though is that the funds are needed to provide the Royal Barbados Police Force with an up-to-date, modern and much more efficient telecommunications system than they now have. The type of system which is contemplated, will not only provide better facilities for the Royal Barbados Police Force, but will provide a foundation for a national solution, offering independent services to other agencies, including the Barbados Fire Service, the Emergency Ambulance Service, the Barbados Defence Force, Central Emergency Relief Organisation, the Customs

Department and the Barbados Water Authority. Therefore, in due course, other agencies will be able to benefit from the existence of this system at the Royal Barbados Police Force.

With respect to the need of the Royal Barbados Police Force to have this equipment, all of us in this society expect the police to respond promptly, and to be always on top of the crime situation. Therefore, if they are to do that, they must have at their disposal, resources that would allow them to do that.

12.00 noon.

Mr. President, it is in that context that I would recommend to Members of the Senate that they should support this proposal for the borrowing of US\$13 million to provide these facilities for the Royal Barbados Police Force, acknowledging, as I said earlier, that it is not an issue in relation to our debt and that there is no problem in the country in dealing with it.

I thank you.

SENATOR F. J. STUART: Mr. President, I am indebted to the Honourable Leader of Government Business for his introduction of this Resolution. I am also indebted to him for the many lectures on economics and public finance. I am glad to know that the size of this country's national debt or the rate at which that debt has to be serviced is not a matter of concern for the Government.

If I understood him correctly, he said that the national debt is now \$4 billion and that we service the debt at about \$276 million or at 5.3 per cent of the Gross Domestic Product. If that is not a cause for concern for the Government, then I think the country can be happy. However, that was not the impression I got from the Minister of Finance when he delivered his Economic and Policy Statement last year.

I am not about to say that he had given himself over to economic panic but he did say that the debt to Gross Domestic Product ratio had spun virtually out of control, that the ratio of the national debt to Gross Domestic Product was at 72 per cent and that a more desirable rate would have been 60 per cent which countries in the European Union under the Magistrate's Treaty had been pursuing and had committed themselves to. So I am not certain whether the position stated by the Honourable Leader of Government Business in the Senate and the Honourable Prime Minister are necessarily consistent, but if they are, certainly the Prime Minister considers, if I understood him correctly, that the present situation...

SENATOR THE HON. E. R. GRIFFITH: On a point of order. I think the Honourable Senator is talking about something slightly different from what I spoke about. What

I gave as a percentage of Gross Domestic Product was the servicing of the debt. What the Senator is talking about is the total debt as a percentage of the Gross Domestic Product which is different.

Asides.

Mr. PRESIDENT: Order, please!

SENATOR F. J. STUART: I said the debt service was 5.3 per cent of Gross Domestic Product but the national debt as a percentage of Gross Domestic Product, according to the Prime Minister's statement last year, was about 72 per cent and he did say that a more desirable rate would have been 60 per cent, so we are about 12 per cent out of line with international standards. That is a problem at which the Government has to look seriously.

I am not one of those people who walk around and plunge myself into panic over the size of the national debt because I think that informed accounting not only focusses on liabilities but also focusses on assets. If debt is incurred at this time to build or improve the infrastructure of Barbados in various areas, in my view the assets value of the country would necessarily increase.

If future generations are going to benefit from this increase and improved asset value, there is nothing wrong in asking them to help pay for it. That certainly used to be the position of the Democratic Labour Party in the 60s and the 70s when the late Errol Walton Barrow was Minister of Finance and is certainly an approach to public finance to which I am committed. I do not get sidetracked by concentrating on the liabilities without looking also at the assets side which I think represents more informed and enlightened accounting.

As far as the loan is being secured in US dollars is concerned, I have to agree with the Leader of Government Business that since Barbados does not produce the equipment that would be necessary to refit the Royal Barbados Police Force, it would make sense to borrow the money in a currency that would facilitate the importation of those items of equipment that are necessary to make provision for a modern communications network for the Royal Barbados Police Force.

I do not want to exaggerate the point. I do not think it was intended to be a controversial point. I think a question was asked why the loan was being secured in US dollars. If an answer has been given by the alternative Minister of Finance, there is certainly nothing wrong with that.

Mr. President, over too long a number of years and in many respects the Royal Barbados Police Force has been the

Cinderella of public services in this country. Complaints continue to be rife in the Police Force about the conditions under which they have to work, the state of their equipment and that kind of thing. Therefore, any attempts to improve the standards of the Royal Barbados Police Force, whether those standards relate to physical accommodation or to the quality of their communications network, are to be applauded.

When people discuss the Royal Barbados Police Force invariably and almost inevitably the issue of crime and the rate of crime in the country is put on the table, but that is not a debate into which I plan to get into at this time. I believe, like the Honourable Leader of Government Business, that a time will come soon when all of these matters will be more fully discussed.

I think Barbadians have to face the reality that the old traditional one-crop agricultural economy which Barbados used to be and the kind of society that kind of economy produced is no longer with us. The Barbadian society is now a commercial capitalist economy which is on the periphery of the world economy. It is no longer the traditional agricultural economy. Therefore, if the fundamentals of the economy have changed, the fundamentals of the society are going to change as well.

12.10 p.m.

Mr. President, human mobility tended to be very limited, and that was true in Barbados during the 1950s, 1960s and during the first half of the 1970s. Sir, in a modern commercial economy, human mobility is necessarily increased as the need to make money and to generate income becomes central to the everyday life and efforts of its people.

Therefore, this quest that one hears from time to time in Barbados for a regaining of a paradise lost, is, in my view, a vain quest because the Barbados that we used to know is gone and gone forever. What we now have to do is to adjust to the new Barbados, a modern, commercial, capitalist economy.

Mr. President, of course, since the society in a modern capitalist economy has changed, the criminal elements in the society have brought themselves in line with all the other areas of sophistication that characterise a modern, commercial, capitalist economy.

It would, therefore, be an absurdity if every other section of the community modernises itself but the security services remain wedded to antiquated methods. In fact, since the fundamental obligation of any State is to protect its people, of necessity the security services should always be

ahead of the other elements in the society. Therefore, in that context, modernising the communications network of the Royal Barbados Police Force can be justified.

Mr. President, historically, there have always been tensions between the Police Force and those persons whom they intend to serve, and in the year 2004, there are still tensions between the Royal Barbados Police Force and people in respect of how sometimes the police discharge their duties when dealing with ordinary citizens.

Mr. President, I think that now is as good a time as any, to call on the Royal Barbados Police Force to be more sensitive and understanding when, for example, they have to go to people's homes during the early mornings around 5.00 a.m. or 6.00 a.m., to execute warrants, especially poor people in rural areas who are shocked and pushed into panic by having all their frailties exposed to strangers.

Sir, only recently in the Press in one of the scores of reports, I saw a report of the share crudity, sometimes with which these manoeuvres are carried out by members of the Force.

Sir, it does not have to be done that way, and I hope that as the Government, supported by the Opposition and the society, try to cooperate with the Royal Barbados Police Force, that the Force would consider itself to be under a corresponding obligation to show some degree of sensitivity, without compromising its firmness and single-mindedness of purpose to the people to whom the Force is intending to serve.

Mr. President, we on This Side have no quarrel with any attempt on the part of the Government to improve the lot of the Royal Barbados Police Force. We hope that the Government's efforts would not end there. As I speak, I can think of conditions under which, for example, policemen at the District "C" Police Station have been working for a long time and where nothing of significance has happened to improve the physical conditions under which they work. What improvements that have been made there do not go past the cosmetics and I hope that a commitment to modernising the conditions of the Royal Barbados Police Force would extend to the physical conditions under which some policemen in this country have to work.

The Royal Barbados Police Force does an excellent job in terms of making us as a nation feel safe. They deserve the full support of the country, the Government, and the Opposition but they have responsibilities as well and, therefore, I hope that they would be sensitive to the discharge of those responsibilities, just as sensitive as those persons upon whose support they rely to support their needs.

Mr. President, we on This Side support the Resolution and hope that it is, as it were, the thin edge of a general improvement wedge for members of the Police Force. Sir, as we go to sleep at nights, these loyal sons and daughters of Barbados are up, ensuring that our homes, our businesses and our society as a whole, are being kept safe.

Mr. President, the iniquitous drug trade has made their efforts even more perilous and we know in recent times of the unfortunate lost of lives in the Police Force, as a result of manoeuvres of persons in trying to control this very iniquitous trade, therefore, the Police Force needs our support. They put themselves to risks that we ourselves do not have to be exposed to on a daily basis, and any attempt to improve their conditions is to be applauded and supported.

Mr. President, I am pleased to associate myself with the Resolution and hope that the Police Force would be the better for receiving this kind of assistance.

Mr. President, I am obliged to you.

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that this Resolution do now pass.

The question that the Resolution do pass was put to the Senate and agreed to.

ORDER NO.1 – RESOLUTION TO APPROVE IN ACCORDANCE WITH SECTION 5 OF THE CROWN LAND (VESTING AND DISPOSAL) ACT, CAP. 225, THE LEASE TO SOUTH EASTERN FARMERS CO-OPERATIVE SOCIETY LIMITED OF THE PARCEL OF LAND SITUATE AT SIX ROADS, IN THE PARISH OF ST. PHILIP IN THIS ISLAND, TO FACILITATE THE CREATION OF A MARKETING OUTLET FOR THE FARMERS' PRODUCE AND FARMING SUPPLIES

SENATOR THE HON. E. R. GRIFFITH: Mr. President, the Resolution before us seeks permission to lease 779.4 square metres of Crown Land at Six Roads, St. Philip, to the South Eastern Farmers' Co-operative Society Limited.

Mr. President, this is a Co-operative that was formed in 1991 and at that time, had in its membership approximately 40 farmers.

To those of you who know Six Roads well, it is an area of land adjacent to where the Six Roads Public Library used to be. From time to time, farmers have been using the area to

set up booths to sell their produce but this is now a formal arrangement being made with them.
12.20 p.m.

The farming community of this country has to deal with many challenges from day to day. During the past two weeks I have held meetings with representatives of the different subsectors of agriculture and they will continue into the next week. I hope to bring those meetings to an end having met on Monday with the 4-H Movement and Youth in Agriculture. The purpose of the meetings is to work with the farming community in their respective subsectors to help them to identify ways and means of expanding the activities and increasing their production.

Mr. President, not long ago the Minister of Finance presented his Economic Statement and under the section dealing with agriculture, two clear objectives were identified. One of these was to increase the contribution of agriculture to our Gross Domestic Product with the intention to double the contribution from its present level. The other was to reduce our food import bill. Sir, these two objectives guide us in the Ministry of Agriculture and determine what we do in relation to the farming community.

I am pleased to say the farming community has been responding admirably to the challenges before us. I will reserve what I have to say on agriculture until later but for now what I want to say about working with the farmers and fisherfolk is that in the not too distant future, we will surprise many people in Barbados because people speak about agriculture as if it is on its death bed.

A few months ago I heard a senior reporter asking a member of public why he thought the Minister of Finance spent so much time on agriculture when it is on its death bed. Mr. President, the farming community has to deal with many challenges and we in the Ministry of Agriculture are aware of the issues. We are working with the farmers and, in due course, we will help them to solve most of those challenges. We will do enough to enable them to carry on their business, push the sector forward and make a decent living.

