
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

SECOND SESSION 2008 – 2013

HOUSE OF ASSEMBLY

Tuesday, January 19, 2010

Pursuant to the Adjournment, the House of Assembly met at 10.10 a.m. on Tuesday, January 19, 2010.

PRESENT

His Honour M. A. CARRINGTON, B.A., LL.B. (Speaker)

His Honour K. E. St.C. BEST, LL.B. (Hons.), L.E.C. (Deputy Speaker)

Hon. D. J. H. THOMPSON, LL.B (Hons.) Prime Minister, Minister of Finance, Labour, Civil Service and Energy

Mr. R. C. EASTMOND, J.P., LL.M.(Leic.), LL.B (Hons.)(Lond.), B.A. (Hons.), Dip. Ed.

Mr. G. A. CLARKE, B.Sc., Dip. Ed.

Mr. R. St.C TOPPIN, LL.B. (Hons.)

His Excellency D. St.E. KELLMAN

Miss C. Y. FORDE, J.P., L.C.P.

Hon. R. D. JONES, J.P., M.A. (Ed.), B.A.(Hons.) (Minister of Education and Human Resource Development) (Leader of the House)

Dr. the Hon. D. C. ESTWICK, M.B.,B.S., B.Sc. (Minister of Economic Affairs and Empowerment, Innovation, Trade, Industry and Commerce)

Mr. D. D. MARSHALL, Q.C., L.E.C., LL.B (Hons.)

Dr. W. F. DUGUID, J.P., B.D.S.(Comm.), F.D.S., FDRCS.

Hon. F. J. STUART, B.A., LL.M. (Deputy Prime Minister, Attorney-General and Minister of Home Affairs)

Hon. J. D. E. BOYCE, M.Sc. (C.Eng.) (Minister of Transport and Works)

Hon. E. G. HUTSON, F.C.C.A., C.A. (Minister of International Business and International Transport)

Hon. S. D. BLACKETT (Minister of Community Development and Culture)

Mr. J. D. PAUL, B.Sc.

Dr. the Hon. D. S. LOWE, M.Ed., B.A., Ed.D., Dip. Theology (Minister of The Environment, Water Resources and Drainage)

Mr. A. D. BRATHWAITE, LL.B. (Hons.)

Mr. S. A. LASHLEY, B.Sc., LL.B. (Hons.), L.E.C. (Chairman of Committees)

Hon. P. M. T. TODD, B.Sc. (Minister of State, Ministry of Education and Human Resource Development)

Hon. D. O'N. INNIS, Dip., B.Sc., M.B.A. (Minister of Health)

Hon. C. P. SINCKLER, M.Sc., B.A. (Minister of Social Care, Constituency Empowerment and Rural and Urban Development)

Dr. the Hon. E. R. BYER-SUCKOO, M.B.,B.S. (Minister of Family, Youth Affairs and Sports)

Prayers were taken by Reverend Canon Ivan Harewood.

Mr. SPEAKER: This House is now in Session.

Mr. SPEAKER: Honourable Members, before we get into the business of the day, we will stand for one minute's silence in solidarity with our brothers and sisters in Haiti, those who have lost their lives and those who struggle now to cope with this very difficult situation.

A minute's silence was observed.

Mr. SPEAKER: This House is in Session.

MINUTES

Mr. SPEAKER: Honourable Members, Minutes of Tuesday, November 10, 2009.

Hon. R. D. JONES: Sir, I beg to move that the Minutes of the Honourable House of Assembly for its Meeting of Tuesday, January 12, 2010, which Minutes have been circulated, be taken as read.

Hon. F. J. STUART: I beg to second that, Sir.

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

ANNOUNCEMENT BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: I am in receipt of the Accounts and Statements for the month of July 2009, as prepared by the Accountant General.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

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

Hon. F. J. STUART: I beg to second that.

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

GOVERNMENT BUSINESS

ORDER NO. 2 – TO RESUME DEBATE ON THE SECOND READING OF THE PUBLIC SERVICE (AMENDMENT) BILL, 2009

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

Dr. The Hon. E. R. BYER-SUCKOO: Mr. Speaker, thank you for the opportunity this morning to speak to the Public Service (Amendment) Bill, 2009. Before I do so, I would like to add my voice to the many voices that have already expressed their sadness and remorse at the events in Haiti, and to thank those Barbadians who have already donated quite generously in kind, cash and time.

We have seen many persons, including our young people out on the streets and at supermarkets, raising awareness and support for relief efforts in Haiti. I want to thank Barbadians and encourage them to continue to give.

Sir, as we discuss the Public Service (Amendment) Bill for the remainder of the day, I do so from my perspective of being a Minister in the public service. I must confess that I came to the civil service with very little experience. While my years are few compared to many in here, I had experience in the private sector and other spheres of activity including running my own practice, but nothing that I had done before this, could have prepared me for the task that was handed to me two years ago.

Sir, not having worked in the civil service before, I must confess that I really did not know what to expect.

Added to that, of course, there is that preconditioning where everybody has an opinion of the civil service. Unfortunately, in Barbados most people's opinion of the civil service is not always a complimentary one.

I came into the civil service hearing all unflattering things about the civil service, civil servants, how things work and how slow things are. Sir, coming in with all of that and not having worked in the civil service before, nothing at all prepared me for what I was to find.

Sir, it has not been an easy task. In fact the learning curve has been rather steep. It is a unique beast, I could say.

Sir, over the last two years I have found the majority of the civil servants, especially in my Ministry and those in other ministries with whom I dealt with, to be committed and dedicated. Many of them seem to be quite intelligent and knowledgeable. A lot of them are very passionate about what they do.

I have learnt to appreciate those qualities to work with them, to inspire them and to bring out that passion. That is all that is needed in the civil service. Many of them are committed and passionate about what they do, especially where we leave the politics at the door. Sir, for the most part that might be the only challenge where the politics come into the place, but by and large, where persons leave the politics and political agenda at the door, I find that the work of Government gets done.

Sir, I think that more Barbadians need to appreciate that all the development we have attributed to Government over the years, gets done because of the civil servants. Our public servants work assiduously and apply themselves to their tasks.

10.30 a.m.

Mr. Speaker, Governments have set policies and overseen many of the changes that we have seen in Barbados, but at the heart of it all, and often forgotten, are those civil servants who make it all happen.

We complain about the systems and indeed I would not tell you that the systems are the best. In fact, I think what the Government needs to do and what we are indeed, doing here today, is changing the systems in which our civil servants have to work.

Sir, once we are able to improve those systems and to bring them up-to-date with modern technology and modern practices, we will see the output from the Civil Service much improved. It is to the credit of the civil servants too, that the levels of corruption in Government are reportedly low and lower than many in the world.

Asides.

Dr. the Hon. E. R. BYER-SUCKOO: Yes, good governance, but also because of our civil servants and the very systems that we would often complain about, Sir.

Our systems are far from efficient but, at the same time, I think it is time that many Barbadians acknowledge that our systems are perhaps no less efficient than systems in the private sector. In fact, many private sector organisations and civil society organisations work in systems that are not efficient.

It is just that in Government because of the size of Government, that they seem to be magnified. For example, people would go to the hairdresser and sit and wait for hours before they are even seen and then, of course, wait several more hours while they are being coiffed, but they will not complain about the systems and inefficiencies at the hairdresser.

They will not complain when they go into private sector organisations and have to wait an hour, or two, or when they go to their private doctors and they sit and wait for about two hours sometimes before being seen, Sir, but when they go to the Licensing Authority and they have to stand and wait for two hours, because it happens in Government, everybody will complain about the efficiency, the bureaucracy and people not applying themselves and civil servants being lazy but, Mr. Speaker, all of these are not necessarily fair comments to make.

Sir, as the Government and in our Ministries, we are seeking to change the systems to improve them and make them more efficient, to work with the civil servants, and not to be combated.

I have found as I said, a steep learning curve in the past two years, that being combated really does not help to get the work done, but to appreciate what we have, and to appreciate each individual civil servant for what he, or she brings to the table.

Sir, in any other organisation, you would not lump all the employees together and say they cannot do this, but in any organisation, even a volunteer organisation, you have to identify the given strengths and weaknesses of each individual and allow them to work where they are skilled, inspired and motivated to work, and I think the same applies in Government.

Sir, over the past two years, I have had to learn about the civil servants and the staff in my ministry to see who is good at what, who wants to do what, who appreciates, and who is skilled, motivated, on fire and passionate about what they do.

I have said to my staff, especially the Youth Commissioners in the Division of Youth Affairs, that indeed, what they do in that Ministry is perhaps one of the most important jobs right now.

In Barbados, the development of our youth is critical work. I have found that many of them already know that, they appreciate it, but it is that many of them are not appreciated for what they have to do, Sir, but we have to support the civil service.

I know in my Ministry we have to support the youth work, because that is crucial to what happens in Barbados. The work that we do with our civil servants is crucial to Barbados that we inherit in 10 years, and in 20 years.

We appreciate that our teachers are important, because we see the input and the impact that they will have in future years, but it is the same thing with the Division of Youth Affairs. I have had to come around to that way of thinking and to be able to encourage the staff in what they are doing.

Certainly over the past year, the Ministry of Youth, Family and Sports, and the Democratic Labour Party Government, took quite a licking over the camp payments for example. We had the summer camps where we had more than 9 000 children from across Barbados, and we had more than 1 000 persons who would have received payment for their services in those camps.

We had directors, assistant directors and camp assistants, for the most part, young people who had come on board to work with the children, supervised of course by the directors and the assistant directors.

Mr. Speaker, we had about 70 camps and the majority of persons in those camps were paid in a timely fashion, but if you heard what went abroad since then, you would believe that nobody got paid from the camps, because again, it is the psyche, the thinking and the way we look at things.

Sir, most people got paid, but if they are 12 people who have not been paid, you heard that people in the camps did not get paid, what the Government is doing, what the Party is doing, what the Minister is doing and what the MP, the Honourable Member for St. Michael South East, and the staff of the Ministry of Youth Affairs are doing.

I want to go on record for thanking the camp directors, the assistant camp directors and the camp assistants for the work that they did, as well as the staff of the Ministry of Youth, Family and Sports, not just the Youth Commissioners, but persons in the office who went above and beyond the call of duty. There were volunteers across this island who came out and helped at the Camp and did not ask for a cent.

Asides.

Dr. the Hon. E. R. BYER-SUCKOO: I want to thank the coordinator, the Honourable Member for St. Michael South East for his work in that successful execution of the camp.

Asides.

Dr. the Hon. E. R. BYER-SUCKOO: Mr. Speaker, at the end of the day, those camps were successful. Those camps catered to people and the parents are eager to see them come again. We have already begun preparation for the camps in 2010. We are starting with the training of those young people, the camp assistants, who will be working. We are coordinating leadership training for those camp assistants because I see that the young camp assistants will get an invaluable experience from working for those six, or eight weeks with the children during the camps, and this is going to be even more valuable than what they will bring and show on their CXC certificates.

We are training them for leadership so that, hopefully, when they go to their employers in a few years' time, in addition to the six or eight CXCs, they can also say, I have certification that I worked with a summer camp in a leadership position.

Sir, the leadership training we are providing for them, will be recognised across this island and those persons will be recognised as individuals who have a lot to contribute to Barbados.

Mr. Speaker, we are working, not only with our children in those camps, but we are working with the development of those young people, as they work with the camps.

Sir, let me address some of the issues that have been out there about why some of the camps did not receive their payments, because I need to set the record straight.

Indeed, some of the issues were at the camp's end that needed to be sorted out between the director and his or her staff, which were not within the ambit of the Ministry. We gave oversight to it and we tried to help them resolve some of those matters but many of the cases were because

of issues not reconciled between the directors and the other staff at the Ministry.

Mr. Speaker, as I said, many came on board and volunteered, but we had some persons who came on board and started to work and expected payment, but they were not among the approved directors.

Every camp had a camp director and an assistant director, and up to 10 camp assistants. In some cases other people came on and it should have been communicated to them that they were outside of the ten or so selected for payment. We had others that came on, and perhaps hoped that if they gave a good service, we would reimburse them in the end. There was no approval, paperwork, or anything in the system for those people and many of the claims that had been received at the Ministry for payment for camps are from such persons who had no approval.

10.40 a.m.

They were not sanctioned. They were sanctioned by the Director as volunteers, but then they came forward looking for money.

Mr. Speaker, I spoke to the systems which we have in place. Sir, while these systems seem cumbersome and tedious, they have actually contributed to us having a low level of corruption, and in the camps we saw just that. In the camps, attendance records had to be filled out by the Directors to account for all those persons who were on our list as being Assistant Directors and Camp Assistants. These attendance records had to be seen at the Ministry, and if they were not produced, persons could not be paid. That was agreed to, not only by my Ministry, but also by the Ministry of Finance.

Mr. Speaker, those persons who travelled for a week in the summer vacations as they often would do, expected that they would be paid for that week, but that could not happen. The attendance records showed that they were absent and they received nothing.

Mr. Speaker, I am still getting calls from persons, who were sanctioned as Directors, Camp Assistants and so on, asking me to intervene because they travelled and were still expecting money, but as the Jamaicans would say "Nuh guh so", it cannot work like that. If the attendance records did not show that they were present at the camps, no money could be released for them.

Mr. Speaker, many persons still have not submitted their full particulars, their addresses, their full names, their ID numbers and things like that and attempts at trying to get this information to complete the forms have proved futile. If the information is not in the computerized SmartStream System that we are working with right now, it

cannot be processed and so, money cannot be released. Week in week out, we are trying to contact these people to get the information so as to tidy up all of these things.

Mr. Speaker, these are things that need to be done, so I am urging Barbadians, if they have a legitimate claim to money from the camps, because they had been sanctioned and their attendance record were submitted, to please ensure that the Ministry has all of their particulars so that the information can be processed, because there are files waiting for people to come and fill out.

Mr. Speaker, believe it or not, we actually still have people who are now coming out of the woodwork to submit claims for the summer camps and in some cases, for the Easter camps.

Mr. Speaker, you would hear Government being castigated for not paying the people, not just the Directors, but also persons who provided services for work that they did at Easter.

Mr. Speaker, those persons who provided services are now coming forward with information and claims.

Mr. Speaker, it is to the credit of the civil servants that they check everything thoroughly because they have already unearthed bogus claims.

Mr. Speaker, I want to thank them for the attention they have paid to details, they have been very careful. Yes, we complain about the time that it takes, but that is because the system that they have does not allow them to do this faster, so they do it the old time way, sit with a pencil and a ruler and go through the files and check every claim that comes in.

Mr. Speaker, I can report that the civil servants have been good stewards of the funds that have been put in the Ministry for the summer camps.

Mr. Speaker, right now we are preparing for the 2010 summer camps. We expect them to be fantastic because the ideas are already flowing - I see the Honourable Member for St. Michael South East smiling back there - Mr. Speaker, even for the Easter, while not a camp, we are planning a programme to encourage, entertain and educate some of our little ones.

Sir, I want to urge Barbadians that when they are tempted to bad-mouth the civil servants, to appreciate what it is that they do. I am not saying that all of them are perfect.

Sir, in every organisation, not only in the public service you have people who would not pull their weight, so I would not tell you it does not happen in Government.

However, it might seem that there are more in Government who does not pull their weight, because there are more people in Government than there are in any other sector of this society, but I am sure that the percentages are no worse than anywhere else.

By and large, Mr. Speaker, I want us to remember that every development that has occurred - yes it may have been the brainchild of a particular Government, a particular Minister, or a particular Member of Parliament happened because of the work of the civil servants of this country.

Mr. Speaker, Government is committed to supporting those civil servants. Promises that were made would be fulfilled in the fullness of time. In the meantime, we are committed to doing everything we can do for the civil servants. We will address the system. SmartStream may not be the smartest system to the Civil Service, so those are things that we have to look at.

Mr. Speaker, in this day and age, we are not networking properly. Things such as inter-agency communication has to be improved. Our computer systems are still working too slow and the technology needs to be upgraded. Files need to be computerised as well, so that we would not have the slow transfer of files from one Department to another, or from one desk to another and, God forbid, from one Ministry to another. That often takes quite a while and often files are lost, or misplaced in a pile, so we need to have that system computerised so that the persons who are authorised can access those files at a moment's notice without having to wait for them to come across town, or even across the office floor which sometimes takes longer than coming across town.

Mr. Speaker, we need to improve the systems and so what we can do now we will do. We are mindful of the constraints within which we are operating but we will do what we can.

This Bill is one such thing that we can do. Any further amendments that are necessary, we will do them. They would not take as much resources as some of the other promises that were made to deserving civil servants.

We will continue to work with other legislation, if necessary, to make sure that our civil servants are well rewarded for what they do so as to improve their morale.

As I said, they take a licking from the public, the Government and the Opposition day in and day out, and so we will do what we can to encourage them and to boost their morale.

This Government has already set about to ensure that the environs in which they work are improved, that the quality of the air they are asked to breathe is improved, and that they are working in buildings that are safer.

We heard a lot about the mould and already we are addressing that and all those matters that make our civil servants uncomfortable. They work hard and they deserve to have our attention. Those are things we can do and those are things we will address.

We will continue to work with the Social Partnership and to address legislation and other systems that are necessary.

Mr. Speaker, we heard that after the amendment of 2007, the Government of that day did not had to work with the civil service.

Mr. Speaker, I came in right on the heels of that, and I could tell you that the civil servants have expressed sheer frustration and have experienced low morale from that Act.

Mr. Speaker, we are about to address that and I hope that, if nothing else, we communicate to our civil servants today that we have their back. We are going to ensure that they are rewarded for what they are doing and that we appreciate the contribution they have made to this country.

Mr. Speaker, with those few words, I thank you.

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

10.50 a.m.

Mr. R. C. EASTMOND: Mr. Speaker, on June 26, 1963, the International Labour Organisation made a deep, profound and far-reaching proposal by its recommendation R1192(1). The International Labour Organisation called for a system by which workers can be guaranteed job security.

Mr. Speaker, having traversed the world of employment up until then, the International Labour Organisation was of the firm opinion that Member States should set out ensuring that workers could not be dismissed, or ill-treated at the whim of the employer.

Sir, that very recommendation to which I have adverted, underscores the need for job security, in circumstances where, in this world, and possibly also in this island, there may still be workers who are at peril, there may still be workers who are guaranteed no proper tenure, there may still be a case to evaluate where we are, as far as treating our workers is concerned.

Mr. Speaker, having mentioned that little piece of history without great elaboration, permit me to mention a so-called principle that prevailed even beyond the end of World War II, in the so-called mother country from which we have developed a lot of our practices and, from which we have inherited much of our Law.

Mr. Speaker, believe it or not, in England past, 1945, there was the theory that the civil servants held their position and were dismissible at pleasure.

Asides.

Mr. R. C. EASTMOND: Mr. Speaker, I am telling this Honourable House that there used to be a belief in England that civil servants were dismissible at pleasure.

In the Appeal Cases Report of 1991, there is a decision called *Thomas vs the Attorney-General*, in which Lord Diplock made a judgment that no appointed civil servant in the Caribbean situation was dismissible at pleasure, and that no Minister of Government in the ordinary Civil Service with its various Departments, could hire and fire civil servants at his, or her own caprice.

Sir, Lord Diplock went on to indicate that, for the avoidance of doubt, civil servants do have a definite identifiable employer in the form of an independent Public Service Commission. We have had such in Barbados for some time and other Caribbean countries have also been in the same position.

Mr. Speaker, I am not at this moment dealing with Statutory Boards, but there is something that concerns me. I believe too that when Honourable Members of this House do their research they will consider them as well.

Sir, I am referring to both Chapters 147 and 190 of the Laws of Barbados. I would want the Government to study Chapter 147 and Chapter 190 of the Laws of Barbados.

Sir, if I recall correctly, both of those Chapters at first reading appear to suggest that employees at the National Insurance Department, and at the Immigration Department, are actually employed by their Minister. I want that checked, because it is a grotesque anomaly in the context of Lord Diplock's decision. It is the type of anachronism that has to be got rid of, as soon as possible.

Mr. Speaker, this whole debate is very much about security of tenure. A worker who is toiling and working hard and giving of his or her best, who is not guaranteed any longstanding tenure at their workplace, can live with fear and uncertainty, especially if that worker sees somebody coming in after him, or her, and obtaining a

permanent appointment. This can affect that worker's whole future as a worker and as a citizen.

Sir, in the language of the Civil Service, there is a distinction between a temporary officer and an acting officer. I fear that "John Public" and even people who are being trained in Law and understand national affairs, sometimes blur the difference between a temporary employee and an acting employee.

Mr. Speaker, in circumstances where a worker is a temporary worker and that worker goes to a financial institution to procure financing, whether by way of overdraft or loan, and that worker admits to not having permanent tenure, the probability is that the financial institution would say that although the worker may qualify for financing in terms of character, in terms of some contribution to a saving account and such like, but the fact is, that worker is dismissible at short notice.

Sir, by being a temporary worker would disqualify that person from accessing financing. This has been happening in Barbados, certainly up until 1998.

Mr. Speaker, very often such persons are interested in financing from the financial institutions. It is not that such worker want to get hold of the money to splurge or to party with, very often the typical person who goes to a financial institution actually goes in relation to accessing property, buying land, buying a house, or repairing a house.

Mr. Speaker, where you have hundreds of temporary persons in the system who are desirous of advancing themselves in life and they have no protection, as far as their tenure at work is concerned, then it can have deleterious effects on such workers.

Mr. Speaker, the rationale behind the Civil Service (Amendment) Bill, 2007, really represented a continuum from measures passed by the Barbados Labour Party in 1998. Sir, for the avoidance of doubt, let me remind this Honourable House about the rationale behind the legislation of 2007, which is now the subject of debate here on the Floor of this Honourable House.

Mr. Speaker, notwithstanding our heroic efforts in 1998, to appoint hundreds of persons to the Public Service and to confer on them permanency in their tenure at work at 2007, at the start of the year and in the middle of the year, the Government of the day still found that there were too many people who had the status of temporary officers, notwithstanding the fact that many of them had had some measure of long service.

Let me speak anecdotally to this Honourable House, as my memory reminds me of something that transpired in this country some time ago. There was an officer working

at the Bridgetown Port, who was occupying a position for 19 years. When there was an inquiry into that particular institution and that officer gave evidence, he gave evidence to the effect that he was unappointed for 19 years.

I am not going to go into much detail, but that officer holds the name "Parker" and held the institution as the Port Authority. Sir, 19 years an officer acts in a position without permanent appointment.

11.00 a.m.

We thought that time had come, in 2007, when in addition to those persons we had appointed in 1998, or to whom assurance had been given, that the time would come when they would be permanent workers, we thought we should go further and seek to establish more positions.

Sir, whatever we say, this Honourable House and its Members have to develop a very close and intimate acquaintance with the public service. Public service Law is not codified in one document.

Public Service Law and revelations are often found all over the place. For years there was a procure of Civil Establishment Orders, many of which have never been revoked, which have affected the lives of public officers. Today I am not going to look at the question of General Orders.

Sir, it is a fact that for somebody to be appointed to a permanent position in Barbados the position must exist. What do I mean when I say that the position must exist? Under Civil Establishment Law, there must be an established post. If there is no established post and there is nomenclature given to a particular rule that an officer who goes into a post is used, it cannot be used in the context of the Civil Establishment Practices and Code of Behaviour. No established post, no position, therefore, no appointment.

Sir, all of these are challenges that we, as a Parliament, will have to confront.

Sir, in circumstances where many a spectator, and even some politicians, sometimes look at the cost to Government of running a fairly sizable civil service, there are those who believe where Government has to look at its fiscal situation, it has to begin by looking at the number of civil servants and public officers it employs and its cost to Government. I am not going to get into that.

Sir, I wonder if we in this Parliament, as indeed Honourable Members on My Side, have seen. If we are aware that from 1971, a certain category of Government worker could not at all be appointed. Since 1971, and up to 1998, or there about, notwithstanding some intervention in 1984, a certain type of persons working for Government

could not be appointed. Of course, the corollary would be, that there would be no established post to put them in, because if there was an established post, then logically you could fit them in and appoint them publicly. By the absence of effective measures to have them established, they could not achieve any public appointments today.

In 1998, the Barbados Labour Party Government was of the view that such a situation was untenable, in the same way that we were of the same view as the Honourable Member for St. Joseph who said that it was also untenable to cut the salaries of public officers in dire economic situations.

We thought it untenable and we set about to appoint persons in certain Ministries and we even re-designated their positions. They amount to casual workers, who came close to being dismissed at pleasure, and assigned them public officers. Sir, that was a progressive step.

Sir, by the time we came to 2007, notwithstanding some consultation with interested parties, it became clear that you could have a policy that you are clear about, but then there are those who have to put the policy in Law who themselves may have doubts about the wording, about particular rubric, about particular definitions and such likes, but a politician who is determined both to carry out policy and to assist constituents, sometimes is not in favour with the concerns of professional people who will have to define terms, who will have to caution politicians, who will have to tell politicians to hold on until this is clear, where the political directorate has set itself a deadline by which certain things should be achieved.

Sir, I think the public of Barbados will have to forgive the Barbados Labour Party, if indeed the Barbados Labour Party's forgiveness, out of what is coming from the mouths of its opponents on the Other Side, the objective behind appointing many people in 2007, was laudable. It was to put a halt to the frequency and the incidence of an excessively high amount of temporary workers in the system.

Sir, what will now inform this Parliament, Government and Opposition for the future is the extent to which, if we have 28 000 persons in the civil service, and God knows how many other people in Statutory Boards, the question of Government's fiscal position in respect of the employment of such workers has to be properly rationalised. We, therefore, have to be as protective of the rights of public officers as we would want to be protective of the rights of the typical Barbadian.

Sir, the last Honourable Member who spoke raised the question of morale. The Honourable Member said there was something to do with the morale in the civil service. Based on all that I have said so far, uncertainty of tenure

and temporary status could definitely affect a person's morale, even when that person intends to be productive.

If you are in a position in Government with the uncertainty of tenure, having received a letter that you can be terminable by a day, week or month's notice, it could certainly affect your morale, and will certainly affect your productivity. I think that one of the reasons why a lot of unappointed people would feel disgruntled, because we would have had people in temporary, or acting positions for 13 years, and see people come after them and not only achieve permanent appointments, but actually achieve promotions. All of these are anomalies in the system that we have to weed out.

In addition to what I just said, when a person is unappointed and temporary, the person feels disadvantaged. The person feels as though he, or she, is not really wanted. Sometimes to keep some temporary people in work and to avoid them going home, you have to deploy them in Government Departments where, sadly, they may not easily fit and there they may not want to go. This is of concern to Honourable Members on This Side.

Sir, since January 2008, we on This side have heard about the fear of political interference and victimisation in particular Government Departments. We have heard it, Sir. We have no reason, based on the intelligence coming to us, that we should be in doubt about this particular thing.

There are complaints about the kind of particular politicians who no doubt want to secure the future of their Party and possibly secure themselves in their Constituency, who sometimes take control in a situation where rather than being policy maker, they end up being Principal Administrator.

There have been complaints that particular politicians, Ministers in particular Ministries, have been micro managing where sometimes the senior technical staff and the Permanent Secretary feel redundant.

11.10 a.m.

Sir, the reason they feel redundant is not that they do not want to perform. They want to perform, but they want to perform in a situation where their own terms and reference and service are clear, and where the limits to ministerial power are clear. Sir, in that regard, considering how far a Minister should, or should not go, this Barbados Labour Party, some years ago enacted Cap.109 (b) with which Your Honour is entirely familiar.

Mr. Speaker, Cap. 109 (b) develops the concept of ministerial ultra vires, both at the level of procedural ultra vires by being bias and such like, and at the level of

substantive ultra vires and, Sir, I refer to the Administrative Justice Act.

I am sure that right now there is a matter engaging the attention of the Law Courts where a public officer who feels aggrieved, has invoked Cap.109 (b) in circumstances where that public officer feels that unfair treatment has come his way.

Mr. Speaker, this is something that is interesting. It is not the act of a politician that has attracted that matter to the courts. It is the act of one public servant to another that has caused this.

Sir, this is interesting, because the structure of the Public Service being what it is, there are occasions where the Minister is absolutely helpless, not necessarily hopeless, when it comes to decision-making and a day-to-day functionary, who has never faced the electorate, has more power than the Minister, both to make recommendations and also to approve particular promotions and appointments.

Sir, I would think that since Independence, the vast majority of permanent appointments made in this country would not have been made by politicians. Sir, one has to be fair. I cannot charge any politician with being 100 per cent responsible for the promotion of a number of people, when I am aware of the fact that it is other public officers who do it unto their own. It means then that, when we as a Parliament approach the whole question of Public Service Reform, we must look at a number of anomalies.

Sir, in the same way that Honourable Members on the Other Side are urging greater efficiency for the Public Service, we on This Side, want to urge greater equity and fairness in the system.

Mr. Speaker, in that regard, I want to make a humble proposal to this Honourable House.

Mr. SPEAKER: Honourable Member, you have five minutes.

Mr. R. C. EASTMOND: Sir, for that, I thank you.

Mr. Speaker, Government must be seen to be a model employer in Barbados. Sir, even though Government cannot be the solitary employer, Government must be the model employer and must engage in workers sensibly.

Mr. Speaker, as I conclude, there are three agencies for which I want to urge greater synergies in the system. There is the Public Administration Division (PAD); the Ministry of Civil Service (MCS), and there is the Training Administration Division (TAD).

Sir, the time has come for greater synergy among the Ministry of Civil Service, PAD and TAD. I am urging that synergy and, that synergy must be flexible and, at the same time, workable.

I am not urging on this Parliament the creation of a monolith. I am not urging the creation of a bumper super Department, embracing three arms of Government, but I am urging that the synergies among the three be enriched, and that all three sing the same tune at the end of the day, even though along the way they might have had differences in terms of how they approach business in Government.

Sir, therefore, the necessity to create institutions in Government that would enhance efficiency and productivity and, as all Honourable Members would agree, we must also have systems by which they must be more speedy implementation.

Sir, often Government has a policy or proposal, and the policy, or proposal passing this Parliament, having gone through Cabinet, and then when it comes to implementation, problems arise. There are also occasions when Government has had to out-source work at cost to independent project managers.

Sir, Government has often had to out-source, at cost to Government, and to attract independent project managers, who do not come cheap.

Sir, in a situation where a lot of our civil servants would have had identical, or superior qualifications to these independent experts, we can save a lot, achieve a lot and in the end, be entirely proud of our Public Service.

Mr. Speaker, the Barbados Labour Party has, since its return to power in 1994, set about to improve things for the Public Service and many public servants are thankful. Sir, we sought in 2007 to take it further and we, on This Side, would support any measure, well thought out, which is non-political, non-interventionist, but which is progressive.

Sir, with those few remarks, I am thankful to you.

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

Dr. the Hon. D. C. ESTWICK: Mr. Speaker, I want to congratulate the speaker who just took his seat for a very intelligent presentation, rather erudite in analysis, and many of the precepts, Sir, I concur with but, Mr. Speaker, I would want to draw, at the outset, that he speaks to specific and piecemeal-type reforms which really is not the type of reform that the Public Service in Barbados needs when one analyses, not only the historical structure, but when one also takes into consideration the type of Public Service that

we would want to see in operation in the next 15 years, or 20 years.

Mr. Speaker, therefore, it is from that perspective that I would draw reference to the White Paper on Public Sector Reform that was organised by the former Administration in 1995. I would draw reference to the Review Report on the Operations of the Office of Public Sector Reform, a report that the former Administration had in their possession since 2003.

Mr. Speaker, therefore, I would make the juxtaposition as to after having all these pieces of data and recommendations, to say to Barbadians and to show Barbadians, what was actually brought to Parliament that was not in anyway in keeping with the White Paper recommendations, or the Review Report recommendations of 2003.