Sir, many things have to be done in agriculture and in the Economic Statement we have set out a number of things to be done, some of which have already been done. One of the things that is important is for the farming community to work together. We feel that the co-operative movement will provide some of the solutions to the community. They share equipment, knowledge and work together in other ways. In all the meetings with the BAS and other institutions, working together is an issue which has to be addressed.

The Ministry of Agriculture is committed to doing all in its power to help the farming community to get itself organised. We support the establishment of strong farmers' organisations and over the coming months we will be providing various forms of support to those farmers who are willing to get themselves organised.

We are looking at a case in relation to the Land for the Landless programme. There are five farmers who have been allocated land but all are doing the same thing and each farmer has a plan to buy the same kind of equipment. We are working with those farmers to get them organised into some form of co-operative movement. It does not have to be called a co-op but they could set up a company because there is great benefit if they could share equipment and work together. If they work on their own they will get involved in great expense and run the risk of failure.

Sir, generally speaking, farmers are aware of the need to work together. In the past, some have had bad experiences and while they acknowledge there is good sense in pooling their resources, they tell me about those bad experiences which they have had in the past. However, we have to encourage them to overcome the issues of the past and go forward in a more positive and structured way.

This is why the Ministry is providing funds as well as technical assistance. We have offers from co-operative movements and we will tap into their resources and assist the farmers.

Mr. President, the Government fully supports this venture because it is in keeping with our approach for the farming community.
12.30 p.m.

However, we recognise that there are other things that have to go hand in hand, that is why I was very heartened yesterday when some people, who were advancing some concerns of the farming community, came to see me to discuss two projects relating to processing. I was heartened because you will notice from the Economic Statement which was presented to Parliament that much emphasis is being put on agro processing by the Ministry of Agriculture.

We also believe that is another way in which we could help the farming community and relieve them of some of the concerns when they are left with produce on their hands and have to throw it away. We want to ensure that farmers are in a position to produce and sell their products without having to spend a lot of time trying to get rid of excess produce.

Mr. President, vending is another area which is of concern to farmers and that is another reason why we support this venture. It creates an opportunity for the farmers to sell their produce at a location where consumers can go

and make their purchases. Sir, locations are also being created where members of the farming community can set up their stalls and sell their produce.

Sir, recently I visited a site, not too far from here, where we are considering creating such a facility. In this case we are not dealing with a co-operative. We are dealing with farmers. Sir, the Barbados Labour Party's Manifesto spoke to creation of sites across Barbados where persons can go and sell their produce and that is another way we intend to help the farming community.

Mr. President, unlike those two persons who see agriculture being on its death bed, we in the Ministry have a different vision of agriculture. We see it as an exciting place to be and we see many interesting things on the horizon about to materialise and, in the not too distant future, we are confident that some of the detractors who speak disparagingly of the sector and its future will be forced to do otherwise.

I marvel at how people think of agriculture. I marvel because as I move across the hemisphere I take note that every country that I have visited or read about is paying close attention to its agricultural sector. The large countries pay close attention to their agricultural sector and provide huge subsidies to it. Even those countries that are well endowed with natural resources, think it necessary to have a vibrant agricultural sector. Therefore, it surprises me that persons in our midst would want us to push the agricultural sector aside.

Mr. President, Barbados with a strong tourism sector and a weak agricultural sector is a not so strong Barbados. Recently I spoke about the problems associated with small economies and the lack of opportunities for diversification. Therefore, when we push our agriculture sector aside and dismiss it, we compound our problems because when the other sectors that depend entirely on the export market fail, we would not have a base that is strong enough to help see us through the difficulties and we will crumble and fall. Therefore, in my view, if Barbados with a strong tourism sector and other servicing sectors has a strong agricultural sector, we will have a stronger Barbados.

Recently, I met with the members of the various subsectors to look at the domestic opportunities, for example, the cut flower industry, I realised that the tourism sector depends to a large extent on them to assist them with the beautification of their product. Mr. President, that is an important linkage which is being created by agriculture to the tourist industry and if that fails, the value of the tourism product falls. People do not recognise the linkages which are possible between agriculture and the other sectors of our

economy and understand what that means to the strengthening of the economy. Sir, I mentioned that in relation to the cut flower industry in Barbados.

Sir, there are other areas where agriculture provides an input for the tourism and manufacturing sectors, that is where we get into the issue of the agro processing industry, not only the creation of products that can be preserved and used locally and exported, but can assist in the creation of jobs. As the agricultural sector expands, it requires more inputs from the distributive and other sectors to fuel its expansion, creating further activity in the system.

Sir, we understand the importance of agriculture to any society. Recently I attended a meeting in Panama relating to agriculture and as we looked at the ways of measuring the value and the linkages which are established and created by agriculture and other sectors of the economy, we recognised that the sector is more important than most people understand.

Therefore, unlike many people, not because I am working there, I know how important agriculture is to our future. We in the Ministry are going to make sure that every possible opportunity that exists for the farming community is used to its fullest.
12.40 p.m.

When we do that, three things will happen. The contribution of agriculture to GDP will rise, and in many instances, the food bill will fall, but, on top of all that, the producers will be happy because they will get better returns. This is not denying the fact that there are challenges.

When I met with a particular group last week, one question to me was, what is going to happen when liberalisation is allowed? I said to the person who asked the question, let us take it step by step. At the present moment in the CARICOM arrangement, there is nothing that stops any CARICOM country from sending its produce into Barbados, so liberalisation exists already in the CARICOM movement. Therefore, it cannot be that, you are asking me about. It has to be outside of that because, already within the CARICOM movement, liberalisation exists.

I do not see anything happening in the near future that can make it more liberal than it is already, considering that at the moment, there is nothing that prevents the movement of goods, except in a few instances where, for special reasons to do with sanitary and phyto-sanitary concerns, we have Protocols in place to ensure that produce that comes into the country does not bring with it pests and diseases that will decimate our crops and so on.

This is a system we have at the moment, where we establish protocols with the respective CARICOM countries from which produce is coming. Our officers in the Ministry visit those countries periodically, to see that they are following the Protocols and so on, so that system now exists. This is only from the point of view of protecting our animal, plant and human health. Outside of that, there is nothing which prevents goods from CARICOM countries from coming into Barbados.

The issue will then have to go outside of the CARICOM movement, into the hemisphere, and that depends on what happens with the FTAA. As we went through it step by step, moving from the hemisphere to the world at large, what the particular person then recognised was that while thinking about what may happen when the FTAA comes and, eventually, when there is an agreement at the WTO level, that there are many opportunities which are not being used now, that we needed to address, and by so doing, making use of all the latest technology and making ourselves more efficient. We could be equipping ourselves to deal with some of those challenges.

Sir, you heard me say not long ago that on Monday next I will be meeting with the leaders of the 4H Movement, and subsequent to that, with other youths involved in agriculture and so on. I think that is important because young people will not be attracted to agriculture on the basis of the traditional methods of dealing with agriculture.

It is a new technology they have to become acquainted with, and in our discussions with these persons and the persons responsible for their training and otherwise, we will be helping them to focus on the use of the new technology, because that is something which has to be taken on board fully, if we are to be able to cope with some of the challenges that may exist in terms of competition from other sources.

Mr. President, I took the opportunity to say a little more than I had planned to say, when I left to come here this morning, because I wanted Honourable Senators to look at this simple, but very important decision, which is being taken now to create a space from which these farmers who are involved in this movement, can sell their produce. Therefore, I wanted us to look at that within a broader context in relation to the way forward for agriculture.

As I said, the time will come, not so long from now, God willing, when I will be able to speak at length on the plans for the sector. The plans that I will make known then, were not developed by us in the Ministry, but plans that were developed by persons who are involved in the industry themselves, yes, in consultation with us, and with assistance from us, but, this is their vision of the way

forward on agriculture. In many areas there are great possibilities within agriculture, if we do the right things.

Sir, I therefore beg to move that this Resolution do now pass.

SUSPENSION

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that this Sitting be now suspended until 1.50 p.m. today.

The question that the Sitting be now suspended until 1.50 p.m. today was put to the Senate and agreed to and Mr. PRESIDENT suspended the Sitting accordingly. 12.47 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

SENATOR Dr. D. S. LOWE: Mr. President, we on the Opposition side after giving consideration to this Resolution believe that it is a resolution we must lend our full support to since it is our belief that the farmers of this country need to be given every opportunity to make a substantive contribution to the sustainability of agriculture in Barbados.

Mr. President, I must say that the Honourable Minister, the Leader of Government Business, in a moment of well-managed enthusiasm was able to demonstrate very clearly his commitment to the area of agriculture. Sir, I have had the opportunity to speak to the Honourable Minister and I am very much persuaded that his commitment is genuine. He has a number of creative ideas that once given the support by Government should do well for agriculture. He has declared that agriculture is no longer on its death bed, which is an admission I find some measure of comfort with given the fact that he has demonstrated thus far that commitment.

This Resolution for the South Eastern Farmers' Cooperative Society is a resolution, in my view, that gives rise to the feeling that once farmers are given an opportunity to work within the context of a co-operative that they should be able to mobilize their resources to manage their inputs and realise the level of output and profit that is necessary to sustain their efforts in the area of agriculture.

The Honourable Minister noted that farmers are facing a number of challenges. It is a fact that many of the small farmers around the country, particularly those who have been able to benefit from the Land for the Landless Farmers' Programme, are indeed facing a number of challenges. Therefore, I believe that Government's intervention must be more surgical than just simply creating land space for

occupation or even a society such as the one proposed in this Resolution.

It is my view and, certainly, the view of the Opposition, that the number one priority of any nation is feeding its people. The importance of being able to feed your people within the context of a fast becoming globalised environment is of such paramount importance that Government must carefully examine how it goes about putting in place measures that would create an enabling environment for those individuals who are committed to the area of agriculture in this country.

Mr. President, I have noted that there are a series of challenges which the farmers are facing. Therefore, before the co-operative society could work effectively, we must be able to itemise some of the challenges that these farmers face from time to time and we must be able to put in place proactive progressive programming that would be responsive to these issues thus creating the leverage necessary for the farmers across Barbados to be able to realise their dream relative to the industry of agriculture.

Mr. President, in the face of trying to alleviate some of these challenges, we must agree that we have to ask ourselves how much the Government is doing with regard to progressive research in studying the farming communities and farming populations out there that it can say with some measure of confidence that it has been able to identify those areas of strain faced by many farming groups across the country and that it is now putting in place a set of responsive measures that these individuals would be able to realise their labour within the context of agriculture.

Mr. President, I grew up in the Scotland District, a farming community, as part of a farming family. One of the things I am noting today is that where once they used to be generational farming in the context of agriculture, nowadays a lot of the offspring of traditional farmers are no longer involved in the craft of agriculture. That is an issue we have to face and address.

I heard the Honourable Minister make reference to the fact that he will be meeting with the 4H Club. We know that the 4H movement used to be a major apparatus in helping to sustain the involvement of young people in the agricultural sector. Mr. President, we also know that many primary schools used to have programmes where primary school children never got out of primary school unless they were exposed to elements of agriculture within the context of their educational development. These things have been weakened over the years. Therefore, I believe that rather than just creating the opportunity for persons to have land to work or to even work in a collaborative environment, that we have to

begin to work steadfastly on alleviating some of the challenges that the Honourable Minister and Leader of Government Business talked about.