Mr. Speaker, the Public Service has been described in very unflattering ways by several leaders of Britain, by leaders of Singapore, Africa and the Caribbean, to name a few but, Mr. Speaker, the essential criticism in all of these unflattering statements relates to the inefficiency of the Public Service, in delivering services in a way acceptable to the citizens that it is supposed to be able to do.

Mr. Speaker, over the years, the inefficiency of the Public Service was shown to be directly linked to its structure and its organisation.

Mr. Speaker, many of the unflattering comments really represented a sign of the frustration, due to the difficulty associated with reforming the essential elements of the Public Service. Sir, those elements of reform were to be able to accomplish the following:

1. A more responsive and a more efficient Public Service.
2. A more technologically friendly Public Service.
3. A more citizen-focussed Public Service.
4. A Public Service focussed more on performance and outcome.
5. A less bureaucratic and procedurally-driven Public Service.
6. In particular, a Public Service more interactive with the private sector, non-governmental organisations and community-based organisations.

11.20 a.m.

Mr. Speaker, we must ask ourselves why is it so difficult to reform the public service. The main reason is that the public service reforms are not driven by market

forces. Reforms that are necessary in a company that in business, which is going to drive competitive activities, those reforms are driven by market forces so that the company has to become competitive, or otherwise it dies.

Mr. Speaker, that company must always look to upgrade its management structure. It must always upgrade its operational structures. It must always be able to look back, analyse, monitor and make sure that it is competitive enough in order to maintain function. Sir, that is not the sight of arrangement that conditions change in the public service.

Mr. Speaker, the public service cannot adapt and die like a company when it does not change its operational practices, and that is a fundamental difference. This is the reason why in order for any transformation of the public service to take place, it must seriously look at continuing to prioritise the evaluation process.

Why this becomes important, Mr. Speaker, is because there is a linkage between the efficiency of the public service and the efficiency of the private sector, which drives economic development in a country, so when you have an inefficient public service, it undermines the social economic development of the country in general.

Mr. Speaker, as a result of that statement, it is now considered to be critical that the public service structure, human resource complement, operational practices, and management efficiencies, are subjected to evaluation on a continuous basis, to ensure that the public service operations are the most efficient that they can be but, Mr. Speaker, a public service will not reform itself.

Sir, all previous evaluations and anecdotal investigations had been able to demonstrate that the policymakers must drive the process through legislative reform and, by extension, regulation and administrative reforms.

Mr. Speaker, because of that, the pressure to make those transitions must come from the people who are served by the public service, that is, the citizens themselves, the community-based organisations, as well as the non- governmental organisations.

What is also important for us to appreciate is, that we must be able to look into the future, and we have to be proactive in renewing our organisations in such a way, as to make the best use of the changes that we prognosticate, Sir, and we have to manage those associated risks. What is that saying?

Mr. Speaker, it is saying the following. We, therefore, have to know what we are changing the Public Service from, and we have to know what we are going to

change the public service into, and it cannot be a random event, Sir, it must be a guided and managed event.

Mr. Speaker, one therefore, has to ask these various questions about the public service in Barbados and what are those questions? They are:

- What are the present inherent operational weaknesses of our public service?

- What organisational patterns contribute to those operational weaknesses?

- What historical conditions resulted in the organisational and operational weaknesses in our present public service structure?

- What cultural influences have resulted in the inertia and unwillingness of the public service to accept change?

- What are the challenges our public service will face in the next 15 to 20 years?

- How will our public service need to operate in order to meet those future challenges?

- How do we ensure that the public service has the right mix of technological and human resource capabilities to overcome the challenges of the future, and to deliver efficient and timely service to the citizens?

In order to answer those questions, Mr. Speaker, one has to go back and analyse the historical attempts to reformation in Barbados.

I go as far back as 1971 when the Democratic Labour Party Government, under the late Right Excellent Errol Walton Barrow, recognised that the public sector needed to be reformed, if we were to have an effective machine, capable of coping with the demands of a sovereign nation, for economic development and regional cooperation.

What did the late Right Excellent Errol Walton Barrow do?

In 1974, in an effort to bring about the reforms required, the then Democratic Labour Party Government formed the Organisation and Management Unit in the Prime Minister's Office. However, the progress of reform was considered to be very slow. After 12 years, Mr. Speaker, that Unit was discontinued and in 1986, it was reconstituted as the Management Services Unit in the Ministry of the Civil Service.

Mr. Speaker, the process of reform continued to be very difficult and frustrating. Like the predecessor

Governments, the former Barbados Labour Party Administration recognised that public Administration in Barbados should not be relied on to reform itself. They accepted that the policymakers would have to drive the process through legislation, and that the impetus for continued reform should come from the necessary stakeholders. They are, Sir, citizens, community-based organisations and non-governmental organisations.

Mr. Speaker, public sector reform was one of the mantras of the 1994 Barbados Election campaign of the General Elections. I repeat. Those reformations were part of the Barbados Labour Party Government's campaign for the General Elections of 1999.

Mr. Speaker, after the Barbados Labour Party formed the Government in 1994, and this is nine years after the formation of the Management Services Unit in the Ministry of the Civil Service in 1986, they held a national consultation at the then Sherbourne Conference Centre called, "Refocussing Government", and this happened in January, 1995.

Sir, this was organised by the Ministry of the Civil Service and it was presided over by the then Prime Minister, the Right Honourable Member for St. Peter. Other participants were the Members of the Cabinet, senior members of the public service, representatives of the union and the private sector. In other words, it was tripartite.

Unfortunately, Sir, no non-governmental organisations were included, or no community-based organisations were included. What happened after that, Sir? This culminated in the development of a draft White Paper on Public Sector Reform that was published in 1996.

The reason I am going through this history is to show that the amendments that were proffered in the 2007 amendments to the Public Service Bill, had no reference to the White Paper, or no reference to the Review Report of 2003.

What did the White Paper reveal? Sir, the White Paper presented a case for modernisation, arguing that the organisational and structural culture inherited at Independence, held back development and limited operational efficiency.

The White Paper saw a different type of public service, one focussed less on procedure and more on outcomes, or outputs, consistent with the policy intentions of the Government. Sir, it sought a management style of getting results, rather than consistency in the following traditional procedure.

11.30 a.m.

Mr. Speaker, I want to quote from the Report of the National Commission on Law and Order, June 2004. At page 48, this is what it says:

“To quote the Report of the National Consultation, “what used to be the “norm” may soon be changed. This [Reform] Programme is, among other things, an exercise in changing the [“mind set”] of the political directorate, the managerial directorate and staff of the Public Sector. In addition, given the growing importance of Civil Society, machinery would be put in place to enable broader consultation with social partners, to help the public better focus on their needs so that it becomes a truly customer focussed organisation”.”

Sir, what did the White Paper recommend?. The White Paper recommended developing a long-term vision to which all subscribe, have Mission Statements for all Departments, strategic planning at Ministry and Agency level, organisational review and restructuring, decentralisation and devolution to encourage greater autonomy in the management of Ministries and Departments, new systems of human resource management involving rationalisation and review of institutions, new performance appraisal system, new emphasis on training and development, better information management and technology management, raising the standard of performance with focus on the public as a customer, and the creation of an Office of Public Sector Reform.

I went through that, Sir, so as to juxtapose that against what was said by the Honourable Member who just took his seat.

Mr. Speaker, in 1997, the then Barbados Labour Party Government had a retreat to review public sector reform and when they emerged from that retreat, they formed the Office of Public Sector Reform in the Ministry of the Civil Service in keeping with the White Paper recommendations.

Sir, five years after the operations of the Office of Public Sector Reform, a review report was commissioned in 2002, and the report was given in 2003.

Mr. Speaker, they came into office in 1994, they had the White Paper in 1995, and the Report was given in 2003, so after eight years of being in Office, the Report said that there were substantial difficulties, inclusive of strategic planning and operational reviews, resulting from a lack of success regarding institutionalising a culture of prioritising evaluation of performance, very limited progress in adopting and promoting the customer charter and the failure of Internal Review Committees to sustain activities.

Sir, the Office of Public Sector Reform had limited authority to implement changes in Government

Departments. Mr. Speaker, the Office of Public Sector Reform also required additional financial resources and more staff in order to work with the public.

I will continue, Mr. Speaker. Mr. Speaker, the Report goes on to say on that same page that:

“While most persons have seen improvements in some Departments, they were of the opinion that the programme had not been as effective as they would have hoped. According to respondents from both the public and the private sectors, the majority of public servants have not been brought in to public sector reform...”

There was a lack of support for reform by senior managers in the public service. Sir, that is eight years after the White Paper under the former Administration.

Mr. Speaker, I will continue.

There was also continuing eight years after, the existence of a public service culture that condones behaviours, attitudes, practises and values that were negative, non-productive and anti-reform. Furthermore, it goes on:

“Some employees are resistant to change and prefer the “same old, same old”.”

Mr. Speaker, the one I find quite interesting is on page 49.

“The ineffective disciplinary procedures in the public service constrain the effectiveness of public sector reform and some workers take the attitude [that I am appointed] “they can’t do me anything”.”

That is in the Report of the National Commission on Law and Order, June 2004. “The don’t-account syndrome”.

Sir, in the Report, it was said that the public believes that at times the National Union of Public Workers sent the message to public officers when they were being disciplined - because there was an attitude where the National Union of Public Workers was behaving like a defense Lawyer - that they will defend you whether you are right, or wrong. That is nothing that this Minister is making up. That is what is in this Report, which says that:

“Public workers must be made to understand the benefits of the public sector reform...”

Mr. Speaker, I am speaking about a comprehensive reform of the public service as was recommended by the White Paper since 1995, and published in the Law and Order Report at page 48, Chapter 4 and also that Review

Report on the functioning and effectiveness of the Office of Public Sector Reform of 2003.

What is the argument, Mr. Speaker? The argument, therefore, is that the former Administration dropped the ball on public sector reform. When they realised that it was going to be difficult, it took them from the White Paper in 1995, to come to Parliament with amendments in December 2007. How many years is that, Sir?

When they came to Parliament in 2007, to make the reformatations, the reformatations did not address the issues that were raised in the White Paper of 1995, or any of the fundamental issues that were raised in the Review Report of 2003.

Sir, what did they do? They did exactly what the Honourable Member for St. James North was speaking to. They shifted from a comprehensive reform to specific improvements. What is the evidence? In the face of the challenges identified in the Review Report, the then Government did what they do best. They retreat from hard work.

Sir, the emphasis changed deliberately from comprehensive public sector reform to specific improvements, that is, an attempt to do what we are presently doing smarter and more efficiently.

Sir, the public sector reform lost its comprehensive nature and now became piecemeal. What is the evidence, Sir? The Government concentrated on introducing information and communication technology in the various Departments in order that the civil servants can do what they are doing more efficiently. The programme then focussed on human resource training and management.

Sir, to further demonstrate my point, they established an evaluation job exercise in 2002, and a performance review and development system, which was launched in 2001. In other words, Mr. Speaker, the central direction was lost. Sir, you heard an erudite presentation, but it did not speak to comprehensive Public Sector Reform, nor did the Act of 2007 speak to it.

Sir, they had 15 years to do it but they waited until the last minute, and in their thirst for power, they came with a Bill - after having a White Paper that told them what they should have done in 1995, and a Review Report from 2002 - like a stealth fighter in the night, right before a General Election to slip in some amendments that were designed for political expediency, not to comprehensively reform the public service as was indicated in the White Paper in 1995. They must be held accountable for that.

Sir, I am going to continue because I want to make these few statements.

11.40 a.m.

Mr. Speaker, one of the most unsettling features that was withdrawn from the Public Service (Amendment) Bill 2007, was the attempt to circumvent the powers of the Public Service Commission, as is prescribed in the Constitution of Barbados. Sir, that was being done without a constitutional amendment. Sir, that was a dastardly act.

Sir, the then Opposition indicated that we were not going to be part of that fundamental breach to the supreme Laws of this land. Sir, what did we do? We mounted a national campaign against the former Administration, and the rest is history.

Mr. Speaker, I want to tighten up the argument with some specifics to show that this was an afterthought, a last minute thing, to try not to give public servants the real impression that they were looking to make changes in their interest.

Sir, let us remember that the Public Service (Amendment) Bill 2007, done in December, came right before the General Election 2008.

Secondly, the amendment to the Public Service Act done in December, came 12 years after the first national consultation was held in 1994, at the former Sherbourne Conference Centre.

Thirdly, the amendment to the Public Service Act came 10 years after the formation of the Office of Public Sector Reform in 1997.

Fourthly, the Amendment came five years after the Review Report evaluated the progress of the Office of Public Sector Reform activities and programmes.

Sir, the 2007 amendment did not deal with any of the issues in the 1995 White Paper. Therefore, it was not about dealing with any comprehensive reform in the Public Service, it was to deal with specific elements that they thought would have had political mileage for them.

Mr. Speaker, let me tell you what those mileage were. Sir, those amendments were designed to give public officers a false sense of job security, that once they were working for three years in the Public Service, they were entitled to an appointment. Sir, those amendments were designed to give public officers a false sense of job security, whether they were working in a temporary post, or were substituting for an officer in a post that existed, or did not exist.

Mr. Speaker, they touted the rights of employment for a three-month period as a means of solving the human resource deficit of the public service, even though this

Administration now, then in Opposition, warned them that it was going to create more difficulties, given the time it took the Public Service Commission five forms to process, to allow for temporary workers to be paid. They would not listen.

Mr. Speaker, could you imagine, if you were acting for a public officer in an established post for one year, that under the present system you would require five Public Service Commission forms. Do you understand that in looking at the time it would take to process those five forms, that you would be lucky if you get paid in two years?

Mr. SPEAKER: Honourable Member, you have five minutes in which to wind up.

Dr. D. C. ESTWICK: Mr. Speaker, that is all I want. The damage has already been done. Sir, this is why we are here, we are here to undo the mischief done in 2007 because the evidence of the Public Service confusion is now clear for all of us to see.

As Ministers and Parliamentary representatives, we get the complaints every time we are in our offices, about persons not being paid and why they are not being paid.

Mr. Speaker, this one is even more significant. Do you know that almost every public officer is acting for another public officer? Do you know that some public officers are acting in posts that do not exist? Do you know that some public officers are acting for persons who are acting in posts that do not exist? Do you know some public officers are acting in posts in which they are not qualified to act? In other words, what a mess.

Sir, the Public Service can now be considered the “acting” service, and this is a very serious thing.

Mr. Speaker, we warned the Honourable Members that the type of piecemeal tinkling would not have effectively redound to the sort of changes they were looking for.

Mr. Speaker, I want to finish by saying one thing. Do you know what is the essential plank of Public Sector Reform that this Administration must take credit for? It is the Constituency Councils. Let me explain. When one look at the Review Report of 2002, it says that the Public Service must be changed, so that it interacts more effectively with non-governmental organisations and with community-based organisations. It says that we must have the persons to whom the services are being offered, become part of the delivery and decision-making of their own service provision.

Mr. Speaker, that is what the Constituency Councils are about. The Constituency Councils is, in fact, one of the reforms to the Public Service that allows for constituents and people not only to prioritise the type of work to be done in their Constituencies, but to have some resource to define out for themselves, such as the debushing programme, working in the Sanitation Service Authority, or the delivery of welfare service, the delivery of social services. That is a strong and essential component of Public Sector Reform. That is in keeping with the recommendations of the White Paper that was commissioned under the former Administration in 1995, and also the 2003 Review Report.

Mr. Speaker, when I heard the Honourable Member for St. James North speak to the issue of micromanagement, let me make it quite clear, and I do not care right now who is vexed or pleased.

Sir, who faces the public for failings of the Public Service to service the system? Sir, it is the politicians? Who faces the public for failed policies that were not effective in changing the lives of the people of Barbados? Sir, it is the politicians. Sir, it is not a Permanent Secretary, or a Deputy Permanent Secretary, a minister is responsible for his policies and a minister must be responsible for his policies either being implemented, or not. That is a fact of life.

Mr. Speaker, if I am held accountable, well, then I must have the capacity and capability to be able to be given the tools to get the job done, so that I can remain accountable. I am not going to be accountable for things over which I have no control, in circumstances where I have to face the public. I am not going to be one of these politicians to go in a backyard and talk. These are the facts that people know about and I am going to speak to them in this Honourable Chamber.

Mr. Speaker, I know I may have probably gone over my time but it was very necessary for me to make that intervention. I know you are a very lenient Speaker.

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

Dr. The Hon. D. C. ESTWICK: Mr. Speaker, I would want to say that in the future, I would want to see a public sector not only nimble enough to prognosticate future changes and to make the necessary internal adjustments to its operational management and technological inputs, to make sure that it can continue to meet those needs, not of the now, but also of the future. That is what we are supposed to do as managers. I thank you, Mr. Speaker.

Mr. S. A. LASHLEY: Mr. Speaker, I join this debate, acknowledging not only the brilliance of my

colleague who just spoke, and the relevance of what he dealt with, but to acknowledge the significance of this debate at this point in our history.

Mr. Speaker, I had the privilege of spending eight years working in the Public Service as a public officer and so, I believe, I have a certain amount of credibility and experience in addressing the issue which is before this Honourable House.

Mr. Speaker, I wish to approach this debate in three ways. First, to highlight some of the challenges presented by the existing legislation that we propose to amend.

Secondly, to look at the future focus of the public service.

Thirdly, to look at the importance of the changes which we are proposing to this Honourable Chamber.

11.50 a.m.

Mr. Speaker, it is a fact that in 1999, the Barbados Labour Party proposed a very wide-scaled reform of the public sector. It took them up to 2007, to attempt any meaningful changes in the form of this legislation.

Sir, it is important to note that this Government has spent perhaps, only just a few months in its stewardship attempting to correct some of the errors made by the last Administration when they very hurriedly passed this Act in the afternoon of their days before the last General Election.

Mr. Speaker, the Honourable Member for St. James North, I believe was the Minister responsible for Labour and the Civil Service at the time that very infamous debate took place in these hallowed Chambers. Sir, I heard him and I listened to him with a lot of interest, because I believe that he, too, was the person who led off the debate at that time. Sir, what he should have cautioned his colleagues, is that this attempt to dabble with such an important sector ought not to have been taken so lightly. He ought to have asked for the appropriate adjournment and ensure that Bill was not rushed through the House.

Mr. Speaker, it smacks of political expediency and, what it did, as we are seeing now, by rushing a measure of such importance through the House, it created more problems than adding to the kind of prudence, the kind of equity and fairness that the Honourable Member mentioned in his presentation.

Sir, I agree with him about the Public Service employer, but we have to approach any reform of the Public Service with a measure of political responsibility that was absent in 2007.

Mr. Speaker, for example, there were a number of Manifesto pledges made and, what is so regrettable because we are here at this point, not because of any errors made by this Administration. We are here to correct some flaws, which were committed by the last Administration, and we continue our sojourn in trying to make sense out of what was nonsense.

Sir, the last Administration attempted to rush a measure through the House on the eve of an Election, and I believe it has led to legislative disaster in Barbados. Sir, I say that, making a wider point in relation to how we conduct ourselves in public office.

Mr. Speaker, it is one thing to speak very loftily about what we should be doing about equity, changes and so on. We hear a lot about having conversations with Barbadians trying to uplift politics out of where ever they believe it is, in other words, aiming for a higher standard in public life in Barbados.

Mr. Speaker, we have to make the point that Barbadians have gone beyond talk and all I hear, usually from the Other Side, is talk. We hear about the aim for excellence and we hear about transforming the Public Sector, but when they had the opportunity to do it, what they have done, trying to create a situation of making permanent a number of jobs for political purposes but ended up creating horrors for public officers.

Mr. Speaker, I have had in my clinic a number of public officers who have come to me and who have complained about the injustices created by the Public Service Act, which we are seeking to amend today. The problems in relation to recruitment; the problems in relation to temporary employees and the problems in relation to the lack of advertising of jobs.

Sir, while the Act speaks to advertising jobs, in effect, persons had no knowledge, in many cases of vacancies in the public sector.

Mr. Speaker, I want to take a note with other comments made on the Other Side by the former Attorney-General, the Honourable Member for St. Joseph. Sir, he made the point and I quote: "We needed to reform the Public Service, but it seems that this Parliament now wants to resile from it".

Sir, these are his words, the former Attorney-General of Barbados.

Sir, what I thought he should have done is to acknowledge that the Act, which was passed in 2007, was an imperfect document, and given the need to bring the amendments that we are bringing today, he should have

joined in seeking to map a path of real development for the Public Service.

Mr. Speaker, this is not the only example of, perhaps, a need for a reform of our political systems, where Governments are free on the eve of an Election to do as they wish, to pass legislation that will have negative impacts on Barbadians and create a situation where we have to spend more money to correct the errors, or even making appointments in the Public Service on Election day itself, and creating situations that bind the hands of an incoming Administration.

Sir, these are the kind of issues that we need to deal with if we are going to protect an image of being responsible as it relates to the public Administration of Barbados.

Mr. Speaker, I wish to call, because after we have passed these amendments, the issues which occurred in 2007, in relation to the rushing of a piece of legislation for obvious political purposes remains. The issue of a Government making last ditch appointment on Election day and so on, creating contractual arrangements that bind the hands of an incoming Administration need to be addressed.

Sir, it is perhaps time that we look at legislative means to ensure that a Government cannot, with a slip of a pen, make decision of that kind leading up to an Election. Sir, it would save us some trauma.

Mr. Speaker, I also take objection to the views coming from the Other Side, particularly the former Attorney-General, the Honourable Member for St. Joseph that we are engaged in trivialising a matter in relation to the Public Service.

Sir, I want to look at some of what are the highlights, what exactly are we doing in attempting to bring some order to a piece of legislation.

Mr. Speaker, we have the amendment of Section 34 of the Act, which is very important, because we have said that we entered Government to ensure there was transparency and accountability in the affairs of Government. Section 34 on the current legislation makes it possible for a Minister to make changes to the Schedules of the Act without having any recourse to Parliament.

Sir, by regulation, under the Act, the Minister can change any of the provision in the Schedules to the Act and, Mr. Speaker, there are about eight Schedules to the Act.

Mr. Speaker, it is my contention that the whole substance of the Act is embodied in the Schedules and, Sir, there are approximately eight Schedules. Sir, they deal with

the code of conduct and ethics of public officers. They deal with recruitment and employment of public officer. They also deal with the code of discipline, grievance handling, training and the transitional provisions in relation to what obtained before the Act, and the implementation of the Act, very serious provisions.

12:00 noon

Sir, the Minister, under the existing legislation, without any oversight from Parliament, could have changed any of those very important sections of the Schedule without any supervision from Parliament.

Under the amendment, the amendment now means that a Minister, if he wants to change any of those Schedules must do so by negative resolution. There is now parliamentary oversight in relation to those provisions of the Act. That is one of the changes. I assume that the Other Side does not take lightly to.

Sir, we have other provisions. We have the amendment of Section 32.(2). That is not an amendment. It is a new provision. It deals with the whole question of training and it empowers the Minister to make regulations for the training of officers. I believe that is an important innovation in the Public Service Act, because training is very crucial.

If we want to uplift the quality of the Public Service, we have to embrace, and we have to invest very heavily into the training of officers.

I am pleased by the provision that requires and makes it possible for a Minister to bring Regulations for the training of officers. I hope that in the not too distant future, we will have Regulations before this House in relation to the training of officers.

Sir, what occurred in the enactment of the Act in 2007, was a situation where temporary officers could only have a temporary appointment for three months, and that created chaos. As a matter of fact, it requires an Order to have a person act for such a short space of time.

What we are doing in response to the chaos that particular provision has created in the public service, and the kind of injustice, particularly as it related to public officers not being paid, not having their temporary appointments being made certain, we have now stretched that period to 12 months, which would give the management within the public service enough time to do what they have to do to ensure that persons are paid on time, and also to create the kind of certainty and positiveness in the public service when you put someone to take on a temporary, or acting position. Of course it eases

and simplifies the administrative processes and procedures in relation to the management of the public service.

Mr. Speaker, at the end of the day, the first persons who will judge whether these measures are necessary are not really the Honourable Members on the Other Side. Public officers who are listening to this debate, public officers who have called on this Government to do something with the Public Service Act, as is now currently constituted, they are the ones who will pass judgment on whether or not what we are doing is correct, or not.

We have clearly in this Act, which we are attempting to amend, a number of legislative flaws which had enough time, been dedicated to the task, I believe would have been spotted. I believe having gone through the Act, one of the observations that I made, particularly in relation to the Code of Discipline, under the current Act, there is a blanket provision bringing under the ambit of the Act, in relation to discipline, police officers, fire officers and so on. We know that already there is legislation in relation to discipline which governs police officers, fire officers and so on.

There were clearly conflict and potential for litigation under the existing legislation. Were those provisions to remain in effect, my prediction is, there would be a flurry of litigations in Barbados in relation to the discipline of police officers and firemen, and prison officers as well.

Sir, we have the Prison Services Act, Police Act and the Act that governs the fire service, but little, or no thought was placed on the potential for conflict. You cannot have two separate bodies administering discipline in relation to such serious matters.

Sir, as a student of Law yourself, we know that the Law Courts have enough work in relation to matters of discipline, matters under the Administration of Justice Act, and matters in relation to the absence of relevant persons to follow procedure. We certainly could not allow a situation to exist where there was the potential for conflict and the potential for litigation.

Sir, I am happy that under the current amendment, it is made pellucidly clear that the Public Service Act only applies to prison officers and police officers, where their substantive legislation is silent on matters pertaining to discipline. That is an innovation. That to me is a positive amendment which I believe the Other Side should really applaud.

Sir, I believe that the amendments before the House are certainly required to bring certainty to the public service.

I believe that the public officers would embrace these changes, and I think any debate in 2010, dealing with the Public Service, cannot be seen in a vacuum, at a time when we are caught up in one of the worst global recessions that we have ever experienced, when we are called on and are expected to be innovative to think outside of the box, to produce in a manner that we have never produced before, that debate cannot exclude one of the most important sectors in Barbados, which is necessary to reunite our growth potential, which is necessary to ensure that we can move ahead and connect with the kind of national goals that we have enunciated.

Sir, we are dealing with a debate that requires a level of political maturing if we are going to address the issues pertaining to Public Sector Reform. The public sector cannot function in a vacuum, cannot function in an environment where, from time to time, of narrow political interest, we have legislation and other measures being taken without looking at the whole picture, and looking at the growth potential of the public service.

I believe that we have to begin about modernising our democracy, how we are going to apply proactive futuristic initiatives to dealing with our public service. The vision for our country in relation to where we are going and our movement towards becoming the first developed country, cannot be scoffed at, and we have to take our public service along in that debate.

Sir, in my encounters in the public service, I would never - and you would never hear me in this Honourable House castigating public officers. I was a public officer. I understand the systems in the public service. I understand the challenges in the public service, but I also understand that we have a responsibility to create dynamic systems to assist the growth and development of the public service. We have a responsibility not to tweet with problems as they arise from time to time, but to deal with it in a holistic and developmental manner.

12.10 p.m.

I believe, Mr. Speaker, that we have to clearly articulate the role of the Public Service in relation to our national goals. Our national developmental goals cannot be etched out, without a clear reference to the role that the Public Service of Barbados has to play, and that relates across the gamut of the Public Service.

I am concerned, Mr. Speaker, that while we have tremendous potential within the Public Service, while we have public officers who are obviously capable of performing their tasks, the most important problem that we are seeking to address, is the interface between the Public Service and the public.

If we are to create a Public Service that is at the cutting edge, and relates to the public in a manner that is only based on professionalism, and has an eye on service excellence, there can be no divide on this issue.

Mr. Speaker, to this extent, I do not in any way make any distinction between what is expected of the private sector from what is expected of the public sector. We have to see both sectors as having a crucial part to play in our national development and therefore, when we plan our developmental goals, we have to plan them with the public sector in mind.

I believe supervision in the Public Service is an area on which we, perhaps, need to place more attention.

Mr. Speaker, if we were to focus more on beefing up supervision in the public sector, many of the challenges in relation to productivity, and ensuring that we can account for every single dollar spent in the public sector, will become more manageable.

Mr. Speaker, we have to deal with systems. We have to ensure that while we understand there is constitutional protection for public officers, we have a Public Service Commission, which over the years, has been entrenched in the Constitution. We have to demand a bit more of our Public Service Commissions.

I believe, Mr. Speaker, that we will have, in the not too distant future, to start looking at how our Public Service Commissions function.

Mr. Speaker, I overheard a replay of a speech made by the late Right Excellent Errol Walton Barrow, former Prime Minister of Barbados on the radio station, when he was lamenting some of the challenges and frustrations that we would have had with the Public Service at that time. I believe that we have to begin to set certain standards and benchmarks, if we are to get certain results.

If the Public Service Commission is the entity under the Constitution charged with the discipline and appointments of public officers, I believe we have to start to ensure that we lay down more procedures under which it functions.

It is not acceptable, if there are matters of discipline that the time-span, from the commission of an alleged offence to the time at which there is a hearing of that offence, and a conclusion of the disciplinary proceedings that this should not take that long. We have to create systems that connect with accountability, otherwise we are not going to have the kind of output that we require.

Mr. SPEAKER: Honourable Member, you have four minutes in which to conclude.

Mr. S. A. LASHLEY: Thank you very much, Mr. Speaker.

Sir, if we are serious about these measures, my humble submission is that we have to begin to think clearly beyond the partisan elements, and we have to believe - I believe this is a time for us to believe in the public sector - but we have to ensure that we provide the tools and the systems that are necessary to get the kind of results that we need to have from the public sector.

If we are saying that, Mr. Speaker, because I believe our number one challenge, in terms of the development of the Public Service, is not only a question of productivity, but our number one challenge is to create an interface between the public and the public sector that is so connected with professionalism, that we will begin to get the positive stories, and that those positive stories that are there, are allowed to come out.

Mr. Speaker, it has been my experience that we place too much emphasis on negativity, when we come to the Public Service. There are many stories of positive attitudes, positive developments, and true professionals.

My experience has been that you often find persons who are more imbued with professionalism in the Public Service than sometimes you find in the private sector, and we have to find a way to big-up those people, and hold them up as examples, by which we would move the Public Service along, so that we can engage in these exercises, with a vision in which we can peg progress, based on set developmental goals and standards, Mr. Speaker, that are connected with where we want to get to, as a fast-developing, moving towards developed country.

Sir, while I have prefaced my comments in the manner that I have done, this debate is far more important in relation to not only our current economic challenges, but we have to engage in the business of proactive planning, and we have to do so by engendering the kinds of nuances and practices in the Public Service that are conducive to overall national development.

Mr. Speaker, I am happy to embrace these changes which are brought to this House. I certainly hope that any future attempts to provide further direction to the Public Service, get the necessary public debate and consultation, and that we move away and - I certainly accept one of the challenges that I have heard from the Leader of the Opposition - that we join hands in creating a new way in terms of the conduct of public life.

Mr. Speaker, if that statement is to have any meaning, we have to begin by showing faith when we come to enacting legislation, and we have to put our money where our mouths are. We have to go beyond the talk into

serious action that is premised on productivity, accountability and a determination to take the Public Service and Barbados into an era of sustainability, and significant growth and prosperity.

I am obliged to you, Mr. Speaker.

Asides.

SUSPENSION OF SITTING

Hon. R. D. JONES: Mr. Speaker, I beg to move that this House be suspended until 1.30 p.m. today.

Hon. J. D. E. BOYCE: I beg to second that, Sir.

The question that the House be now suspended until 1.30 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the House accordingly. 12.19 p.m.

RESUMPTION

Mr. SPEAKER: Honourable Members, this Sitting is now resumed.

The Honourable Member for St. Michael South East.

Mr. H. F. LASHLEY: Mr. Speaker, I want to say from the outset that I will be supporting this Bill and the Amendments contained therein that is before this Honourable Chamber.