Sir, being involved in agriculture is not simply an economic endeavour. In many ways agriculture is linked to the social development of the society. As a matter of fact, I would want to proffer the view that the society has been largely an agricultural society that has developed over the years where the emphasis on agriculture has been suppressed to some extent and other areas have been developed with more fluidity.

Sir, we must understand that when people approach an endeavour in agriculture, many of those persons see part of their identity wrapped up in their capacities to be successful in the area of agriculture. Therefore, when they get involved, they are not simply concerned about the economic end of it, they are also concerned about how well they are able to project themselves as masters of their own endeavours.

We know from examples that many small farmers are failing. There are many persons who would have been able to get plots of land through the Land for the Landless Farmers' Programme, but they are having a very hard time realising profits. As a matter of fact, the input cost is so high that many of these individuals have not been able to realise any sustainable profit over several years.

I would like to suggest to the Honourable Minister that as we go forward with this kind of endeavour that there are some things that must be taken into consideration, one of which is that we must continue to place emphasis on the importance of agriculture in this society, for if the day should come that this country must continue to escalate its food import bill and its capacity to feed its own people continues to diminish, Mr. President, I think we would all agree that that would not be a trend we can appreciate or even live with.

2.00 p.m.

Mr. President, we need, therefore, to set an environment where anyone who chooses to get involved in farming would know that there are, in fact, a number of clearly defined and assessable systems put in place where they could find the kind of assistance necessary. Therefore, that dual purpose of which we talked about, the boosting of one's social development and realities, along with one's commitment to the agricultural sector as a profit-making or economic end, would be able to realise those particular outcomes.

Sir, let us look at farming, especially from the small farmer's perspective, and I can make reference to a number of areas across the country but would make reference to the farmers in Gibbons, Wilcox or Fairy Valley. These are farmers whose lifelines hinge upon their success in farming.

Mr. President, some of the things they constantly grope about would be, for example, crop loss insurance for farmers. Recently in that area, we have heard an element of the Minister of Agriculture and Rural Development suggesting that there would have been a squeezing of water supply through irrigation.

Sir, there are nine wells in the Gibbons area, none of which is in commission; all of which if put to work, could help these farmers to reduce the need of using domestic water. Some of the farmers have suggested that they have a recurring water bill of more than \$1 200 per month and cannot get it to go down because they must rely upon domestic water. Those farmers have said that neither is there sufficient negotiation going on where they could have reduced rates to accommodate their efforts in agriculture.

Mr. President, if we are going to provide and to enable these environments, we have to put systems in place that are truly enabling, one of which is to alleviate some of these problems, especially with irrigation and crop loss insurance.

Mr. President, some time ago, you would recall that the fisherfolks in Barbados had an issue where fish was dying around the country, which had impacted negatively upon them. In that circumstance, systems were put in place to compensate them for their loss.

I am putting to this Honourable Chamber that there are several farmers around the country who, from time to time, because of drought or flooding conditions, would lose a significant amount of their crops and would have no recourse in terms of collecting, so that they can put back into the agricultural system what has been lost due to natural causes. That is something I believe to be critical in that regard.

Mr. President, I believe there needs to be a greater technical assistance and again, I laud the Leader of Government Business for his intention to continue the fight on behalf of those persons in agriculture and on behalf of the sector.

Sir, technical assistance is necessary because we have many farmers in the same Co-operative who are growing the same crops, and as long as they are harvesting the same crops, there is going to be flooding in the market. Therefore, a lot of the crops would be lost because they would not be disposed of properly, due to flooding in the marketplace.

I believe that a system should be introduced where technical assistance is provided to give these farmers advice in terms of what are the most suitable crops for their areas, what the other farmers are growing, and how best could they negotiate a changing of crops, so that at no one time would

there be five or six of the same things in the marketplace, which would help to debilitate the farmers' ability to recover on their inputs. I believe that is something that could be done once the Government's commitment in this regard is as genuine as it seems to sound, coming from the Honourable Minister and Leader of Government Business.

Mr. President, the diversification of crops is important and there are a number of farmers in the marketplace who are farming based on generational traditions. They have not been given the formal kind of education in terms of mobilising the sector and are, therefore, in need of help.

Some time ago, a farmer told me that he was trying to secure a loan of \$5 000 from one of the small business entities. That farmer complained that even though he had produced all the necessary documentation, that it has taken him more than three months to be able to secure approval for the loan. I will work with one of my honourable colleagues here and see how best we could assist that farmer.

Mr. President, we cannot expect persons to maximise the opportunities through Co-operatives and other Land for the Landless Farmers' endeavours, if, at the same time, they are not being met, in terms of helping them to be able to put systems in place to succeed in their endeavours.

Mr. President, as we support this Resolution, we are calling on the Honourable Minister to focus on enabling the farmers from end to end, to be able to make maximum use of their opportunities.

Mr. President, another area I would wish to raise is that of domestic opportunities or markets for farmers. I believe that if Government is willing to invest so much to assist small farmers in terms of getting the land space and the co-operative environment within which to work, Government, perhaps, could go a step further and look at how it could create outlets for the produce grown by these individuals.

Sir, for example, we have a number of farmers who had an over-flooding of pumpkins, and one farmer asked whether the Government could have done anything to help the situation, since Government has a relationship with the School Meals Service Programme, the GEMS Project and with tourism as the major breadwinner in the country. Sir, if Government is saying that it is going to give opportunities to be able to make craft, could the Government not help these farmers to dispose of what they grow?

I would have liked to believe that the Government could make available some opportunities for markets for these farmers, for example, the School Meals Service and the hotel industry. This would go a long way in injecting the kind of confidence into the farmers, so that they would be able to sustain their efforts over time. Sir, what we find

happening in a lot of cases is that, at the end of the day, there is flooding in the market-place and these farmers cannot get their produce disposed of properly.

Mr. President, again I would recommend to the Honourable Minister that as he continues to chart a course forward for agriculture in this country, that he focusses on how the Government could, not only at the front end of the agricultural effort by the small farmers, but in the continuum of the efforts, so that at the end of the process, that farmer would have had the confidence that he or she would have been able to dispose of that number of crops.

Sir, with the regionalisation of the markets, certainly they are going to be faced with more challenges while having to deal with more competitors, *et cetera*. Therefore, I would like to know what the Minister of Agriculture and Rural Development would do to help protect the well-being and sustainability of the efforts of these very worthy craftsmen and craftswomen in our country.

Mr. President, we then go on to talk about a technical assistance in the area of marketing and sales. Sir, there are many people in agriculture who do not have the skills and sometimes the time to engage in effective sales practices. I believe that even in the area of crop selection, there are some deficits such as crop protection, what do these farmers do, and how do these farmers access the necessary tools to protect their crops, that need to be addressed.

Sir, one of the big issues in small farming is praedial larceny, where crop thieves go around at nights and raid people's produce. What are we going to do? We need to do something to enable these farmers to know what they must do to protect their hard-earned labour and try to mobilise the success of their endeavours. Sir, another issue is how do we get them to build linkages across the region in terms of the disposal of their goods.

Sir, if we are speaking about enabling individuals, these are the things I believe that have to be looked at, to help these persons to be able to recognise that the investment in agriculture is a worthy one, and that Government's commitment is not simply to demonstrate a record of having more people becoming involved in small farming, but that their commitment is to ensure that the farming industry across the country is working, is workable, and could be sustained, based on the efforts that are put into the industry. 2.10 p.m.

Sir, we on This Side commend the Government on seeking to put more land at the disposal of people and in terms of creating a co-operative environment although we want to make the point again that creation of a co-operative

environment does not mean that people will cooperate. There is a psychological element in teaching people how to work together for the common good. Sir, as long as these things are put in place, Government has a responsibility to ensure that the people it seeks to enable are not set up to fail from the beginning. In order to ensure that this does not happen, Government has to engage in proactive research, know what is going on among the population it seeks to enable, report to farmers what are the successes and failures and what can be done to allow them to become more successful in this worldly endeavour.

Mr. President, I am much obliged.

SENATOR Dame PATRICIA SYMMONDS: Mr. President, I want to speak briefly on this matter. The last speaker, Senator Dr. Lowe, mentioned schools and, as an educator past, present and, I hope, future as long as I function effectively, anything concerning education always stimulates my interest.

I want to assure the Senator and this Honourable Chamber that there are about 10 primary schools with well organised agricultural science programmes as demonstrated by the school gardens. General workers fork the ground but the children themselves plant and reap the harvest. Some schools are active and have excellent programmes like Roland Edwards, Gordon Greenidge, Vauxhall, Welches and some have tyre gardens.

Sir, at the secondary levels there are 11 schools and one primary school that study Agricultural Science. Some of the schools are Lodge School, the Alleyne School, Coleridge & Parry, St. Michael's, Springer Memorial, Grantley Adams, Deighton Griffith, Lester Vaughn and Princess Margaret.

Sir, in 2002 there was a 65 per cent pass rate at the CXC level. This shows that Agricultural Science is alive in the schools and that it augurs well for the future of agriculture in this island.

I would like to mention and pay tribute to Mr. Carson Bancroft at Lester Vaughn School who has been able to get 24 students enrolled in the programme which is an optional one. Sir, teachers on the whole are devoted wherever Agricultural Science has been taught.

Unfortunately, there is still a very negative attitude to agriculture and agricultural science because of the idea that "Massa day done" and that it is hard work. Sir, even though there is technology nowadays which helps to reduce the drudgery and sweat, it is still not very attractive to students.

The Land for the Landless Programme is a hopeful sign but land is still lying idle. Sir, it hurts the heart of people

who are still interested in agriculture that this negative attitude still persists.

Some years ago I mentioned in this Honourable Chamber when I spoke about agriculture that if we could get more of the gifted students to take an interest in the subject it might help to change the attitude.

Mr. President, I support the Resolution and I am obliged to you.

SENATOR F. J. STUART: Mr. President, I thought I might make a brief contribution to this debate having regard to the fact that land which the South Eastern Farmers Co-operative Society Limited is going to be leasing from the Government is situated in the constituency of St. Philip South which I used to represent. In addition, it is located next to the Princess Margaret School where I used to work. I know the land very well as I have traversed it much before it was built upon and I want to make a brief intervention in this debate.

My colleague, Senator Lowe, extolled the Honourable Minister of Agriculture for the enthusiasm which he has brought to the Ministry. I should like to associate myself with those remarks. I think he is the first Minister of Agriculture since 1994 who has sought to conceptualise the problems of agriculture before crafting a prescriptive response to those problems. Sir, it makes sense to me that before you prescribe you should diagnose.

Mr. President, I have listened to Ministers both in the Senate and elsewhere and I suggest that his approach makes sense to me and for the benefit of the people of Barbados I wish him well in his efforts. Of course, that is not to underestimate the size of the challenge which he confronts in agriculture because, historically in Barbados, agriculture has suffered from some of the disabling features to which Senator Dame Patricia Symmonds referred to earlier.

Since 1640, agriculture has become associated with sugar cane and slavery and Senator Dame Patricia Symmonds is quite right in suggesting that there is an attitude that "Massa day done" and, therefore, persons should steer clear of cultivating the land. This ignores the fact that the oldest and highest form of culture is agriculture because once man stopped living a nomadic life and became settled with the discovery of agriculture, the concentration was on feeding himself and those around him. That is why I support my colleagues and the Honourable Minister on this Bill.

2.20 p.m.

Sir, we lose sight of the real significance and centrality of agriculture when we disconnect it from the whole idea of

food security. This country's food import bill is prohibitively high. This has been so historically, and we are more prone to talk about being patriotic about our Constitution than being patriotic about our taste. Our taste is situated in foreign capitals and we preserve ourselves in this country as being under some obligation to generate foreign exchange only to import other people's food for our consumption.

I am pleased to note that the focus of the Minister of Agriculture is to redirect the nation's thinking to the concept of feeding itself for food security, perhaps, the highest form of security.

Mr. President, if the Honourable Minister is going to be successful, there has to be some clear unmistakable government policy on the issue of alienating agricultural land. One of the ironies of this debate is that south east of the location for the South Eastern Farmers Co-operative Society Limited is an area of agricultural land, one of the most fertile areas of agricultural land in St. Philip. It has been alienated for housing development and from what I have observed, thousands of dollars have been pumped into that area over the last few months to convert it from agricultural land to land suited for housing development.

Sir, if agriculture in this country is going to succeed, and if the Minister and the Government are going to achieve the objectives they so nobly set themselves, it seems to me that a land use policy that commits the Government and the country to reserving certain areas of good fertile agricultural land for agriculture only, that policy has to be urgently pursued.

Mr. President, the other problem is commercial credit to agriculture. A look at the Barbados Economic and Social Report for the period 2002 discloses that, for example, in the year 2002, commercial bank credit to tourism moved from \$293.7 million to \$336 million, while commercial bank credit to agriculture fell from \$54.6 million to \$45.7 million. In other words, commercial bank credit to tourism is almost eight times as much as commercial bank credit to agriculture.

Mr. President, these are the trends that indicate to me that though the Minister is committed and high-minded on this issue, he has a serious challenge on his hands. It is well known that land use policy in Barbados over the last 25 years has been significantly influenced by the tourist industry. Tourism tended to gobble up, as it were, a lot of agricultural land, especially now that the higher end of the industry is trying to appeal to those who play golf and those kinds of games.

We, on This Side, are at one with the Minister and at one with the Government on the need for a vibrant agricultural sector. I was very pleased to listen to the

Minister before lunch as he spoke with conviction about the need to have a vibrant agricultural industry. Senator Symmonds, in her speech, made mention of the schools. I think that the industry has suffered from the fraudulent distinction which historically has been drawn between mental and manual labour. The madness that those who work with their hands do not have to use any brain and those who work with their brains do not have to use their hands, that is not any experience which I have ever had.

In any event, the person who works in agriculture who, historically and I supposed anthropologically, had to use their brain more than most of us because they had to get all seasons and rainfall patterns worked out to influence how to plant their produce, that distinction has always been fraudulent, and it has always been used to validate class, social and status distinctions in this society. We are only going to make great leaps forward, in my view, when that distinction is speedily removed.

All men and women are intellectuals. All men and women do not work as intellectuals. Sir, because a man teaches at a university does not mean that he cannot fry an egg or make an omelette. Sir, because a man works the land does not mean that he cannot conceptualise problems.

Mr. President, we are at one with the Government on the need for a vibrant agricultural sector in Barbados but I would like the Minister to direct his attention to the whole question of the continued alienation of good agricultural land in Barbados. One of the worst examples, in my view, is the alienation of that good piece of agricultural land obliquely opposite the outlet of the South Eastern Farmers' Co-operative Society Limited.

I am not trying to suggest that the housing needs of the country are not very acute. There are and we have to face that reality, but in the context of developing our agriculture, I think we have to make sure that lands better suited for housing development are used for that purpose and lands better suited to agriculture are preserved for that purpose.

Mr. President, with those few words I lend my support, as my colleague indicated, to the Resolution before this Chamber.

I am obliged to you.

SENATOR Miss S. C. V. HUSBANDS: Mr. President, I rise to give my support to this Resolution. Sir, when we look at agriculture, I have to say that there is new energy being given to this sector. This energy is being led by the able leadership of the Honourable Minister of Agriculture and we are seeing a renewed interest in agricultural pursuits.

Sir, over the past few years the Government looked at ways in which they could energise that sector and a number of initiatives have been put in place. Over 23 initiatives were given in the Budget to help stimulate agriculture and to support it in its many diversified areas.

I know that Senator Lowe expressed some concerns that we are creating an enabling environment, but there are some links that may be missing from within the plans of the Ministry of Agriculture to help people to become successful within their businesses.

2.30 p.m.

Mr. President, I want to briefly share with the Senate, the various things that are being done to be able to translate the enabling environment and the opportunity into a reality, the whole matter of understanding what is going on in our agricultural sector.

A rural development study was done in the year 2000. It was a very comprehensive study that looked at the needs of not just agriculture, but the whole matter of people living in the rural areas, and what are the very necessary things that need to be done, in order to advance development for that area and for that sector.

Recently, the Rural Development Commission had a nationwide consultation. They had them in about eight different locations in which we had town hall meetings, bringing together people in agriculture and people in the rural communities asking of them, what are some of the things we need to do differently, or some of the strategies we need to put in place for the future to empower, not only agriculture, but all types of activity within the rural corridors.

I am pleased to say that we have information that we are now putting together which will enable us to do the necessary planning for rural development. Another area that is being investigated, is the whole area of the modern techniques in agricultural production, where a great deal of emphasis now is being placed on things like organic farming.

Recently, the Rural Development Commission started looking at green house technology. This is something we want to develop, a very comprehensive and energising programme, to get many Barbadians involved in these new practices.

One of the things we have seen is that while some people may have some of the technical knowledge required to conduct the agricultural side of their activity, one of the weaknesses is the business side and the management of the agricultural activity as a business. We had discussions in looking at the provision of technical assistance to not only aid people with the technical skills in terms of agriculture,

but also in terms of providing them with the business skills and assistance that they can run their businesses effectively.

While it may be true that the commercial lending sector may have lowered the amount of lending they provide to the agricultural sector, certainly, within the Ministry of Agriculture, through the Rural Development Commission, we have been able to put out hundreds of loans that have helped farmers in many endeavours, whether it is pig farming, black belly sheep, fishing or vegetable farming. We have been able to be of great assistance to hundreds of farmers, to enable them to get their businesses going forward. Therefore, we are gradually putting in place, the things that are required to help agriculture to be successful.

Sir, markets have been built, but there are plans to do more. These markets are designed to decentralise the whole distribution programme for our farmers to enable them, and not the least is this very project that we have before us today, to look at the leasing of land for the erection of marketing facilities. The Government is extremely cognizant of those needs and the Minister of Agriculture, and the Ministry of Agriculture has been assiduous in putting things in place to assist.

On the matter of the assistance by the entire Government in terms of absorbing local produce, I would like to draw to the attention of the Chamber that in the Budgetary Proposals, one of the things was to continue the support for locally produced agricultural products up to 60 per cent of the Government institutions purchasing vegetables, meat and milk products, *et cetera*, who have been mandated to purchase at least 60 per cent of their needs from local farmers.

The commitment to that was renewed again last year that they should continue to do that, and the Government is making provisions to ensure that there are sufficient funds within the budget for those entities to give that type of support to the agricultural sector. And so, when we look at the overall plan that is there, the Government has been thoughtful, it has been thorough, it has been holistic and it is committed to the whole process of energising agriculture. I want to congratulate them on this and look forward to seeing the results, and of course, hearing from the Minister of Agriculture, the other plans that are in place to take agriculture forward. I think that this will redound well to the benefit of our economy.

Mr. President, I thank you.

SENATOR I. St. C. LINTON: Mr. President, I stand in support of this Resolution that is before this Honourable Chamber. Certainly, I support it with all the joy in my heart, since for a number of years and, particularly, the agricultural

programme on CBC on Thursday mornings, I have been calling for small farmers' markets across Barbados. Sir, so far, a number of them have arrived, and to have this Resolution before us to assist the farmers in the Six Roads area, is another plank in that asking, which has been sufficed.

Mr. President, there is something else, however, which I would like to ask and I have started to speak to the moderator on that same programme, Mr. Edward Cumberbatch, a well-known agriculturist, that it is time we look at assisting the farmers in establishing chill houses, to extend the life of the produce. Indeed, the farmers can plan their approach to producing agricultural goods, systematically.

It is important to do that, because as we understand the liberalisation that is to take place in the world, we must make opportunities for our farmers and, especially, our small farmers, to cut out their own niche in this country, in providing food for us, and to cut our import bill, and be competitive.

I also want to speak to another matter which I consider to be very serious. It came out of the debate on this same Resolution in the Other Place and in the public domain. There was a call to maintain backyard slaughtering. In my view, backyard slaughtering should have come to an end long time ago in this country. Some people link it to their culture, but I want to link it today in this Chamber to health.

Sir, last night, as I was going through my mind, lying on my bed, a programme came over the television, in which it was pointed out that Latin America and the Caribbean is high on the list where diseases and sicknesses are entering into the food chain. This is important for us to look at, when now we are battling with new diseases such as, Mad Cow disease and you have chicken flu, as they call it. The Chinese seem to link SARS also as coming through the food chain.

We must understand medical science, and in dietetics, it has been discovered that cancer is entering the human system through what we eat, not only through chemicals, but in the particular area of consumption of animal flesh and flesh from poultry as well.
2.40 p.m.

I have in my possession what is known as the "Adventists Review". This is a magazine which the Seventh Day Adventists put out monthly after tremendous research. Sir, I am seeking your permission not only to make this magazine a document of this Honourable Chamber, but also to distribute it to all Honourable Senators as I will be making reference to some of the matters in it. Is it alright, Sir?

Mr. PRESIDENT: You are free to quote from it.

SENATOR I. St. C. LINTON: For over 100 years Seventh Day Adventists have been drawing attention to the fact that the consumption of animal meat poses a danger to human life. Sir, in recent times the farmers of poultry and cattle have been doing a great job in providing animal meat for consumption. These farmers have reached great success particularly in the area of chicken and pork production, but I have to ask this Honourable Chamber the question, who consumes all of this? On almost every street corner in Barbados there are businesses that are selling chicken and there are restaurants all over Barbados that are doing the same thing. I notice as it was drawn to my attention that many of them are very close to schools. Recently, there was a barbecue pigtail bliss in Barbados and now we are having a proper pork bliss, but who is consuming all of this?

It is all good to say that it is the agricultural industry, but medical science, particularly in the area of diabetes, has pointed out to us that because of the methods of production since the 1960s and the chemicals used to enhance the growth of these same animals and birds, that the consumption of animal meats can have an effect on the human body.

In this article which I have put before you is a study of how to combat what is happening to humans. Prostate cancer in men is at a higher rate today than ever before. For two years up to 1998, I sat beside an ardent Barbadian, a man who became a friend to me and who looked after me, a man who in the height of his capacity went down to such a disease. I am talking about the late Wendell McClean.

Sir, colon cancer is reckoned as one of the diseases that is in the human chain because of the consumption of meats from these animals. In females, breast cancer and ovarian cancer are also becoming a menace. Yes, we earn dollars from such an industry, but if we earn for example say \$10 million and then we have to spend \$15 million in a hospital and in our institutions – I worked in a hospital for 14 years and I had to go through the wards and it is worse than dying. Humans were literally melting away on the beds in our institution because of their eating habits.