Sir, this House was treated this morning to a very high standard of debate in relation to the reformation of the Civil Service in Barbados. The tone of the debate was set by the Honourable Attorney-General, who in his presentation, outlined quite clearly, the Amendments and also gave Barbadians and the ordinary layman, a very clear understanding of what is before this Honourable Chamber.

Mr. Speaker, as I came to this Honourable Chamber, I was very heartened as I learnt a lot as it relates to labour Laws in Barbados, the Amendments and the history of progression over a period of time, as presented by the

Honourable Member for St. James North, I think it is.

Sir, I was taken in by his adherence and his rhetoric as it relates to a set of conditions set out by Lord Diplock.

Sir, as a layman, as a person and as a community practitioner, when I hear about words such as the Lords, it arouses my curiosity immensely.

1.40 p.m.

Mr. Speaker, when I hear these references and terminologies about Lord Diplock, if I underline Lord Diplock, it certainly conjures up thoughts of a highly intelligent man, a man who is certainly high in thought as it relates to the Law.

Sir, over time in this Parliament, the Honourable Member takes us on these journeys through the dispensation and course of progression of the Law, which is very interesting and I tend to learn a lot from each disposition.

Sir, the Honourable Member for St. George South, the Honourable Minister of Family, Youth and Sports, referred a lot to the camps programme.

Sir, being the Director of the Government's Camps Programme, it will be remiss of me if I did not allude to the camp situation.

Sir, I would not be long, but suffice it to say, it is one of the best social programmes and wonderful piece of social engineering, as presented by the Government of Barbados.

Sir, throughout 2008, until now, we had to survive a number of insults. We had to stand up to a lot of public scrutiny, which is all healthy, which we took in good stride. Sir, there were some wonderful ideas coming out from that camps project. Through it all, we remained sound, firm, committed and focussed.

Sir, perhaps one of the greatest achievement of the Camps Programme right now - and I think that since the Honourable Member has already alluded to it, she would be proud of the fact that it has created a wonderful tripartite relationship in terms of showing what the Millennium Goal Eight is about, that is partnerships for development.

Mr. Speaker, I say that against the background, particularly in light of the fact that we hosted the biggest and newest concept in sporting agenda of Barbados, which is Camps Sports. Sir, that was held at the Stadium, with all stands being filled. Sir, in fact, there were more than 10 000 children from across Barbados.

Sir, when I talk about that tripartite relationship, what this Honourable Chamber should know is that not only was Government on board, but the private sector was also on board in a big way.

Sir, on this occasion on the Floor of this Honourable House, I want to congratulate BICO, the Barbados Olympic Association and all private sector persons who contributed to the exercise. It must be noted, however, that was the final day of the Camps Programme and that all the caterers were persons who provided those lunches at the Stadium.

Sir, that was all part of their contractual agreement with the Camps Programme to provide lunches, even on the final day. Perhaps some persons might be thinking that a special contractor was brought in to provide those lunches. This was not so. In fact, what is absolutely incorrect is the fact that we had a great private sector relationship arrangement.

Mr. Speaker, I was absolutely impressed with the correctness of the Honourable Member for St. Philip West who, in his delivery today, pointed out the importance of Government partnering with non-governmental organisations and community-based organisations across Barbados.

Mr. Speaker, perhaps in these most difficult economic times, this policy should be further synchronised from the perspective that this relationship with the civil society of Barbados, which is part of the whole package of reform within the Civil Service, is one that would serve this country well in these most trying economic times.

Sir, I would want to say that the way the Honourable Member for St. Philip West has dealt with Civil Service reform package is one that must be noted. The Honourable Member must also be congratulated for his thorough research into that package and for presenting it here to this Honourable Chamber.

Mr. Speaker, what I would want to say is that never in my wildest dream would I have ever believe that Government had to open a reform Department to teach people to be nice.

Sir, when we were growing up as children, one of the most important things we were taught was the golden rule, which was about simple basic things. Sir, for example, when an old person boards a bus, you must stand and give that lady the seat, you must be kind to women, you must answer “yes please” and “no please”. In addition, adherence to the Biblical commandment, honouring your father and your mother that your days may be long in the land.

Sir, not only that, Barbadians are heralded for the basic principles of being nice throughout the whole globe, the niceness of the people, but I would have never ever thought that we would have had to open a Department to teach Barbadian to be nice.

Mr. Speaker, every Barbadian in my age group knows that was the major objective. In other words, that was an unwritten policy and a philosophy of Barbadians. Now in these modern times, we have to teach people how to be nice. Sir, perhaps I want to get more involved with the whole aspect of Civil Service reform.

Sir, I want to compliment the civil servants for doing a wonderful job, I must say under very trying circumstances at times.

Mr. Speaker, I have to deal with a few because there are a few and very, very few of them. I have to be careful when I speak in this Honourable Chamber because when I read newspapers, somehow the journalists seem not to grasp the entire context of where I am coming from. Sir, what I am going to say next, I could imagine hearing the Press tomorrow saying “Hamilton Lashley lambaste the Civil Service.”

Sir, I am not going to lambaste the Civil Service but it is only a few misguided civil servants in Barbados who, in my view, leave a lot to be desired.

Sir, when I was Minister, I used to get a lot of complaints from old people about the way they were being treated by some persons, particularly in the social sector. Sir, could you imagine an old lady going to a Department to make a complaint and a civil servant telling that lady to have a seat, that he or she would get back to her, all the while that old lady having to sit there for more than two hours. Sir, there are very few civil servants who would do that.

When you are working in the social sector in Barbados, it takes a special type of person to empathise, or to sympathise. It takes a special person to understand the suffering and the condition of the poor and elderly in Barbados. Sir, against that background, it cannot only be about emoluments and remuneration, it also has to be about service. It is about caring and sharing, it is about being your brother’s and sister’s keeper.

Sir, I remember the present Minister of Social Care, Constituency Empowerment, Urban and Rural Development making a very critical statement which was not highlighted in the Press. Sir, had the Honourable Member said something to the contrary, like tell the truth in terms of what he had done, he would have been ridiculed.

Sir, here it is that persons going to the Welfare Department and the only persons who could make the final judgment on that person’s case as is reported, is the Welfare Officer assigned to that case.

1.50 p.m.

The Minister on the Other Side said quite clearly to the public of Barbados that he did not believe it should be the last area of resort, that if we agree about a particular situation that he would establish a Committee where, like in a court of Law, you could appeal to this special committee to have your cases dealt with.

Sir, I felt that was a process of social justice because sometimes social officers make assessments that are not always in synchronisation to the reality of what is happening in that person's environment or in that person's home. Therefore, if that person felt aggrieved, I really believe that the policy, or the idea thrown out by the Minister, would be a welcome relief for most poor Barbadians since most of them want to know that they have an area, or someone who empathise and understand, or someone who they can relate back to.

Mr. Speaker, as I have said, I love that idea and I also believe that in these harsh economic times, that at some point in time we are going to have to seriously engage the community-based organisations and the non-governmental organisations sector in a serious national dialogue, particularly to get ideas, and to see how best in a shared relationship with Government, we could continue to go along with the policy of putting Barbados first and all of us on board as part of this system of governance as enunciated by the Honourable Prime Minister.

Mr. Speaker, perhaps at this time we could look at some positive Non-Governmental Organisations (NGOs) and Community-Based Organisations (CBOs) in Barbados who are doing wonderful work, particularly in the social area like the Pinelands Creative Workshop, the emerging Global Leader of Barbados, the Barbados Youth Development Council, who responded wonderfully well to the establishment of a facility at Kensington Oval in the light of the fact of the tragedy that occurred in Haiti.

Mr. Speaker, as we go back and look at the Millennium Goals, particularly Goal No. 8, where we talked about partnerships for development, I think this is a wonderful programme and a wonderful policy that Government should continue to embrace and continue to push forward. Sir, perhaps, we might have it in a formalised way for discussion in this Honourable Chamber, on Non-Governmental Organisations (NGOs) and Community-Based Organisations (CBOs) partnership policy with Government.

Sir, perhaps, I would want to use this occasion, while I am on this issue of public reform and governance and a partnership with civil society, as such that the Barbados Association of Non-Governmental Organisations (BANGO) has now risen to the level where BANGO is now hosting the conferences. I am sure that the Honourable Minister would be quite happy about this because some of his mentors - so he tells me - have now emerged to a level where they are now hosting conferences at the Barbados Hilton Hotel, et cetera and every month he is travelling across the globe enunciating a non-governmental organisation policy from Barbados across the world.

Sir, it gives me the opportunity in terms of speaking on this kind of social policy development that when I was asked to travel to Ghana and join a panel of experts on social policy, it was amazing to see how the other developing and developed countries across the world view Barbados' current social policy. In fact, I brought back a number of books and a number of items for the Minister on Barbados. The two social policy models across the hemisphere that the world is looking at is (1) Brazil and (2) Barbados.

Mr. Speaker, it is amazing that Brazil has emerged now to the kind of reconstruction and level across the world in terms of its social development programme that it must be admired.

When Barbados was noted as the No. 1 developing country across the globe, persons from across the African union wanted to come to Barbados. In fact, there is a conference slated by the United Nations (UN) for Barbados this year to further follow up the meeting to the one in Ghana.

Mr. Speaker, Sir, it also gives me the opportunity to talk about the YAK Programme, another programme that has been endorsed by the Prime Minister of Barbados, one that is working wonderfully well among the schools, and in addition to that in communities across Barbados.

Sir, only in today's newspapers, a corporate entity in Barbados, that is in the Constituency of the Leader of the House, right opposite mine, donated a car to this programme. In addition to that, the American Embassy has taken them on board, through the Youth SAID Programme and is helping them.

Sir, you would have to get a report from the principals of Barbados as to how well the programme is going down among students.

Mr. Speaker, I must say that using what I call these expert social practitioners - experts from the perspective that they would have had experiences that you and I have not had, and if provoked, we might, based on the discretion of the judicial system or judge at the time, we might very well be in their position too. Sir, I have said that they are really charting a new course for our youths.

Mr. Speaker, Sir, I am so hearkened and so proud to be a Barbadian today, standing in this Honourable Chamber. Sir, it is now two o'clock and one hour from now a week ago, the people of Haiti would have never anticipated that nearly the entire population of Barbados would have been consumed by a devastating earthquake. I am sure that when the final tally is put together that the entire population of Barbados would be the death toll,

about 300 000. In fact, Haiti has a population of 9.3 million people, so the death toll is about 300 000.

Sir, I am saying that against the background that I want to bring as early as possible to this Honourable Chamber a Private Member Resolution that this entire Parliament will debate the current situation in Parliament. I will try to put the details together and have it ready by next week, with the permission of the Leader of the House, with you Mr. Speaker, Sir, and the Clerk of Parliament, so that we could have a full debate on the current situation in Haiti.

Mr. Speaker, just to give you a small prelude, my position is that it is one that we should have.

Mr. Speaker, in relation to the Non-Governmental Organisations (NGOs) overseas, particularly in New York and Britain, who are doing a wonderful job in terms of sending back remittances to Barbados and also to Haiti, also the non-governmental organisations (NGOs) that are supporting from a philanthropic position in helping many projects in Barbados.

There is another Non-Governmental Organisation (NGO) in Barbados call the "Mary Holder Foundation", that is doing tremendous work. I am saying that we need more partnerships in Barbados as it relates to the fullest development of this country.

Mr. Speaker, Sir, as I am about to conclude, I am concluding on the fact as it related to reform of the Civil Service. Sir, this would be an ongoing exercise. It is clearly one where all Members in this House I do not believe should have a varying opinion, or a difference in what is before this Honourable Chamber. It is not contentious. It is very affable, where you are moving people from three months to one year. It speaks volume of the commitment to ensure that poorer people in this country have a sense of understanding and one that speaks to enhancing a livelihood for themselves and family.

2.00 p.m.

Sir, I see no contentious issues in what is before this Honourable Chamber. It is at this point that I would like to close my presentation, by again reminding that I will be bringing this Private Member's Resolution before this Honourable Chamber very shortly.

Sir, thank you.

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

Mr. A. D. BRATHWAITE: Sir, if this was a novel, I would probably, with the permission of my friend, the

Honourable Member for St. James North, begin by telling a story of the dying days of an Administration and Helen's Isle, when little Caesar came up with this great idea of how he can put together a legislative process that would enable his Party to gain 6 000 or so votes, by creating appointments for 3 000 civil servants.

I continue this by saying that he would have called in the Queen Bee to his council, and then he would have called in the legal bee to his council. Of course, forgetting that the legal bee was not known for producing the quality legislation that was required, if they were to have the kind of legislative agenda to facilitate the appointments of these 3 000 civil servants.

Sir, this is what really happened. We are faced instead with a 2007 Public Service Amendment and we are here today, as we were last Tuesday, trying to tidy up certain parts of this Act in the interest of all Barbadians, and in particular civil servants.

Sir, as heard earlier, we on This Side have accepted and even my good friend, the Honourable Member for St. James North, who in his eloquent presentation this morning, seemed to have missed the point that, in fact, if the original Act was not predicated, by the fact, it was driven for political purposes, and not as my friend, the Honourable Member for St. Philip West articulated this morning, with the interest of the civil servants in mind, moreover than the political gain, then in fact we probably would not be here today at this juncture debating this Act. Sir, because of that, we are here trying to tidy up certain aspects of the legislation.

Sir, in that regard I wish to reiterate what the Prime Minister said last week, which is that - in fact, the ploy did not work - the 3 000 appointments did not materialise. It was either because the previous Administration did not understand the scope of the legislation, or deliberately overstated the number of possible appointments, but be that as it may, we are here today recognising that in practice in 2007, there had been certain issues within the Public Service that need to be addressed. That is why I do not see why, like the previous Honourable Member who spoke, there could be any opposition to these amendments, because in many ways, there are quite straightforward housekeeping, tidying up measures, with the view to enabling the better functioning of the Public Service.

Sir, I have no doubt that many of my constituents between 2007/2008 - I have met several of them - who have received appointments since the Act in 2007. However, one of the things we, in the field as politicians, would also realise, that as a result of the Act, we are also faced with the fact that there are many public officers who either, because of the Qualification Order, decided that they have had enough and were leaving the service, or at this

point in time have said, given their age, they are not prepared to study any further and are prepared to leave the service.

Sir, we actually have a situation where in several Departments - my information is, Customs is one that comes to mind - where you have decades of experience that is no longer available to the public of Barbados, because civil servants have opted to go home because of the Qualification Order.

This is one of the areas that we as a government, have to look at and address, where you have civil servants who have been doing a job for many years whose competency have not been questioned, but who are now being told that they are not fit to perform a particular task because of their lack of qualifications. It is a sad thing. We have to address that to ensure we do not continually lose that vast experience.

Sir, whether you like it or not, I normally say that you can have all the degrees in the world, but at the end of the day, if you do not have any experience, or at the end of the day you cannot see through the processes and get to the end so that you can contribute, then you are no better off. So we cannot have a situation where our civil service loses that amount of experience and not do something to address it.

Sir, one of the areas that I have a great concern with is the area of discipline. I am happy to see that the Bill proposes to simplify the grievance procedure. I am happy to see, in fact, that it takes note of the fact that in the Prison Service Act, the Police and the Fire Department, there may be certain deficiencies. What the Bill seeks to do is ensure these deficiencies are captured within this Act.

Over the last couple of years in practice, I have come to realise that both in the public and private sector, there is a serious deficiency in terms of understanding the disciplinary procedures. What tends to happen, in particular, the private sector is, because the supervisors and the people who they supervise have become friends, quite often when it comes to taking hard decisions in terms of discipline, they are slow to take these decisions.

Sir, I am sure the Government would like to see that, in fact, we follow this Bill in terms of ensuring the procedures here are addressed with haste. There is a school of thought, and in particular among the trade unionist, that you should not have a situation where a chap is indicted and placed on half pay for six months. In fact, in some cases it could be as much as two, or three years.

I am not going to opine one way or the other. I will say that the alternative is, how can you have a chap who is being indicted, is away from work, but he does not lose any

kind of emoluments. He sits at home for the six months, or the year. There has to be some mechanism if someone has been charged. There is a differentiation between someone who has been charged and someone who continues to perform the duties.