The dieticians told us that four ounces of animal meats is enough protein for one day, but a guy would go into one of these barbecue places and will buy a chicken that might weigh about a pound and a half, a drink and a piece of bread and sit down and eat all of that. The metabolism of the body has to deal with getting rid of those extra ounces. The dieticians also told us that the residue of the natural foods such as peas, legumes, breadfruit, yam, cassava, pumpkin, cabbage, beans, tomatoes and carrot will clear the human system within 24 to 36 hours, but that in the case of animal meats it takes 72 hours. Mr. President, and Honourable Members of this Senate, you would understand that the

system of a real meat eater who would eat steak fish in the morning, chicken in the midday and steak beef in the evenings is never free.

I am saying this because it is important for us to balance the industry with the assurance that we can seek to control, we may not eliminate it, the consumption of animal foods in the same way in which systems should be put in place not only to check whether the food from animals which we produce in Barbados in addition to what we are bringing into Barbados is good for consumption. I am simply saying today in this Honourable Senate that we need to look carefully at our eating habits.

We talked about people living longer, but I wonder if we studied the mortality rate of Barbadians from 0-40 years, because if we did, we would discover that the mortality rate of this age group in this country is getting higher. This is not so only because of the consumption of animal foods, but it is so through a combination of drugs and alcohol which is taking a toll on the human system. That is why our health bill in Barbados is growing.
2.50 p.m.

Mr. President, some care must be taken to make sure that the food we consume is fit for consumption and, therefore, I would appeal to Barbadians to watch how much they eat and what they eat.

Mr. President and Honourable Senators, I know that perhaps one of the sweetest pieces of meat is pork. I have not eaten it for about 45 years but I can remember the last piece that I had eaten because it was sweet. Sir, we all know the Barbadian proverb about what sweeten goat's mouth, will burn him you know where.

Mr. President, I am sounding this warning to those who control the food production industry in Barbados, both at the level of policy as well as the farmers, the agronomists and, indeed, the medical profession in Barbados, to come clean on this.

Sir, do you know who is having a field day in Barbados? Those persons having a field day are the doctors because they are smiling their way to the banks. Let us look at the institutions and the systems that these doctors have, and notice the stream of clients with heart diseases, cancer, diabetes, arthritis, *et cetera*.

Mr. President, I had always dreamt of being a surgeon because I was very interested in medical things from school days but as a Seventh Day Adventist Christian, we pay great tithes. Indeed, what we say is that the health message is next to the gospel message. That is why history will tell us that Seventh Day Adventist Christians who follow good eating

habits, do live longer and healthier than others. I can do a lot of things that a number of persons cannot do and I attribute it to the fact that I have always watched what I have eaten.

Mr. President, the background to this comes from this book which I will make a document of this Honourable Senate. It is a book which we took from perhaps the greatest writer ever, a lady by the name of Ellen Gold Harmon-White, 100 years ago. She wrote over 100 000 pages of literature, not only on prophesy on Christian living but on health. This books says: "Counsel on Diets and Foods" and predates medical science today.

Mr. President, at the age of 6, the writer of this book had a freak accident where she was struck in her face by a stone and had never had the ability to attend school. I recommend to you that when you read from this volume of books, the only conclusion that you could come to, would be that this woman was inspired by God. Sir, ahead of science she mentioned the kinds of foods we should eat: nuts, grains, legumes and all natural foods.

Mr. President, I stand here today as one who has had the privilege of reading many of her works, and I can tell you that it has sufficed me greatly in my understanding about family life, my Christian behaviour, and the way I eat. I, therefore, want to say to this Honourable Chamber, the call today is that backyard slaughtering should not have been stopped today nor tomorrow but that it should have been stopped since yesterday. If we want to save human life and help the inhabitants of Barbados to have a better life, they must take good counsel and eat the right foods.

I wonder if ever anyone of you Honourable Senators has ever taken a yam and stewed it in its skin, then to eat it with butter?

Mr. PRESIDENT: Senator Linton, I hate to interrupt you but I am not sure that you have established a connection between your remarks and the Resolution before us. The Honourable Senator has 10 minutes.

SENATOR I. St. C. LINTON: I am simply bringing to the attention of the policymakers in this country, and to those in the agricultural industry, that the production of food must be safe. I have already said at the beginning that this Resolution has satisfied my call for small farmers' market in Barbados but I have extended it to the point that when the market is available, whether it is small or large, that those who produce food must give us the assurance that it is good food and that it is good for our health.

I am saying that when we go to lunch we should be eating better food than what we are now eating. We should

be eating food that enhances life and happiness, and gives us a good relationship with each other.

This is the kind of approach to food production in Barbados and since liberalisation is coming, we must put systems in place to make sure that the foods that come into this country.... Imagine, Sir, and Honourable Senators, one case of avian or bird flu coming to Barbados. Does one realise that it would have devastating effect on the whole industry? Therefore, I am simply saying, yes, provide opportunities for farmers to make a living but, at the same time, they, with the authorities, must assure us that when we sit at our tables, we eat foods that are good and that are best for our health.

Mr. President, I thank you.

SENATOR Dr. F. L. CHANDLER: Mr. President, I rise to lend my full support to the Resolution for the lease of land at Six Roads, St. Philip, to the South Eastern Farmers Co-operative Society Limited, to establish a farmer's market. This should contribute to the improved distribution of produce throughout the island.
3.00 p.m.

We find that you may have a glut of produce in one part of the island but in another part the supply is marginal and the price relatively high and this poor distribution leads to wastage. It is hoped that with the increased number of markets at strategic points in the island that this wastage would decline.

Sir, consumers are always interested in good, fresh farm produce. I have seen comments in the media which suggest that the farmers' market is the wrong approach and instead of taking the consumer to the produce that the produce should be taken to the consumer. I disagree on the basis that the St. George Farmers' Co-op has had sustained success over many years. Of course, there is a place for the itinerant trader and all of this will lead to less wastage of the produce and better prices for the consumer.

I commend the Honourable Minister on his enthusiasm on the future of agriculture. I know that Government is offering a number of attractive incentives to farmers. I trust these will be taken up by the farmers. My experience is different from that of Senator Lowe as I understand it is a lot easier now to access these incentives and there is not as much red tape involved as before. I hope the farmers will take up these incentives and will improve their production, planning and efficiency so that we can sell the produce at a price beneficial to the farmer as well as to the consumer.

I have evidence which shows that if the correct technology is introduced that local farmers can compete with

imported products. I am not worried about liberalisation but farmers must plan their production, introduce new technology and be willing to inject capital into their farms.

Sir, Senator Stuart stole my thunder when he mentioned the irony of the destruction of so many acres of agricultural land across the road from the proposed market. This is arable land and I have seen numerous crops of onions and sugarcane grown on it. It is so deep that hundreds of loads of soil have to be transported from the site all over the island in order to reach solid foundation for the houses. Sir, housing is important but it is my opinion that there is no lack of land for building and that not one more acre of land should come out of agriculture for housing.

In fact, a few hundred yards on the left side of that development there are acres of rab land which is rocky which has been under bush for many years and this is the type of land that should go into housing but someone will put forward a reason why it cannot. Sir, I think that all problems have solutions as long as we persist in the interest of the nation as a whole.

Sir, a land use policy has been alluded to on various occasions but a definite policy is not forthcoming. If we allow any more land to come out of agriculture, there would be no need for a farmers' market because there will be no produce to market.

Sir, again I want to commend the Minister on his approach. I am involved in agriculture and I support any initiatives which are beneficial to the farmers and Barbados as a whole. I would like to reiterate my support of the Resolution which I think is in the interest of farmers and consumers.

Sir, I thank you.

SENATOR the Hon. E. R. GRIFFITH: Mr. President, I want to thank Senators for the constructive statements which have been made and give them the assurance that we in the Ministry of Agriculture and the Government generally are aware of the need to deal with a number of those issues which have been mentioned. In fact, if Honourable Members check carefully, they will discover that we have already put in place a number of initiatives to deal with them.

Senator Husbands, because of her familiarity with what takes place at the Rural Development Commission, indicated that we have started to put in place a plan for the Commission across the country which included agriculture but extends to other areas of activities. Sir, in the not too distant future, elements of that plan will start to unfold.

Sir, if you check the Economic Statements made over the past few years, you would see a gradual development of initiatives to deal with these issues. The issue which Senator Lowe raised not long ago about insurance for crops was discussed last week with producers of food crops. On that occasion the Ministry indicated to them what our thinking was on the issue. We are working with them to develop a mechanism to deal with it in the future. I indicated to them that it is unfortunate that I cannot deal with the past but I will certainly help them to put in place a mechanism to deal with the future.

There are facilities for crop insurance in a number of other countries. We have access to the kind of schemes that have been perused by those countries and also to information from the FAO. Sir, I know the difficulties farmers have in obtaining insurance because insurance companies do not insure farmers or fishermen because they perceive them as high-risk persons but there are ways of dealing with the issue of insurance and we are presently working on them.

There is also the issue of what crops are suitable for which area. If you have access to the Scotland Development Plan, you would notice from the studies done, with assistance by the FAO, that we have been able to prepare various maps of the entire district clearly setting out what type of agriculture is suitable for which area depending on the fertility of the particular land space.

Senator Husbands spoke about domestic opportunity and a programme is already in place to deal with this. Earlier I met with the diary farmers and last week, I met with the food crop producers and discussed ways and means of advancing that programme because we would like to see the day when we reach 100 per cent as we have a vision of going beyond 60 per cent. Sir, over a period of time we hope to see the fruits of that initiative which was put in place two years ago.

3.10 p.m.

We are working to iron out those problems and to extend the programme. Sir, we intend to go beyond the 60 per cent which was achieved because we think that such a scheme provides opportunities for farmers to increase their production.

Mr. President, the issue of crop protection is being discussed with the farmers and we will work with them in an effort to reduce the problems in that area.

Senator Linton referred to health and food safety. If we refer to the Economic Statement, we would note that an enormous amount of emphasis was placed on the need for health and food safety standards. We are taking care of that area and in the not too distant future we hope to have in place the National Health and Food Safety Authority which

will be the Authority that will be accredited to give the certification when we have to deal with exports. The same standards we will be applying to exports will be applied to the domestic consumption.

Sir, under the sanitary and phyto-Sanitary Agreement with the World Trade Organisation, we are expected to put in place a number of sanitary and phyto-sanitary measures. It is within that context that we are dealing with the issue of health and safety. The slaughtering of animals in the backyard would be dealt with in due course.

What I would say at this stage is that we currently have four pieces of legislation in the Attorney General's office to deal with some of those issues and we are working on another seven pieces of legislation. Hopefully, within another year, we would have presented to this Chamber approximately one dozen pieces of legislation that would take care of all the issues relating to health, food safety and plant protection.

Sir, we still face a serious problem of the introduction of pest and diseases into Barbados largely by persons who hide pieces of plant material and exotic birds in their suitcases. I understand that they stuff toilet tissue in the birds' beaks to muffle any sound and they are pleased that they have tricked the Customs and quarantine officials at the Airport.

However, what they have done is to create a problem for the agricultural authority because they have brought diseases into the country. Mr. President, a lot of these diseases do not come in by produce. In the case of the African Snail, we suspect that it came in on a container. If you drive through or park in an area that is infested with these snails, they attach themselves to the vehicle and as you move from place to place these snails are being transported.

Mr. President, the question of credit to the agricultural sector is a long-standing issue. It is a fact that the commercial banks and similar entities are more comfortable lending money to other areas of activity than to agriculture. Although that is a problem in relation to commercial banks, the Government is cognizant of that fact and has put in place a number of mechanisms to assist the farmers in that area.

Senator Husbands mentioned the loan scheme under the Rural Development Commission. Recently I met with the fishermen and a gentleman complained that he had difficulty in obtaining a small loan to do some repairs to his boat. We asked him if he had contacted the Rural Development Commission regarding assistance and he said that he did not. We gave him the information because he was not aware that such assistance was available. In addition to that, there is the Agricultural Development Fund and a number of other funds that were set up to assist small businesses.

Mr. President, while the commercial banks are not doing what one would expect them to do in relation to loans to agriculture, the Government is trying to bridge that gap by providing other facilities. We are aware of this problem and we are working closely with the farmers to alleviate the problem.

Sir, the Ministry is working on market intelligence and has assigned that role to the Barbados Agricultural Development Corporation. The Barbados Agricultural Development Corporation, in its new format, will be the agency to deal with the issues relating to agro processing.

While it is good for farmers to depend on the fresh market, one must acknowledge that there will come a time when the extent of the produce will be so great that reliance on the fresh market is not going to enable the farmers to get rid of all the produce. It is at that stage that agro processing becomes critical. Therefore, the Government is putting in place a system to take care of the excess produce by having it processed to be sold locally or exported.

I concur with Senator Chandler regarding the impact of the Caribbean Single Market and Economy to the Caribbean Single Market and Economy, Free Trade Areas of the Americas and ultimately the global liberalisation, that while they will be open to competition, they would need to do a number of things to put themselves in a position to cope with that competition. Sir, that is why we are stressing, particularly in our discussion with the youth, the use of the latest technology.

The Ministry is working at the question of benchmarking. We believe that the farms must use the technology and reach a stage where they will be able to cope with the competition.

Sir, as we studied the impact of the Caribbean Single Market and Economy it became abundantly clear that we have been doing well in the area of processed foods, in spite of the fact that the CARICOM market is open. We believe we should continue to take advantage of that area. In the event that we cannot compete on the fresh market with the value-added product, we might be able to do better because we have added value to it and could sell it at a higher price. We are looking at all the possibilities and the farmers have our assurance that they are not alone in this because, ultimately, their success or failure will be our success or failure.

The issue of food security, as was previously mentioned by Senator Lowe, is one on which we put a lot of emphasis. However, we do not anticipate that we will be able to produce all the food that we eat in this country in a hurry.

Last week I met with the new Ambassador for Israel to Barbados and we spoke about agriculture. He indicated to me that Israel produces 93 per cent of what it consumes. Israel is a bigger country than Barbados and that 60 per cent of that country is desert.

3.20 p.m.

He said to me, meaning the Israeli of course, we have had to do a lot on a little space, and that in a sense is similar to what we have to contend with. Yes, we are minuscule to them but the lesson for us is the same, and that is where the issue of technology and best practices have to come in, so that we have to learn to do a lot from a little, and that is the only way we are going to be able to compete.

I think the farmers recognise that, and I can say that from my discussions with many of them. Yes, there are challenges but, as I said to them, and I am saying here now, we will work with them to help them overcome those challenges, because we believe that is the only way they will succeed.

Now, when Senator Linton was speaking, I took note of one word, not that this might adequately sum up what he was saying. I took note of the word, "balance", because while I understand what Senator Stuart and Senator Chandler said, and I agree with them because, at another time and in another place I have expressed similar comments prior to my coming here, we, in the Ministry of Agriculture, are very clear about how we need to go forward. Sir, in consultation with the different groups over the last few weeks, we have identified, clearly and carefully, how much land is necessary for us to do whatever.

We have a plan, as most of you know, for the cotton industry. It is a five-year plan and it is envisaged that at the end of that plan, we would be up to a certain acreage in cotton. We also have a plan for the restructuring of the sugar industry. We have carefully mapped out how much land we need for high fibre cane and how much land we need for other things.

We have been meeting with all of the other sub sectors. We are talking about the establishment of beef production and we worked out with them how much land they need. We have worked out with the sheep producers that, if you are here and you want to get yonder, what you need, which would entail some amount of land. The point is that we in the Ministry of Agriculture are clear where we want to see agriculture go, and what is necessary for it to get there, including the amount of land space, and we have been putting forward that concept.

I have no doubt, whatsoever, that the Minister responsible for Town Planning is on the same wavelength that we are on, and he understands that as well. This is the

same Minister who, not so long ago, brought the Economic Proposals to Parliament, and set out the things that he expects to see in agriculture.

Therefore, if these things are to happen, we must have a certain amount of land. Now, this is where the issue of balance came in, in relation to the different types of activities which will take place. As we see it in agriculture, Barbados is a small landmass, but we have a number of things to do, in order to promote the development of the country, so we have to work out a balanced approach. It is not a question of all of this and none of that.

It is a question of some of this and some of that, as we seek to diversify the economy. Remember when we were speaking, not so long ago, on the management of the debt and the ability to repay and service the debt, we spoke about the problems with economies within the context of needing still to have a diversified structure, that if you have a downturn in one area, there is something else which can see you over that difficulty.

Therefore, it is an issue of balance and from our perspective in agriculture, it is a fact that we need a certain amount of land to do certain things, but we acknowledge that other things need to take place in the economy. As I said, our view of it is that it is not all of one, and none of the other. It is some of this, and some of that, and you need an appropriate balance.

This is my understanding of the plans which the Government has in mind for the development of the country. At this point in time, I am quite confident that agriculture, and the other activities will be able to have the amount of land which is necessary to propel the country forward.

I certainly would not expect to see an imbalance, things tilted and the other way around. I, like Senator Stuart and Senator Chandler, live in that area, as Senator Stuart knows well, and I go walking there on mornings. I knew it when it was in agriculture, so you know how it looks to me now that it is out of agriculture. I also see the deep spaces there. They are so deep that I sometimes stand and wonder what is going there. I see that as I move to other areas and, probably before I was in this particular position, I might have passed without paying special attention to it. Now, I think I have an obligation to look, and look a second time and to wonder.

Therefore, I understand the issue, but as I said, I will, of course, put forward the proposals from the Ministry of Agriculture, in terms of the need for a certain amount of land needed to do these things and we are clear on that issue. I will just go forward on the basis that the Government,

generally, will approach the issue of the development of the country, by looking at it from a point of view of balance and that there would be some for this, and some for that, and then we can have the optimum mix, that would allow the country to get the maximum from the different sectors of the economy.

However, I just wish to conclude by giving all Honourable Senators the assurance that I have taken note of the issues. Many of them are the issues that we are already dealing with, and you can rest assured that we will try to bring them to fruition in the shortest possible time.

Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 2 – THE JURIES (AMENDMENT) BILL, 2004

SENATOR THE HON. E. R. GRIFFITH: Mr. President, this Bill before us, is seeking to make two amendments to the Juries Act, Chapter 115(B) and the amendment centres around section 41 which now sets the time limit for deliberation of a jury in criminal and civil cases, and fixes that time limit at no longer than three hours, unless in the case of a civil action or matter, the jury agrees unanimously to apply for further time which shall be granted by the court.

The aim of the amendment is to allow the jury in a trial of both criminal and civil cases to apply to the judge for further time to deliberate, and secondly, to empower the judge to grant such application. My advice is that, as it stands at the moment, there are occasions when there are cases with several persons involved, and where the evidence is quite extensive and sometimes complex, the present time limit appears to be inadequate to allow the jury who, as all of us know for the most part are lay persons, to understand the complexities and therefore to be able to reach satisfactory conclusions within the allotted time frame.
3.30 p.m.

The situation in other countries, particularly in Canada and New Zealand, is a little different. Over time they have learnt from their experiences and have updated their legislation to the point where they are more generous with the time provided to allow the juries involved to deliberate and to come to a conclusion. What we are seeking to do is to bring our legislation in line with the reality of the situation

and to provide more time for the juries to deliberate and to reach conclusion and to make provision for the judges to grant extra time if the need arises.

In the case of Canada, I have been advised that a jury may not be discharged unless it has tried to reach an agreement for at least six hours and that the maximum time in which a particular jury is permitted or is required to deliberate is at the judge's discretion. In the case of New Zealand, the time limit at the moment is four hours.

The Bill before us then is seeking to amend section 41 which says that:

- (1) "Subject to section 43, in the trial by jury of any criminal offence or of any civil action or matter, the jury should not be kept in deliberation longer than three hours unless
 - (a) the judge determines that a longer period of deliberation is warranted in the circumstances; or
 - (b) at the end of that period, an application is made to the judge, with the concurrence of a majority of the jurors, for further time, which application shall be granted by the judge.
- (2) The judge, in granting an application under subsection (1), shall allow further time as he thinks reasonable having regard to the nature and the complexity of the case".

There is also an amendment under section 3 of the principal Act which is to be repealed.

"3. Section 43 of the principal Act is repealed and the following is substituted:"

The new section 43 should read as follows:

"43. Notwithstanding section 41, where the judge is satisfied that there is no reasonable probability that the jury will arrive at a verdict, he may discharge the jury at any time after the expiration of three hours from the time of its first retirement."

These are the amendments which are being proposed, Mr. President.

On the face of it, to me a non-lawyer, that appears to be something that is reasonable and is an attempt to improve the present situation which we have so that there can be a verdict in those cases where juries are involved and where they need to spend some time to reach an appropriate conclusion.

On that, Mr. President, I beg to move that this Bill be read a second time.

SENATOR F. J. STUART: Mr. President, juries occupy a fairly critical position in the criminal justice system of Barbados and have traditionally done so. Trial by jury is an inheritance from the English legal system which we have practised over a number of years. Therefore, since juries are so central to a criminal justice system, any attempt to ensure that juries do their work efficiently is to be applauded and supported.

The object of any criminal justice system is to ensure that the ends of justice are properly served. I have not come across a better definition of justice yet than that given many years ago by jurist Justinian of Rome who said that justice is the constant and perpetual will to give every man his due. So since the aim of a criminal justice system is to make sure that accused persons get their due and that the State, which is the guardian of the criminal justice system, the guardian of the society, gets its due, any mechanisms to ensure that the ends of justice are served are to be supported and applauded.

Mr. President, we practise trial by jury but we did not get to this stage uneventfully. The route to the system we now have has been a long and winding route, yet the system is still not perfect. Certainly though, it is superior to what used to obtain years ago although not obtained here but from the English legal systems whence we inherited trial by jury.

For example, there were times when in order to try to establish the guilt or innocence of a person who was charged with a criminal offence, there was something called trial by ordeal. The ordeal to which an accused person was exposed was either ordeal by fire or ordeal by water.

If ordeal by fire was used, the accused person was required to walk nine feet with a red-hot iron in his hand. Thereafter his hand was bandaged and if after three days that hand did not show significant signs of healing, he was said to be guilty.