Sir, as I said, I do not know what the answer is, but I do not believe that the answer is, if someone is on a disciplinary charge, and it is a serious charge, he is allowed to go home and be paid as if he was at work. The other chap who has no issue, continues to be at work and is paid, and it might seem that the thing to do is to get yourself in a bit of trouble, go on home and continue to be paid. Sir, we have to find some mechanism where it is fair, both to the employer and to the employee.

I would say overwhelmingly that what we need to address is, once there is a suspicion and an offence has been committed that you move with haste to address the offence, you move with haste to collect the evidence, you move with haste to bring the proceedings, and you move with haste to finalise the proceedings.

2.10 p.m.

Sir, although the Act speaks to six months, it is not suggesting that you have six months within which to bring the proceedings. It is there as a mechanism, so that there is a trigger over which the civil servant is not further disadvantaged, but the onus is on us both in the private service and the Public Service to ensure that these matters are heard as quickly as possible. I am happy to see the grievance procedures, and I do not see why that should cause any issue whatsoever with anyone on This Side, or on the Other Side.

Sir, I turn now to the issue of temporary appointments. I noted last week, and this week that there are concerns about the issue of temporary appointments. Again, I do not know why this is contentious. It seems to me that any provision that wants to create more stability, any provision that wants to give the Government the power to have a temporary officer in place for a year, as opposed to waiting for three months, and I am not being sure if it is another three months, should be supported.

I think it is better to have someone in the position where he knows that he is going to receive a salary for 12 months, rather than at the end of every two months, he is looking over his shoulder to wonder where the next piece of paper is going to come from to see whether or not he is going to have a further appointment. Again, I do not see why this should be a contentious issue. I think it should be embraced.

Similarly, I do not see why the ability, as the Bill has done, that will move the requirement for temporary offices

to be created by Statutory Order, yet again, hopefully facilitating, hopefully the speedier appointment of temporary officers. Sir, I see this as a measure that should be embraced.

As I said, Sir, these tidying up parts of this Bill are nice and easy. I do not see anything contentious about the Bill. I do not see how anyone on the Other Side who was here in 2007, could come in 2010, to this Honourable Chamber and try to criticise these amendments, in particular as I said, the genesis of the Bill in 2007, in particular as I said that in 2007, when they were in a position to do good, when they had all of the information at their disposal, when they had all of the advice of the technocrats at their disposal, but instead, they focussed on scoring cheap political points. I believe this disqualifies them from having a serious argument about these amendments.

Sir, that is why my good friend - and I do not like to speak about my friends behind their backs - from St. Joseph found it very difficult last Tuesday to say anything of merit about the Bill that one can remember. He focussed instead on whether, or not we should have included reference to the criminal conviction. He, as one friend of mine would say, dilly-dallied and could not find anything constructive to say, in terms of arguments against this Bill.

Sir, with those few words, I want to support this Bill and recommend it to those on the Other Side who have not yet spoken.

I thank you, Sir.

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

Mr. G. A. CLARKE: Mr. Speaker, I rise to lend some contribution to this debate. I must say from the outset that I have gone through the Amendments to this Bill of 2007, and to my mind, there are a number of cosmetic amendments which, according to the Bill, hopes to achieve greater clarity in its application.

One can say that the 2007 Bill was clearly thought out over the last 14 years. A number of recommendations were made, and the Honourable Member for St. Philip West alluded to the fact that many meetings were held, a White Paper was developed in 2003, and there were consultations.

Mr. Speaker, one can also say that out of the recommendations that were brought to the fore, we had a fairly comprehensive document in 2007, which culminated in the appointment of more than 3 000 civil servants, and that was itself an important matter.

I want to say, Sir, that one of the things we have to bear in mind is that Barbados is fortunate to have a good Public Service, and we need to praise the public servants over the years, especially the senior officers.

I believe that there are many persons who have put their country above themselves and above partisan politics, even though we know that many top civil servants, and civil servants on the whole, must have their own political bias, there were some outstanding men and women over the years.

In my own generation, I could speak of persons like Lawrence Green who is now deceased, and there were many senior officers in my time as Minister. I can speak of Permanent Secretary Jones, Goodridge and on That Side, a guy whom I have had the privilege of working with years ago, Harcourt Lewis, Sir, even though in the end he became a Democratic Labour Party Minister. I thought that he was a good civil servant, who placed country above self. I believe that out of these exercises, we have a stronger Civil Service.

Sir, having served in Government for more than 10 years, I have come to realise that the Civil Service of Barbados appears to have its own rules, norms, habits, mores and culture, which are difficult to change.

Mr. Speaker, there is a culture of being a civil servant. The culture, norms and mores of a civil servant seems to be difficult to change and they do business in a particular way, some people say they are slow.

Mr. Speaker, in this country, we have a civil service that is supposed to be non political in nature and they do perform their roles in a way, which sometimes we say that they are slow, but there is a method of doing business within the civil service. I must say that these outstanding men and women do work hard, although from time to time, we have had cases, but there is nothing new.

Sir, members of the Government and members of Opposition over the last 30 years, have criticised the civil service, not in a way to bring down the civil service, but in a way to ensure greater productivity.

Mr. Speaker, we have had a former Prime Minister, who called the civil service, an army of occupation. We have had persons saying that it is not only an army of occupation, but there were civil servants who perform little, or no service, but by and large, over the last 50 years, we have seen the development of a civil service that is second to none in the developed world.

2.20 p.m.

Sir, we would hope that they would continue to be like this.

As the present Prime Minister of Barbados noted, civil servants can change a Government overnight. Sir, whether or not the present Administration believes this, that is true because today they are with you and tomorrow they are not.

Mr. Speaker, from the utterances, I can tell you that there are a number of persons in the civil service who are complaining that all is not right. It seems to me that there is a problem going on, which the Government would have to deal with. The Government has to ensure that temporary workers are paid on time. I know for a fact that some temporary workers went home at Christmastime without a cent in their pockets. I do not know what Government would like to ensure that their workers go home, especially at Christmas time, without money.

Mr. Speaker, I met a lady from the Constituency of St. Philip North who worked from July last year until now at various Departments and she has not been paid one red cent. Mr. Speaker, this is bad. I am not saying that it is the fault of the Minister, because Ministers do not pay people, so it is not the fault of the representative, it is the fault of the system. Mr. Speaker, this has caused a number of persons to have this lackadaisical approach to life and to going to work.

I am of the view, Mr. Speaker, that we have to look very carefully at how we not only appoint and recruit staff, but how we pay them. Many times I have had to intervene on behalf of temporary workers who sometimes come to work because no one else in the family is working, so it is hard on these persons who have to go from month to month without pay.

Mr. Speaker, I urge the Government to look carefully at this system.

I understand from the Prime Minister that it has something to do with the SmartStream system. If it is something to do with the SmartStream system, it can be fixed, but eight months without pay is a long time, and I urge the Government to do something about this.

I believe, Mr. Speaker, that most Barbadians want to find work in the Government Service, because they believe that working in the Government service gives them some degree of security. Mr. Speaker, we need to continue that security in the Public Service.

Mr. Speaker, all Barbadians are entitled to work. In fact, I believe that it is a right to find work, and the present Government must ensure that not only the persons who belong to the Democratic Labour Party find work. In fact, I

must say that in today's environment, even some of their supporters are not finding anything despite the fact that they were promised so much. There are people who were promised the L, the R and the 7-Star, but they are not finding any work. They promised that they would kill the fatted calf. They have not killed any fatted calf so that people...

Mr. Speaker, the reality is that as unemployment goes higher, the present Government is now scraping the barrel to find employment so that this whole notion of moving the temporary passage from three months to three years...

Asides.

Mr. G. A. CLARKE: I do not know what is going to happen with that because there is no specificity in the regulations.

Section 14 deals with the appointment of temporary workers where the Minister may bring an order.

Mr. Speaker, we were saying that it is not needed for a Minister to bring an Order to an affirmative resolution. The Amendments state that the Minister must bring affirmative resolution to Parliament which makes it a bit more difficult for the Minister to bring the affirmative resolution, because he has to get the drafting done by the Attorney-General's Chamber, whereas all over the years the Minister by Order, could make a simple Order to appoint workers.

Mr. Speaker, I believe that it would be more difficult now for temporary workers to find employment, since the Minister now must get the affirmative resolution to Parliament first.

Mr. Speaker, I feel that in all of this, the recruitment of workers in the Public Service is important to the system. I believe that the right to find work is important.

Our mission in Government was to provide jobs for the majority of Barbadians. Our mission was not to put family first, whether or not they are competent. The mission of the Barbados Labour Party was to find employment for the majority of Barbadians.

Mr. Speaker, as unemployment rises above 10 and 11 per cent, we urge the Government to find a mechanism within the Government service to create employment. The Government must create employment during the next financial year, whether it is temporary employment, or employment by contract. The Government has been elected over two years now and so far, unemployment has begun to rise.

Mr. Speaker, every Barbadian, I believe, would join me in expecting that the Government would set an example by providing a mechanism for those persons to find work.

Mr. Speaker, there is some contention here as to whether, or not persons who have criminal records, can get a job. Mr. Speaker, even though I understand that is not part of the recruitment process - the Prime Minister was at pains to say that nothing on the application form suggests that a person, whether or not he or she has a criminal record, is entitled to work.

Mr. Speaker, we know from experience that persons with criminal records, because Barbados is a small society, always get a problem.

Mr. Speaker, sometimes it is difficult for persons who had a brush with the Law 20, or so years ago, to even get a simple taxi permit, because when they get the Police Certificate of Character, always written at the back is how many years they spent in Glendairy Prison and what records they have.

Mr. Speaker, the offence, or offences are not written on the front of the Certificate of Character and so, when persons go to collect them, they do not flip the sheet, so they do not see that the record is written at the back and when they take it to the Licensing Authority, or to the particular Department, they get problems.

Mr. Speaker, I know for sure that even though you say that the record is expunged, it takes a long time, and therefore, we said that the Chief Personnel Officer may make a discretion in providing a job for that person.

2.30 p.m.

Mr. Speaker, during our time, we ensured that casual employees became permanent public servants. We were able to move that category of casual workers into the Government service. Sir, at that time we knew it was difficult for those persons who had criminal records to become public workers.

Sir, once you move that category of casual employees to permanent employees, we had some difficulties.

Mr. Speaker, in that amendment we ensured that a discretion was made for those persons who had criminal records.

Sir, in this debate here today, those persons cannot now find employment because that discretion has been taken out.

Asides.

Mr. G. A. CLARKE: Mr. Speaker, there is no discretion at this time and so, I believe it is going to be harder for those persons, especially those in the urban areas, to find employment.

Sir, Members of Parliament who represent urban areas will now find it difficult at this stage to find work for those persons whom they know and for whom they would want to find employment. Sir, Members of Parliament would have to intervene, from time to time, because that is the nature of politics.

Mr. Speaker, I believe we have to watch what we are doing. We have to be able to provide employment for those persons, because those persons with criminal records cannot find employment in the private sector. At this point in time, it is difficult for them to find work in the private sector.

Government must now intervene to ensure that the majority of persons at the low end, those persons without the qualification, those persons without training, those persons without experience, are the ones I am scared for. I am scared for those persons who cannot find work, the janitors and general workers. What are you going to do with the majority of those persons?

Hon. P. M. T. TODD: On a point of order. Mr. Speaker, the Honourable Member for St. George North is misleading this Honourable House when the Honourable Member suggested that there is a greater likelihood of persons with criminal records living in urban constituencies, as opposed to rural Constituencies.

Mr. Speaker, as the Honourable Member for the City of Bridgetown, I challenge the Honourable Member for St. George North to bring the statistics to suggest that the residents in urban Barbados are more inclined to be criminals.

Asides.

Mr. SPEAKER: Honourable Members, please. Let me hear the point of order. Honourable Member, please repeat your point of order.

Hon. P. M. T. TODD: Mr. Speaker, I am saying that the Honourable Member for St. George North is misleading this Honourable Chamber when the Honourable Member suggested....

Mr. SPEAKER: Honourable Members, I am hearing some asides. Please let me hear the point of order. Is that too much to ask? Thank you.

Hon. P. M. T. TODD: Mr. Speaker, the Honourable Member is misleading this Honourable House when the

Honourable Member indicated that persons living in urban constituencies are more likely to have criminal records than those living in rural Constituencies.

As the Honourable Member for the City of Bridgetown, I take offence to that statement because it is painting a picture of my dear constituents, the vast majority of whom are Law-abiding Barbadians.

Mr. SPEAKER: Honourable Member, that is not a point of order.

Mr. G. A. CLARKE: Mr. Speaker, the mere fact that out of a population of more than 270 000 Barbadians, there is half the population living in St. Michael area, over

150 000 I believe reside in the St. Michael area, it is a fact of life that you would have the majority of persons who would commit criminal offences living in St. Michael. It only goes by saying.

Mr. SPEAKER: Honourable Members, please.

Mr. G. A. CLARKE: Mr. Speaker, I would want to say that we have to protect those persons. We have to find work for those persons at the low end. Therefore, if the Honourable Member for the City of Bridgetown does not prefer to find work for persons in Barbarees Hill, Orleans, River Road, Bay Street, the City, who are looking to him to find employment. In fact, I understand that the Honourable Member cannot be found at this time.

Mr. Speaker, I believe that Government must provide the mechanism to provide work for the majority of Barbadians.

Sir, recently at the first Constituency Council's meeting, we were told that Barbadians should stop bellyaching, that they should not complain about work and that Barbadians must take it easy and suffer in silence. In fact, the Honourable Member for Christ Church South is on record telling his constituents to take it easy. Therefore, a Government that has promised so much, in less than two years, are now telling Barbadians to take it easy, do not complain, when their belly hurt, do not complain, just take it easy.

Mr. Speaker, we have a number of persons in my Constituency and in St. George as a whole, who cannot find work. Some of those persons are persons who have had a brush with the Law.

Sir, I have a constituent from St. George South, who has five young children, who cannot find work, neither in the private sector nor the public sector. That person has never supported this party. Sir, the point is that the present Government is not even looking after its own.

Mr. Speaker, we have to set the record straight. In our time, we were able to upgrade the working environment in the Public Service. We were able to computerise a number of Government Departments.

Sir, there are only one or two developed countries in the world that can boast of getting their income tax done online. Barbados, as a developing country, we were able to do a number of things for the development of our people.

We computerised the Income Tax Department, where persons now can fill out applications online, even though they are not getting back their returns. Sir, it is frustration after frustration.

Asides.

Mr. G. A. CLARKE: Mr. Speaker, it was the very first time in living memory that I was so 'broke' in December and if I was "broke", I know that many people were "broke". Sir, people were broke in December and so, we had to call to check about getting back our returns.

Asides.

Mr. G. A. CLARKE: Sir, the Honourable Member for Christ Church East Central is correct. He has not got his back as yet, because he does not need his.

Mr. SPEAKER: Honourable Member, you have four minutes in which to conclude.

Mr. G. A. CLARKE: Mr. Speaker, we have done a lot, we have also looked at the Qualification Order to examine qualifications and training of employees. Sir, not only were we able to provide that, we were able to set up the Office of Public Sector Reform in 1997, and the Honourable Member for St. Philip West ably spoke about that.

Mr. Speaker, Public Sector Reform was there to provide excellent service, not only for the Government service but to help the social partnership, to help both the private sector and public sector. It was there to deliver and to ensure that we had a better system of governance and to ensure that delivery of service was applicable.

2.40 p.m.

It was there to deliver and to ensure that we had a better system of governance and to ensure that delivery of service was applicable.

Asides.

Mr. G. A. CLARKE: Sir, a better quality service is what we aimed to do over the past 14 years. Mr. Speaker,

the Government points to the fact that Barbadians voted against this Party in 2008, but we were grateful that over 14 years and three Elections, that the large majority of civil servants voted for the Party because they recognised that we were doing a good job and, Sir, we were thankful.