If ordeal by water was used, he would have been thrown into water and if he sank below a certain level, he was regarded as being guilty.
3.40 p.m.

Mr. President, there was also not only trial by ordeal but trial by battle, where an accused person might be asked to get into a fight. If he wins the fight, he was innocent, if he loses it, he was guilty.

Then more recently there was trial by what was called compurgation, where the accused person was required to

round up about 12 persons who were prepared to swear before a tribunal that the accused man was innocent but if in taking their oaths, the tribunal finds that they had made any mistakes, that was considered to be a sign that the accused person was guilty.

Mr. President, those methods of trying to establish guilt and innocence were highly risky for accused persons. Today the system has evolved where we have what is so familiarly known as trial by jury where, in some cases, 12 men and women chosen by the accused sit in judgment over that accused person. In other cases, nine men and women chosen by the accused sit in judgment over that accused person.

Sir, juries are tribunals of facts. They determine what evidence is to be doubted and what evidence is to be believed, and they take their directions on the Law from the trial judge. Of course, most of the appeals which go to the Court of Appeal or to the Judicial Committee of the Privy Council have very little to do with what the jury has done. Most of the appeals are framed in such a way as to suggest that the trial judge erred in the directions that he had given to the jury, thereby leading them to come to the wrong conclusion on the facts.

Mr. President, that is the system we have. None better has, up to now, been unearthed and that is the system which we are trying, by this amendment, to improve today, by giving jurors the right to request of a trial judge any additional time to deliberate on evidence they are trying to evaluate.

Mr. President, the point has to be made that juries do not reach verdicts based on what they know but on what they believe, and humans as we all are, with the best will in the world, would sometimes believe things that are not true and sometimes doubt things that are true. That is a peril to which accused persons are ordinarily exposed in jury trials.

Of course, the counter-veiling aspect of that is that in all cases the accused person chooses the persons who are to sit in judgment over him. The accused has a right to challenge any selected juror on the panel, and according to the Law, accused persons have what is called "seven peremptory challenges", that is, to simply look at the juror and say that he does not want that juror to try him, without having to give a reason.

Sir, then beyond those seven peremptory challenges, the accused person has a right to show cause why he or she does not want to be tried by such a juror, and, of course, the court would investigate to show that there is merit in the accused person's objection to the choice of that juror.

Mr. President, because juries reach verdicts based on what they believe and not on what they know, sometimes very cruel injustices are done. In some cases, courts are able to correct these injustices to the extent that they can be corrected and in other cases, they are not able to correct them.

Mr. President, in a society that, for example, believes in the death penalty in some cases, it is absolutely impossible to correct a miscarriage of justice if the death penalty has already been carried out. Sir, with the death penalty being as final a punishment as it is, once the convicted person has gone, even though fresh evidence unearthed subsequent to his conviction might show that he was wrongly convicted, the correction would be of formal paper value because the death sentence would have already been carried out.

Mr. President, quite frankly, that is why I have never supported the death penalty. I do not think that I can ever support it because it does not leave any room for the correction of serious miscarriages of justice for persons charged with capital offences.

Mr. President, some time in the year 2001, a convicted man by the name of Charles Pembleton in the United Kingdom, was convicted for murder in 1986 and throughout every stage of his trial, he had protested his innocence but was still sentenced to 15 years in jail. Then, marvellous to relate, evidence was stumbled upon which showed that he had never committed the offence. The English House of Lords was glad to have taken the opportunity and had reversed the sentence, quashed the conviction and set Mr. Pembleton free. Sir, had the English legal system made provision for the death penalty, Mr. Pembleton would have gone to his long rest, the miscarriage would have been discovered but it would not have been of any help to him.

Sir, more recently here in Barbados, is a case in which I was personally involved; a woman charged with murder was convicted of infanticide in 1982. Fortunately, the punishment for infanticide is not death but 20 years after her conviction, evidence had surfaced that the offence was never committed and that nobody had ever died. The child who was supposed to have been dead was very much alive.

The Deoxyribonucleic Acid (DNA) evidence showed that there was a 99.83 probability that the person alive was supposed to have been that of the dead child 20 years ago. Sir, the matter was returned to the local Court of Appeal, where the Court of Appeal was pleased to have quashed the conviction.

3.50 p.m.

Mr. President, I make those two points to show that even though we extol trial by jury, that juries can make

serious and costly mistakes. Therefore, unless there are other protections available to accused persons, the system can be severely abused. There are old arguments that a lot of these things happen because jurors are not sophisticated persons and that persons who sit on juries should be educated and have a certain IQ. English Law has always frowned on that and, in my view, quite justifiably so on the principle that a man is entitled to be judged by his peers and should choose who he wants to sit in judgement over him.

Sir, I do not subscribe to the idea that juries should be specially trained persons and that because they are not certificated that this makes for fundamental flaws in the system. I think the native commonsense of ordinary men and women is sufficient protection for accused persons in criminal proceedings.

What I think can assist the process of trial by jury is the availability to the accused of the best legal representation because the quality of a criminal trial very often depends on the quality of the lawyers involved and the kind of cross-examination to which witnesses for the prosecution can be made subject, with a view to eliciting evidence.

Sir, there are witnesses who are very adept at perverting the truth, for whatever purpose, and unless you have skilled attorneys-at-law who can test their evidence and subject it to the type of scrutiny that can assist a jury in more easily evaluating the truth and separating truth from falsehood, then the accused person is exposed to peril which otherwise could have been avoided.

Sir, that is a protection that is absolutely necessary and, fortunately for Barbados, in the more serious trials like capital offences, rapes and other such offences, under the Community Legal Services Act, accused persons are entitled to legal representation on application made to the Legal Aid authorities and this will go a long way towards assisting accused persons who need that kind of guidance and help.

In recent times, I have been noticing that a number of accused persons are representing themselves in offences for which the Community Legal Services Act does not make provision in terms of legal aid. It is my view that the remit of the legal aid services should be broadened to ensure that the perils to which an accused person can be exposed in a jury trial are reduced to as minuscule as possible.

Mr. President, we have trial by jury and we have to live by it, but it is not a perfect system. This legislation is attempting to give juries more time to deliberate if they think they need it, to assess the evidence before them, which can be bulky and complicated in modern trials, so that they can come to conclusions that accord as nearly as possible with the facts of the case because the entire legal system which we

practice is undergirded by a view that it is better for 1 000 guilty men to go free than for one innocent man to be wrongly convicted. This is at the heart of what we try to do in our criminal justice system.

This amendment makes significant contribution in terms of providing larger and more significant protection for persons charged with criminal offences. Mr. President, at certain times in the life of a society there are splurges of criminal activity which heighten the emotional stage of that society and people demand justice as quickly as possible.

When I was the Member of Parliament for St. Philip South, I remember the horrible murder of a young lady, Gillian Bayne, from Kirtons, St. Philip which is still unsolved to this day. As I moved around the constituency during that period, the constituents were very angry that this charming, inoffensive young lady had been so tragically struck down.

Sir, more than once I had to tame the excitement of persons who came up to me and said that they wanted to find someone for committing the murder. I would quietly say to them that it was not just about finding somebody for the murder but it was about finding the right person. Sometimes, in a moment of emotional excess, someone would say that it did not matter whether it was the right person as long as someone was found for the murder.

Sir, this is the kind of emotional excess that can be generated in a period of high criminal activity.

Mr. President, a criminal justice system must start and justice is only guaranteed if it starts by finding the right man. Therefore, issues of identification are central to the provision of criminal justice and then a fair trial before a jury properly directed on the facts.

Sir, in the United States of America, juries are sequestered during the trial so that they can be insulated from influences that might taint their judgement.
4.00 p.m.

It is felt that juries, so hidden away, stand a better chance of coming to the correct verdict than juries, as in our systems, who read the newspaper in the morning and interact with people in the society when a trial is going on.

Recently, in the United States of America there was a reversal of a conviction because a man was wrongly convicted by a jury of a very serious offence which would have been a jury that was insulated from the influences of the society during the trial. There is no airtight method of guaranteeing an accused person criminal justice but given

the history, it can be seen how far we have travelled from walking with a hot iron in the hand for nine feet and praying to God, thereafter, that your hand would begin to heal after three days. We are at a stage where men and women of sound mind, memory and understanding can sit in judgement over accused persons and evaluate facts on the basis of directions they receive from judges in criminal trials.

Therefore, we on This Side can find no reason to quarrel with this amendment to the Juries Act. As a person who practices Criminal Law, I know that one of the advantages of this amendment, in addition to the enlarged guarantee, is that there is a greater chance that a jury has more time to deliberate. The backlog of criminal cases has tended to clog the system because of the number of traversals and very often it is better if these matters can be brought to a conclusion and if the accused is not satisfied, he can use his right to appeal.

Sir, I have to make the point that Barbados is, perhaps, one of the few countries in the world where every member of the population is a lawyer.

Asides.

SENATOR F. J. STUART: I do not think that very many countries in the world can boast that kind of human capital.

Therefore, matters that lawyers would guard as being complex are treated very offhandedly by publicists, very often on Call-in programmes and writers to the newspapers, but it is not as simple as that. Even though an accused man may be said to have exhausted his appeals, it does not mean, as the Pendalyn case in England and as the case here showed, that the ends of justice have been served. Court of Appeal judges make mistakes too and, therefore, a system must leave some scope for the correction of mistakes.

In the local case, in 1984/1985, the lady had gone to the Court of Appeal and was turned away but 20 years later her innocence was established beyond doubt. Sir, given the nature of the crime of which she was convicted, she was subjected to some of the harshest comments and most cruel persecution that could be the sad lot of a human being to encounter.

Sir, she could be walking along the road and somebody asks if she was the person that did so and so and if she does reply she could be given a slap in the face but she could not do anything about it because she was put on a bond by court to be of good behaviour. Therefore, even though appellant courts, run by trained persons, pronounce guilt, it does not mean and cannot be held to mean that the person's guilt has been infallibly established.

Sir, as human society evolves and we in Barbados are grouped with the rest of the civilised world for a more foolproof method of establishing guilt and innocence, we have to make do with trial by jury, recognising all of its strengths and weaknesses but never closing the door, I think, to the opportunity to correct a mistake or to reverse a miscarriage when mistakes are made or miscarriages occur.

Mr. President, this amendment gets the support of the Opposition and we hope and expect that it will contribute in no insignificant way to the enlargement of the probability for accused persons to secure justice.

I am obliged to you, Sir.

SENATOR G. P. B. NICHOLLS: Mr. President, I rise to lend my support to the amendment to the Juries Act, but I want to make a few comments on this very important system, as the last Honourable Senator who spoke so aptly and accurately identified as one of the cornerstones of our democracy in which our citizens who are charged with criminal offences are put in the charge of their fellow citizens.

Sir, in Barbados, before this amendment, the Juries Act provided that the trial judge in the criminal assizes must discharge the jury after three hours of deliberations when that jury cannot reach a verdict. Recently, it has given a cause of concern in this country and the Court of Appeal in Barbados, as recent as 2001, has had to quash a conviction in which a jury deliberated for longer than the 3-hour period.