Mr. Speaker, today, less than two years, the morale in the Government Service has dropped. Sir, we urge the Government to do something now to ensure that this morale is uplifted. We urge the Government to do more to ensure that we have a better quality of service delivery to our people and we urge the Government to provide training.

Sir, I notice that some training is being provided at long last in the field of partnership. I realise that something is being done a little late, but a little training is being provided in contractual management. I hope it would continue, but again, I have been calling for this for more than two years now. Sir, a little training has been done for 23 workers and this is a step in the right direction.

Mr. Speaker, we are hoping this type of thing would continue.

Mr. Speaker, I am hoping that Government would continue Public Sector Reform, which we have started. I understand that Department is being depleted now, and I hope that staff would be recruited in that Department to ensure that training continues.

Sir, as I have said before, at the end of the day, the civil servants have their own culture. Sir, today they are with you, but I would urge you, especially the Government, to read Julius Caesar. Sir, today they are with you, but tomorrow, they are with somebody else. They are neither B or D. The aim of any Government is to ensure that the Civil Service is well trained and functioning well, because the Civil Service has their own political Party, they have their own agenda and they do their own thing.

Sir, the Civil Service is good. They have their own culture and their own mores, I believe, Mr. Speaker, at the end of the day, long live the Civil Service of Barbados.

Mr. Speaker, I thank you.

Mr. SPEAKER: The Honourable Member for St. Michael Central.

Hon. S. D. BLACKETT: Thank you very much, Mr. Speaker. At the outset, I want to say that Caesar must be rolling in his grave for the misquotation of any of his works, or any of his utterances. Nevertheless, I rise to give support to the amendment of this Bill.

I want to say from the outset that the amendments will redound to the advantage and to the benefit of the vast majority of civil servants.

Mr. Speaker, I believe that we have some of the best civil servants to be found anywhere in any Civil Service throughout the world. They are professional, efficient, dedicated and most of all, they are patriotic.

Sir, I have not heard of any low morale across the Public Service. As a matter of fact, I know that most civil servants would have breathed a sigh of relief back in January 2008, when they saw the back of the Barbados Labour Party. Sir, ever since then, the morale in the Public Service has been on the increase and it is very much on a high at this time.

Mr. Speaker, the public sector in Barbados, like most across the world, traditionally operated through a controlled system of Government and the cumbersome bureaucracy that we have, which was put in place during the years of the colonial rule has, by and large, now become obsolete, inefficient and, I daresay, in effect and, most of all, dislike by most civil servants.

Mr. Speaker, Government all over the world are being called upon to demonstrate a greater level of accountability and to display greater productivity. I believe that here in Barbados we have responsible trade unions and they themselves have signed on to this way of thing.

Sir, traditionally on joining the Public Service in Barbados, civil servants entered what could be described as a kind of parent/child relationship in one which they signed on and submitted to authority, they were denied their self-expression and in return, for the belief that they would have been looked after in the future and that the organisation would treat them justly. Sir, certainly, they were ensured that they had a job for life.

Just recently, I was listening to some extracts by the Right Excellent Errol Walton Barrow, and in one of the extract he described the civil servants, and the words are now immortalised, as "an army of occupation". He also said that in some way they are fireproof.

Sir, this is a changing world and today, the emphasis now is not really on generalists being in the Public Service, but more and more young people are entering the Public Service with specialised degrees and with a greater knowledge of their area of work than the employers themselves.

Mr. Speaker, while money is still of considerable importance to most public servants, it is felt that today there are three motivators for employees, that is, (1) respect; (2) information; and (3) involvement.

Mr. Speaker, I would like to expand on what I mean by respect, information and involvement. Sir, respect from the point of view that public servants are now demanding the right to be respected for who they are, for what they have learnt, for their particular skills and for their experience.

Sir, when it comes to information, they are also expecting that they be given timely information from their seniors, or supervisors and how to proceed and how to implement the policy of Government. This is so, especially when policy is articulated and also decided on by Cabinet, sometimes it finds a slow path of getting through to the rank and file public servant for that policy to be implemented.

Sir, no longer are they satisfied to wait on their superiors for small doses of vital information when it is clearly spelt out and they are given the opportunity to breathe life into the stated policies of Government and their programmes.

What the civil servant is asking for is that time be given to them in a timely manner, especially when it has been decided on by Cabinet.

When it comes to involvement, Mr. Speaker, the public servant wants to be involved in the nuts and bolts of the Administration.

Sir, in my Ministry, for instance, there is a cadre of young employees, who are presently working on the nomination of Barbados to be listed as a world heritage site through UNESCO. We have those young employees in the Ministry and they give of their best sometimes working on weekends, late into Saturday nights and Sunday nights.

Sir, I know for a fact, from my own personal experience in the Ministry, that some public servants want to be involved in the nuts and bolts of how Government is run and, therefore, we must give them that opportunity to be involved on a holistic basis.

Mr. Speaker, emphasis must be placed on today's officers looking for job satisfaction, not just for money, and not just waiting out his, or her pension in the Public Service.

Sir, with this in mind, I believe there should be a new style of public sector management. I believe that in this the 21st century, at the start of this millennium, we should offer this to public servants.

Mr. Speaker, the major principle of a new style of public sector management should be:

(1) a principle of a new style of management and it should be predicated on these facts;

(2) a focus on management;

(3) a focus on performance appraisal and efficiency that would create the environment for solid results in Government;

(4) the desegregation of public bureaucracy into agencies which deal with each other, smaller and meaner agencies;

2.50 p.m.

(5) the use of tendering out or contracting out some of those services to some of those agencies, which I spoke of earlier, to foster some competition and it will, of course, offer cheaper service delivery in most cases;

(6) in cost cutting, we must eliminate wastage, or attempt to eliminate waste of all kinds, especially when it comes to the purchasing of stationery, utility and also paying the unnecessary overtime we sometimes rack up in some of these Ministries.

Finally, a style and management which emphasises among other things output targets, limited term contracts, monetary incentives and freedom to manage.

Sir, what is required in the local Public Service, to my mind, is a paradigm shift, and this would require a major shift in our way of viewing the world in which we are now operating, or in the values which form the basis of our point of view.

In 1997, as was alluded to by the Honourable Member for St. Philip West, we created the office of the Public Sector Reform in 1997, I am told. The former Administration established this office, and it was without doubt a step in the right direction. I want to admit this up front. Nevertheless, to date that office has not been able to carry out this mandate in any significant way. This is because the Department, to my mind, was never given the kind of status, or the profile to allow it to demand the kind of respect which it would need to operate effectively. People simply do not take the office of the Public Sector Reform seriously.

Sir, the Public Sector Reform, if it ever becomes a reality in Barbados, we must move swiftly to restructure and to repackage one agency that comes to my mind, that is the Personal Administration Division. This organisation must face up to the fact that the employees are not statistics or commodities. To refashion that Department I believe they must take steps to usher in a new atmosphere that is conducive to efficient and job satisfaction.

Sir, to usher in this new atmosphere, there must be an award and also on the other hand, some punishment. There are no functioning mechanisms in the Public Service presently for the awarding of officers. There are no bonuses, incentives, or productivity pay. On the other hand, there is no system of punishment for low productivity. If we have systems like those in place, certainly, that is a recipe for instant inefficiency. If you do not have that in place, you will have policy failure, to start with, disaffection and demotivation.

Sir, something as simple as a Christmas party being held in your office, there is no allocation anywhere to be found in the Estimates for such events. At Christmas time, to my mind, I believe we ought to be treating our staff well at the end of the year, the vast majority of them have laboured well and put in their two cents worth. I believe we ought to have some allocation in our Estimates for such events.

Sir, when it comes to accountability, part and parcel of what I spoke of earlier, there is need for some accountability. This accountability must be extended to senior officers, especially Permanent Secretaries. Targets must be set for public officers and these achievements must be monitored and managed in a professional way.

Certainly, when you juxtapose that position to what happens in the private sector, there are measuring points. There are barometers. There are yard sticks that measure performances in the private sector. I do not see why these same barometers, measuring sticks and targets are not transferred to the public sector.

Sir, I heard about training and retraining repeatedly in the debate. There must be a system of training and retraining across the Public Service. Where individuals are found to be weak, they should be given the opportunity to benefit from training to improve their performances. Well-trained public servants will yield a better service delivery at the end of the day.

Sir, I spoke of incentives before. There must be productivity incentives which should be offered to encourage and increase maximum efficiency.

Sir, there must be implemented in the Public Service a system of human resource development. At present human resource development is seen simply as finding employment for the unemployed, fitting a CV to a job vacancy. We have to go beyond that, especially the Personnel Administration Division, which I spoke of.

Sir, all these mechanisms must be put in place to help public officers at all levels to develop their personal and organisational skills, knowledge and abilities. The same Personnel Administration Division must, therefore,

focus on a number of issues. They must focus on employee training, employee career development, performance management and development. There must be a question of mentoring, succession planning, key employee, identification, tuition assistance and organisation development.

I believe at the crux of the matter, when it comes to better performing public servants, I believe that at the very center would be this Department, the Personnel Administration Division.

Sir, I hope my thoughts in this debate could be woven into the overall tapestry of the Personnel Administration Department for an overall improvement of a generally proficient, generally professional, generally dedicated and a generally patriotic Public Service, and I hope that at the end of day, these suggestions could make a better Public Service. and by extension, a better Barbados.

Sir, I am obliged to you.

Mr. SPEAKER: The Honourable Member for St. Michael East.

His Honour K. St.C. BEST: Sir, I rise to support the Public Service (Amendment) Bill, 2009. A lot of public servants are not aware of the legislation that governs their form of employment. We should start an education programme for all public servants to be aware of their role in the Public Service and the legislation that governs their employment. That should be foremost in our minds, so that persons would understand their rights and the role they have to play in the delivery of service within the public sector.

We need to have a speedier dispatch of justice, particularly with respect to public officers who have breached the Code of Conduct and committed infractions under the Public Service Act. Their trials should be as speedy as possible.

Sir, we have situations where public servants are on suspension for 13 years, and because of Administration blunders, those persons continue to be on suspension, which means that their families are suffering.

Sir, what makes the matter more difficult, at the end of the day, because of the length of time they have been at home, Government is called upon to come to Parliament to find money to pay those persons.

Sir, if we had a speedier dispensation of justice of those persons' matters, such would not occur.

3.00 p.m.

Sir, I am sure that these amendments would speak to the disciplinary action, and that the Administration of these particular amendments would ensure that we have speedy justice in that respect.

Mr. Speaker, we need to also look at an educational programme, starting from primary school, to make Barbadians understand that the Government is not the only employer, and that both the Government and the private sector are employers, and they must channel their development in life in such a way, that it is not a burden on the Government where, as persons continue to say, I need a Government job because it has Security of Tenure.

Sir, all jobs carry Security of Tenure, and what you need to do is to follow the regulations that govern you, and if you follow those regulations, then you have Security of Tenure in all your jobs.

In the private sector you have Security of Tenure.

Asides.

Hon. K. St.C. BEST: I am sure that in the private sector there are forms of hearing, but all that happens is that the hearing within the private sector is speedier, whereas in the public sector, the trial is longer.

I am saying, Sir, that we need to get away from this system of making Barbadians believe that the only form of sure employment is in the Government, because if that continues, then we will continue to have problems with all the Constituencies, because when we send them for jobs in the private sector, they refuse to go and say that they need a Government job, and we know that in these economic times, those are very hard to come by, Sir.

This Government is doing its best, despite all of the rumblings from the Other Side that we are not doing enough as far as providing opportunities for persons to find work. I am sure, Sir, that the Prime Minister, along with part of the private sector is ensuring that within a couple of months, the Four Seasons project will restart, and we are looking at other developments that will ensure employment is created.

Sir, we must not only look today at the amendment of the Public Service Act. We must move with haste to look at the Qualifications Order and the problems that the Qualifications Order has created within the public sector.

Mr. Speaker, the Honourable Member for St. George North indicated that the Qualifications Order has great morale. I am saying that as a result of this Qualifications Order, you have public servants who, for years, have performed excellent in a particular field and have just a couple more years before they retire, and now you are

telling those persons with a wealth of knowledge and expertise of how to run the public sector in order to move further up the ladder, and they cannot go further, because they do not have a degree.

Sir, we need to look at that and I am urging my Government to look seriously at that, in order to raise the morale of the public sector. As a result of that, persons are becoming tardy and, because of the low morale, Government is losing revenue in every facet.

Sir, we are dealing with human beings, and persons who have put in their long years of service would not feel comfortable to see someone who just came straight from school with a degree and bypass them. The last Administration believed that this Qualifications Order would have solved the question of supersession, but it has created more problems.

Sir, after this Public Service Amendment Bill, the Government of which I am a part, will seriously look at the Qualifications Order to ensure that we do not have this mass exodus of experienced civil servants, where the low morale in various divisions will rise again.

The Honourable Member for St. George North spoke about the whole question of the criminal record and persons who have a criminal record for 20 years applying for a taxi permit.

Sir, there is the Rehabilitation of Offenders Act, which says that after 10 years of certain offences, you can have the convictions expunged. I keep saying that we need to educate Barbadians as to the various pieces of legislation that are beneficial to them, so that they know where they can take their grievances, or have problems resolved.

It really disturbed me, Sir, to hear a seasoned and senior Member of Parliament use language such that persons in the urban area are prone to criminal activities. The Honourable Member for St. George North was in charge of MTW, and we understand that a lot of casual workers who have slight infractions with the Laws of Barbados were able to work there. He is saying now that if you are from the urban corridor, or from an urban Constituency, you could not come to him to get work because you have a criminal conviction.

Asides.

Hon. K. St.C. BEST: Sir, that is the inference that could be drawn.

Sir, we are amending this Act which is a very forward thinking step, but we must also look at the working conditions of public servants. Sir, you can amend the Laws and provide all the necessary frameworks, but if your place

of work is not the best, then amending of legislation to make the tenure of employment much better, you will still have productivity down because of the place of work will not be conducive for proper production.

Sir, with those few brief remarks, I want to support this amendment.

I thank you, Sir.

Asides.

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

His Excellency D. St.E. KELLMAN: Mr. Speaker, I enter this debate to say from the outset that it is regrettable that we have to be in here today to discuss a matter like this, when we had to follow a Government which was in office for 14 years and pretended, based on their mouthings, that they were all for the civil servants and all for fairness.

Mr. Speaker, for many years in this Parliament, I have said it was regrettable that every year, more than half of the training budget went back, and was not expended. If there is one thing to destroy a civil service, is to have a provision to enhance the human resources of Government, but yet still, use the money as savings on your Budget, and not spending it on persons that you should have spent it on, Sir.

3.10 p.m.

Sir, after careful analysis of what occurred in December 2007, it is clear to me that the Barbados Labour Party knew that they were going to lose the Government, and they passed this amendment to ensure that they would have their people in place so that the Democratic Labour Party would not be able to function in an effective way in its first five years of office.

I say that, Sir, because persons who were not capable of doing the job and who had no training within the civil service, were placed to act in positions long before the Act was amended so that by the time the Act was amended, they were qualified to hold those positions.

Mr. Speaker, what also occurred - this is after the very careful analysis that was done and is something that cannot be ignored - is that the people who were well-trained for many years had to train those same persons in their jobs, but they could not look in to get a pick, because they were not acting in the positions and so, they saw persons who were not fit to do the job getting the job ahead of them.

Mr. Speaker, no matter which Department you pass in Government today, you can hear bellyaching about how people are being asked to work under people whom they have to train in the job.

Sir, I am saying that this is a clear case of frustration and a clear case of destruction of the civil service. I am also saying that any political party that can sneak an amendment into Parliament and can achieve that goal is not fit for office. Sir, I am saying that we need not to discuss that because the people of Barbados have dealt with the issue.

Sir, when you hear certain civil servants talking about a one-term Government they understand quite clearly what they are speaking about, because they are part of the plot and they understand how they were rewarded to ensure that they went around and spread the gospel, according to them, that they are to frustrate the system of Government.

Asides.