Sir, what is interesting in that case is that the argument against the constitutionality of that provision was made by the Crown and not by the appellant. It was a case in which the Crown contended in the Appeal Court, that the 3-hour time limit was unconstitutional, in that it infringed the accused right to a fair trial under Section 18.1 of the Constitution of Barbados which states that if any person is charged with a criminal offence, then and unless the charges are withdrawn, the case shall be afforded a fair hearing within a reasonable time by an independent and impartial court established by law.

Sir, in the case of Anthony Alleyne vs. The Queen, the Court of Appeal had to quash the conviction because the jury retired at 2:09 in the afternoon and brought back a majority verdict at 5:26 p.m. in excess of the three-hour time period. His sole ground of appeal, as I understand it from reading of the Law Report, was that the time-frame exceeded that which had been provided in the statute. 4.10 p.m.

There was a consensus between the appellant and the Crown who appeared before the Court of Appeal. The

retired Chief Justice, Sir Denys Williams, who gave judgement for the Court of Appeal, held that although there might be good reason to amend Section 41 of the Juries Act to permit the jury, in special circumstances, to deliberate for longer than the 3-hour period prescribed by Section 41 on the ground that the period prescribed might infringe an accused right to a fair trial within a reasonable time. No case had been so made out. In fact, the Court was reluctant to go into the constitutional argument because that was not in and of itself the proper forum for determining the constitutionality of the section.

Sir, what we are purporting to do in Barbados is to give the trial judge more latitude, in allowing the jury more time, when they have to deliberate. In other jurisdictions in the Caribbean, it appears to be a matter of discretion. Whereas, in Barbados the wording of the statute and, indeed, it is preserved in the wording of the amendment that the trial judge shall discharge the jury. In other jurisdictions in the Caribbean, it is a matter of discretion for the court.

In Antigua, Dominica and St. Kitts, the juries may be discharged in those respective territories after four hours, if there is no prospect of agreement. In Grenada, St. Lucia, and Trinidad and Tobago, they may be discharged after three hours. I think the fundamental distinction between what is provided, in relation to Barbados and those jurisdictions, is that there is a deliberation for a maximum of three hours in Barbados, and the Judge can grant an extension on his own motion, or he can entertain an application made by the jury, with the concurrence of all the majority of all the members of the jury for the time.

Therefore, the judge in Barbados does not have as wide a discretion as the judge in other countries in the Commonwealth Caribbean may enjoy. There is a specific reason why we have sought in this jurisdiction, not to give so wide a power to the judges. While the statutes in the other Caribbean countries may set the time, after which the judge may discharge the jury, that does not mean the judge may do so. In fact, it is a matter for the judge's discretion, whether or not to discharge the jury in those other territories in the Caribbean.

One of the problems that have surfaced, in terms of a reading of the Caribbean jurisprudence on the point, is that if the trial judge chooses to exhort the jury to attempt to arrive at a verdict, he must not set a time line for the deliberations.

The Privy Council, considering a Trinidadian case of David Mitchell, held that the imposition of a time limit, in a jurisdiction like Trinidad, where there is a discretion for the court was a material irregularity and it invalidated a conviction in that country.

I believe that the framers of this amendment in Barbados have gotten it right. They have preserved the right of the trial judge, in which the judge does not have a discretion but he can, on his own motion – in fact, the wording of the statute said that he shall, on his own motion, grant an extension when he thinks the circumstances warrant it, or if the jury, after the three hours, must return to the court room, and if they cannot come up with a verdict, they can ask and it must be a situation where the majority of those jurors request such an extension.

The judge does not have a discretion in Barbados. He must grant the extension of time. Therefore, it protects him and it protects the judge from giving any unnecessary directions to the jury which have been found in other jurisdictions to invalidate convictions when judges, on their own motions delve into matters which are properly within the province of the jury.

Mr. President, it would be remiss of me, if I would not make a few comments about the jury system we have in this country. Sir, I am one of the few practising lawyers in this Senate, and I believe the only practising lawyer on the Government's side, who is available to speak on this amendment, Your Honour the President, is not so entitled.

Asides.

SENATOR G. P. B. NICHOLLS: Sir, I started to practise in this jurisdiction in the year 2000, and coming out of law school you would have a lot of the things that you have learnt, in terms of the practice and procedural rules in your head. I saw in this country a situation in which there is a close affiliation between the juries that sit and deliberate over the guilt and innocence of the average Barbadian, and the people who work within the criminal justice system in this country.

I am not trying to cast any aspersions on anybody but, Sir, it is an unsettling practice, in which members of the jury form what are known as "jury clubs". They go to picnics together and go out together for all sorts of social events. What is the most unsettling aspect of that socialisation process is that members of the prosecution and other members of the criminal justice system who work within the courts, attend these social functions on a regular basis in this country.

Sir, if we are trying to preserve the rule of law, and we are upholders of the tenets and principles of democracy which entitles our citizens to a fair trial, we must put the necessary systems in place to make sure that those persons who have the responsibility to discharge, in respect of presiding over the guilt and innocence of persons charged with criminal offenses, are not necessarily during the course

of the trial, but even after the assizes have been completed, are not seen to be socialising, not only with other persons who work within the system, but with themselves.

It is a dangerous precedence. It needs to be dealt with in a very serious way because we cannot have a culture of certain persons sitting on juries like if they are full-time jurors, and you find in the Assizes that the same faces appear over and over again. It is a very unsettling practice and I think a word to the wise is enough and I can leave that point alone.

In addition, Sir, what is also disturbing in our cramped facilities that we now presently occupy in Supreme Courts, 3 and 4, is that the public in attendance at these criminal assize trials are normally the jurors who are not selected to hear and determine that particular trial, so they themselves, Sir, and if you practise in these courts, they express their opinion, as to the guilt and innocence of the accused in a way that, had you not been properly trained, it would unsettle you, when you are on your feet.

Sir, there is a group of persons who may have sat early in the Assizes who sit in the court, or persons who are in the pool of jurors who will be chosen for another trial, waiting there in the court room. Throughout the length and breadth of the trial, they discuss the matters going on, and I am not suggesting that they do it with the jurors that are sitting in the present trial, but it is a little too close for comfort, in those present circumstances.

I would hope that when the new Hall of Justice is finally delivered, that the jury rooms would be given the appropriate facilities, so that persons can come to the courts to sit on a jury and not have to interface with the other members of the public who are waiting to get their turn to sit on a jury.

I have also seen, Sir, a situation in this country where a woman, who was raped had to go through the very unfortunate ordeal of giving evidence in a trial in which the alleged perpetrator was being tried. The perpetrator was convicted.
4.20 p.m.

That happened around December 2000 and that same woman was a juror in the January Assizes of 2001.

Mr. President, I am not suggesting that anyone is trying to cheat the system, but we must seriously look at the revision of a jury list which is supposed to happen every two years according to section 12 of the Jury Act. We live in a considerably small society in which everybody knows everybody, so these are some of the unsettling concerns I have as a practising attorney-at-law that I would want to raise here.

I hope that we will continue to make amendments such as these to give true effect to the rights of every citizen of this country. Sir, the principle that a man is presumed innocent until such time as he is proven guilty is the backbone of our criminal justice system. As the last Honourable Senator who spoke said, there are too many times in this country where there is the propensity to lock up somebody. You will often hear, I am going down there to lock up somebody. Somebody got to get hold for this crime or somebody has to get hold for this murder.

Sir, when lawyers are on their feet in the criminal Assizes probing the policemen who are very good at giving evidence almost as if it was a recitation, they do not like to be asked questions to take them off that train that they are on because they begin very nicely and they go smoothly to the end of their evidence but, in cross-examination, they are a little less fluent in terms of the manner in which they give evidence.

Sir, criminal lawyers in this jurisdiction are suffering from the public perception that they are operating against the national interest, so while we are proud of the democracy we have, we must continue to remind ourselves that even the worst criminal in this world is deserving of a fair trial before his peers. Therefore, we must not condone any attitude in this country that would tend to rush to justice. We do not want to rush justice. We want a system which upholds the integrity and the rights of every person in this country from a prince to a pauper.

Sir, I reiterate my support for the amendment. However, I hope that the system by which persons are tried in the criminal Assizes occupies the minds of the decision-makers in terms of putting the necessary systems in place to make sure that the modern jury system functions and develops within the kind of society that we are trying to create in other areas.

Sir, I note that the juries are given notebooks nowadays. The courts have produced a pamphlet, "Jury Service, the Things You Should Know" so that jurors who sit on the Assizes are made aware of their responsibilities. We are trying in our own way with our limited resources and the limited space that the persons who practise in those courts have to function. I know it is a little hard to ask persons to give up their work and to come and sit down in those conditions where there are no proper bathroom facilities or no proper facilities where they can sit and have lunch and things of that sort. We are working now at delivering proper facilities in the future.

Sir, I would like the decision-makers on these issues to pay close attention to maintaining the integrity of the jury system. Therefore, I hope that persons can feel assured that

this amendment would go the full length of ensuring that accused persons have a fair trial.

With those words, Sir, I am obliged to you.

SENATOR THE HON. Mrs. V. E. NEWTON: Mr. President, I did not intend to speak on this piece of legislation although I support it. Sir, what Senator Nicholls has just said is extremely disturbing, but I am sure that what he said is true because he is an honourable man. Therefore, I would hope that those responsible for the administration of justice would make whatever revisions are necessary to the Jury Act to ensure that the letter of the Act is observed. I note in particular section 18 (1) which states that:

“Subject to the section, the Registrar in summoning persons for jury service shall not place any juror a second time on the panel to be used in any court until all of the jurors in the Jurors Book – that is for the year – have been placed once on the panel, and the Registrar shall make up the panel so that all jurors shall be summoned in due rotation”.

What Senator Nicholls spoke about just now would seem to suggest that for some reason provisions in the legislation are not working. Therefore, I would think that as a matter of urgency, the legislation should be looked at because the whole purpose of having a jury of 12 good, true and strong men who is possessed with the commonsense of the ordinary person on the Wanstead bus would, certainly, be prejudiced if you have a situation where persons are serving almost as professional jurors.

I do not think that was the intention of the legislation in our case, nor was it ever the intention of the persons who wrote all those centuries ago who thought that jury trials would be the best way out for proceeding in criminal matters because one would then be subject to the ordinary commonsense of reason of ordinary persons like himself or herself.

With those few words, Mr. President, I support the amendment but I strongly urge the Attorney-General Chambers to have a look at the theory and at the way this

legislation is being practised to make sure that the system of jury trials is not made a mockery of in Barbados.

I thank you.

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I beg to move that this Bill be read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. E. R. GRIFFITH, the Senate resolved itself into Committee, HER HONOUR SENATOR Dame PATRICIA SYMONDS in the Chair.

COMMITTEE

MADAM CHAIRMAN: The Senate is in Committee.

Clauses 1 to 4, inclusive, were called and passed.
4.30 p.m.

On the motion of SENATOR THE HON. E. R. GRIFFITH, Madam CHAIRMAN reported to HIS HONOUR THE PRESIDENT, the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motion of SENATOR THE HON. E. R. GRIFFITH the Bill was read a third time and passed and cited as the Juries (Amendment) Act, 2004.

ADJOURNMENT

SENATOR THE HON. E. R. GRIFFITH: Mr. President, I now beg to move that the Honourable Senate be adjourned *sine die*.

The question that the Senate do now adjourn sine die was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.
4.30 p.m.

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