His Excellency D. St.E. KELLMAN: He wants to hear this one because it is clear to me that somebody has even believe in it too, because I am now hearing in public that Government should be paying \$65 million to someone when the previous Government had the opportunity to pay \$21 million and did not pay it.

Sir, what is interesting about this is that the civil servants and persons who were paid from the Treasury, even in here, advised Government early to pay the man his money. Instead of that - the Honourable Member for St. James North knows of this too - the man was frustrated and now the same persons who were guilty of not paying the man his money are all over Barbados saying that they had the money to pay the \$21 million and this Government should now pay the money that is now \$65 million even though the country is in crisis.

I am not saying that the man should not be paid. Let me be clear on this one. What I am saying is that if in good times you could not pay \$21 million, how can you be heard anywhere in Barbados telling anybody that a Government that is only two years in office can find \$65 million to pay one time when the Government that had 14 years of growth could not find \$21 million to pay. There is a new maths in politics and it is amazing.

Sir, not only that, we can hear the squealers now coming out telling the boss, thank you very much for anointing my head and disrespecting a gentleman who served this country well. Sir, you can argue whatever was said, but at least the gentleman was able to take the advice given by the good civil servants and in less than three years' time, the economy was refashioned, reshaped and handed to the Barbados Labour Party and now people

squealers are saying that the honourable gentleman should not be knighted.

Asides.

His Excellency D. St.E. KELLMAN: Mr. Speaker, you have to understand that many of us who walk around in the name of the poor black man are not serious about it. Mr. Speaker, we will listen to the civil servants that is why, even though we saw the economic conditions, we understood what they went through under the Barbados Labour Party.

Sir, for 14 years of growth, I begged them every year to include the workers and they refused. Sir, you can check Hansard. At one time - and the Honourable Member for St. James North would remember this too - I used to speak in here about the isosceles triangle that turned into a straight line, because there are three players to this relationship, the workers, the Government and the investors.

Asides.

His Excellency D. St.E. KELLMAN: I talked about that too. We would get around to that. Sir, I said that the unions were not operating in the best interest of the workers and they were asking the workers not to take salary increases when they were due even though the economy was performing.

Asides.

His Excellency D. St.E. KELLMAN: I am glad that you remember that. Yes, I remember that too.

Mr. SPEAKER: Are you still addressing the Chair, Honourable Member? Please address the Chair at all times once you are on your feet.

His Excellency D. St.E. KELLMAN: I am always doing that, Sir, I will not disrespect the Chair.

Mr. SPEAKER: Let us cut out the cross talk and address the Chair.

His Excellency D. St.E. KELLMAN: That is not cross talk, Sir. That is a refresher to the brain and I am responding to it.

Sir, I am saying that we saw a situation in here where the Government revenues were increasing, the profits of the private sector were increasing, but the workers were not getting increases. Sir, I said that what you saw is that in time of need, the workers were called upon, and that included the civil servants, to hold strain, but when things were getting good, the employers and the Government came together, held on to everything and

instead of having the triangle, the workers dropped out and they formed a straight line, because Government and the investors became one. I am glad that you remember that, Sir. Thanks for reminding me about that.

Sir, I never trusted that relationship, because I saw what would have occurred and I warned the Government about it, but they did not listen. I said that in good times instead of those employers having a relationship with the workers and remembering the good they have done for them, they neglected them. Sir, the best example today is that company called Cable and Wireless. I spoke about that.

Sir, I am saying that this Government understood what happened to the civil servants and the first order of the day when we came to office was to give them not one, but two increases. Mr. Speaker, that is a Government that understood that the workers should share in the cake.

Sir, we did what was necessary to ensure that the civil servants were at least acknowledged even though we did not punish them for 14 years like the previous Government.

Sir, they have created frustrations for the civil servants. Sir, you have a situation now where civil servants and Barbadians alike, have to wait on their pensions.

3.20 p.m.

Mr. Speaker, someone who has gained experience cannot now leave, form his own company and employ people. What he has to see is new people coming in after him and superseding him, because those persons were placed in the right position, at the right time, while he has to take the punishment of being superseded and having to remain in the service much longer, in order to get a full pension. Sir, that all happened under the watch of the Barbados Labour Party, which were also party to this amendment.

Mr. Speaker, that was not by accident. That was a well calculated plan to ensure that after the voices of the people had spoken, that the system would have worked to protect the Barbados Labour Party and that it would have allowed them to say that they are up, ready and have on their track shoes. It was to have them saying that they have ensured to put the policy in place.

Sir, the beautiful thing about this is that even though they were not in the streets talking day and night, the message was being passed daily to everybody about a one-term Government. Sir, for the person who would have helped to put the plan in place, at an appointed time they would have put on their track shoes and announced that

they were ready to execute that policy that was put in place in December 2007.

Mr. Speaker, I am saying today that Barbadians are smarter, Barbadians understand what is happening in the world. Sir, even though there might be some frustration, we know that we have the capacity to pull this country around.

Mr. Speaker, it is history, the civil servants have always rallied with us. They did it in 1961, they did it in 1986, and they will do it again. They know that whenever we come to Government, we have the mess to clean up and that we will clean it up. That is the history of the Democratic Labour Party. That is the philosophy that has been ingrained in us, that we have the capacity to get out of a crisis at all times.

Sir, like any other crisis, we will be able to get out of this one, because we understand the footing that was left to us by the Right Excellent Errol Walton Barrow, whom we will be supporting his birth date in the next few days.

Mr. Speaker, with those things, we need not worry about what is being said on the ground. We need not worry about what has been planted nor about what should be executed, or is about to be executed.

Sir, one thing we will not do, that is, to frustrate others because we want to tear down a country because of our selfish gains.

Mr. Speaker, though I have been in active politics for 14 years, I am now in practising politics for 37 years. Sir, no one could ever accuse me of trying to destroy this country to get power.

Sir, the educational system of this country should be used, so that we can use our educational capacity to get what we want and not to use the Laws of the land and the amendments related thereto, to ensure that we plan things that do not work in the interest of the country, but that would work in the interest of a political party.

Mr. Speaker, in relation to the budget for training, I am saying today that we have to ensure that we do not have more than 50 per cent of that budget not being used every year. We have to use that budget to ensure that it enhances the lives of the civil servants. We need to ensure that those persons who need training do get that training. We also have to recognise that we cannot continue to load Government with everything, therefore, this Party will have to look seriously at amending the retirement age. I have already said in this Parliament that we do not carry old people in Barbados, that we carry people of experience. We need to understand that we have to find a way of using those persons.

Sir, we have to understand that we cannot get persons out of the Civil Service by frustrating them. What we would have to do is to create an atmosphere so that when they have gained the experience from working in the Civil Service, they can retire knowing that they have their pension, and that they could use that pension to help Government employ more people.

Mr. Speaker, we should not be enslaving people in the Civil Service, to ensure that when they get to that ripe age that the next step is a coffin. We have to ensure that when people leave, that they do so, but that they still have something in them that they can set up a business to help somebody else. I think this amendment needs to come sooner rather than later, because all we are doing is frustrating people and not operating in their interest.

Mr. Speaker, it is not only within the Civil Service that we are seeing this happening. Let us take, for example, returning nationals. If you are not 50 years, you cannot return to Barbados to work and gain benefits, you have to be an old man, dropping down, ready to die, to be able to get benefits. Sir, that is wrong. I am saying to the Prime Minister that he needs to do something about that quickly too.

Mr. Speaker, we cannot continue to follow the policies of the Barbados Labour Party that are anti-people. Sir, what is also interesting is that we talk a lot but we do not see our people as investors. No other investor coming to Barbados has to go through these things, but if you are a local, if you are identifiable, if somebody knows where you were born, you are frustrated and cannot get benefits, even though you are bringing back capital into the country in the same way as anybody else.

Sir, do you know what is most important? What is most important is that the capital being brought back to Barbados has no cost to it but with any other investor there is a cost, yet we frustrate people.

Sir, that is why we frustrate the civil servants, that is why there is this supersession - planting people who normally should acquire training while coming up through the system.

Sir, that is not so, once you are a party supporter and we are about to lose Government, we will change the Act to ensure that we continue out of Government, but still have our people in the right place.

Sir, this cannot be a good thing for the Government system, because it creates chaos and frustration, and sometimes you find people who are young, wanting to get out of the system.

Sir, I have already said in this Parliament that the pension system should be set up in such a way that people should be able to leave whenever they want. If a man enters the Civil Service and has in one year, he should be able to have his pension accrued to him. He should not have to wait 10 years of frustration in the system doing nothing. It is cheaper for a Government to allow that person, who has one year in the service, to have a pension right at that one year, than to allow him to remain in the service for nine years doing nothing and frustrating the system.

Sir, if we want to have an effective Government, we will have to make those necessary amendments. We will also have to ensure that we look after the Civil Service.

Sir, there are too many people who believe that once they enter the Civil Service that is the best place for them. That is not true. The only way you could know that is if you have the opportunity to leave and find out what opportunities there are out there. Instead, we have allowed civil servants to believe that they should remain in the system, that we want to tie them down to the system, when, in truth and in fact, it would be better if we would allow them to leave when they want to, so that they could use the experience they would have gained to expand the system and to help us with job creation.

I am saying that we need to have a number of reforms that make sense. We need to have a number of amendments, but amendments that are not political. Sir, I am happy that these amendments to which we are speaking are not political, but that they are to correct political decisions that were made, which were not in the interest of Barbados. I am saying to Lawmakers that we have to understand it is not about us, it is the civil servants in this country.

When we come here, we have to ensure that we are looking after the interest of a wider public and not that narrow public. It has nothing to do with George Street, neither should it have anything to do with Roebuck Street, but then again, Roebuck Street used to be known as the place where you would find the merchants.

3.30 p.m.

Mr. Speaker, today I am saying that the civil servants need something to ensure they can go forward, and I need to see the frustration that has been created, because of this amendment, corrected for them to feel happy once more in this country.

Mr. Speaker, I thank you.

Mr. SPEAKER: I am obliged. The Honourable Member for St. James Central.

Hon. E. G. HUTSON: Thank you, Mr. Speaker. I rise, Sir, in support of these amendments to the Public Service Act but before I make my presentation, let me just take a minute to join with the rest of Barbados and the other Members in this Honourable Chamber in expressing my sorrow at the events in Haiti over the past week.

Sir, in particular, on behalf of my own Ministry and the Civil Aviation Department of that Ministry, I want to give thanks to Almighty God for enabling our Director of Civil Aviation, Mr. Tony Archer, who was in Haiti at the time to get safely out of Haiti. I believe he is now recuperating in Miami.

Sir, as each hour passes that we would express our hope that all would be a positive outcome to this situation with the other members of the aviation industry who happened to have been in Haiti at the time to attend a conference.

I am speaking in terms of the Director of Civil Aviation from the OECS countries as well as our comrades in Curacao who, as I speak, to the best of my knowledge, have not yet been located. We express our hope that there would be a positive outcome to that particular situation.

Mr. Speaker, as I have said, I have risen to lend my support to amendments to this Act.

Sir, as has been said by the learned Attorney-General, in his presentation last week in moving the second reading of this Bill, the Public Service Act, 2007, which was enacted in the dying moments of the last Administration, on its death bed, so to speak, less than one month before the people of Barbados issued its last rites to the Government of the Barbados Labour Party.

Mr. Speaker, the Act was intended to revise and consolidate the Laws relating to the Administration of the Public Service, bringing together under one document the Public Service regulation Grievance Handling Procedures and the General Orders.

Mr. Speaker, the purpose, as I understand it, was to achieve greater efficiency and effectiveness in the management of the Public Service.

Mr. Speaker, as we have heard, both at the last Sitting, and again during today's presentation, what was intended to increase greater efficiencies in both the management of the Public Service, in fact, created several problems. We have heard speaker after speaker saying that in terms of challenges that it has presented, that in terms of the appointment of officers, that in terms of the establishment of various posts within the Civil Service and we have heard of the challenges in terms of promotions within the Public Service.

Mr. Speaker, it was a cohabitation of problems created by this legislation. Sir, in my own Constituency, I have had a number of persons, who over the years have expressed the challenges they have had in being paid. Sir, one postal worker came and spoke to me in October about the challenges he was having in terms of getting his remuneration through the system.

Mr. Speaker, as I have said, the whole object of the Act, as published in December 2007, was to create greater efficiency and we have seen the number of challenges that it has created.

Mr. Speaker, in my own view, there is a significant number of challenges that face Barbados and, indeed, the Civil Service and the private sector in terms of productivity. I think that this speaks to the very heart of the very competitiveness of Barbados as a country and in terms of our whole trade.

We have heard in the presentation from the Honourable Member for St. Philip West, in terms of the challenges before us in terms of increasing the competitiveness of Barbados.

Sir, at this time there is a global financial crisis. Sir, at the same time we are faced with demands from the ordinary citizens for increased services, expansion of the Government programme, expansion of the health care services and expansion of the several services that Government offers to the citizens of Barbados, in an environment when the revenues to our country are not growing at the sort of level that we would have expected and may very well be in a state of modest decline.

Mr. Speaker, we are faced with these challenges by our citizens and it is in that environment that we also need to look at those issues that relate to the whole question of productivity of the various sectors of the economy, whether it be the private sector or the public sector, because the public sector provides substantial services to the private sector as well as to itself and to the policymakers in Government.

Sir, it is an issue that we need to address.

Mr. Speaker, although one would accept that increased productivity by itself would not necessarily solve the fiscal challenges that we have at this time but certainly, Mr. Speaker, they would go somewhere in terms of addressing those issues.

Mr. Speaker, I think that the whole question of productivity raises a number of issues.

3.40 p.m.

My learned colleague to my right, raised several productivity issues. Sir, one of the challenges will be, how do we measure productivity? How do we measure increased productivity in terms of Law making, in terms of the security of our country? How do we quantify the increased productivity of those sections of Government, the delivery of health care services and social services? Those are some of the challenges that I think we need to look at, going forward in this whole exercise.

Sir, certainly in terms of our revenue collection, greater productivity will need to be looked at in terms of how we increase the deficiency of our revenue service.

In terms of Customs, I know we are looking at the whole question of a central container examination facility which, I believe, will enhance the speed at which containers will be able to leave and to be inspected at the Port. I think certainly this will add to the speed at which business can stock their imports into their warehouse and on to the supermarket shelves, or on to their various customers. I believe that will be one of the measures that certainly will speak to increasing the efficiency of the operations at the Port, in terms of facilitating trade within our country in general.

Sir, an Honourable Member in this Chamber spoke to the whole issue of E-filing of Income Tax Returns, which was introduced by the Inland Revenue Department, in the income year 2008. Being the first year, I know there were challenges in terms of the implementation of that particular system. There were significant work and sterling efforts in getting that off the road.

We certainly must commend the Officers at the Inland Revenue Department for making this programme a reality. Certainly, that programme is expected to increase the speed in which returns will be filed.

There is no doubt there will be efficiency in the revenue collection process, once everybody can complete their filings. This should be another area of efficiency in Government.

Sir, I believe as well we need to have a similar exercise with the National Insurance Department. It is a challenge over the course of the year, in ensuring that 100 per cent of businesses paid their national insurance returns as well as a number of self-employed persons. That is an area we have to look at in terms of increasing the productivity within our country and the National Insurance.

Sir, for too long, we have had challenges. A number of constituents complained that they have been unable to get their unemployment benefits, because the employer had not paid over the appropriate amount of national insurance to the National Insurance Department. This is an area that

is grossly unsatisfactory. We need obviously to be able to review the systems and procedures as far as that collection is concerned.

If a company, or an individual cannot pay the first two months of their contribution, once you fall into one, or two months of arrears, chances are you are not going to be able to meet that third and fourth payment, and there should be a mechanism in place to flag that particular company, or individual, so that workers are not disadvantaged in the event they are laid off at any point.

Sir, we need to look at the systems we have in place for the collection of those revenues. If that is done, obviously it will be less likely that rates will have to be increased, because everybody will be paying their fair share of the National Insurance.

In addition, the fact that we can flag delinquent businesses in a timely manner, would also give those businesses an opportunity to come into the National Insurance Department and dialogue.

This Government, as you know, has put in place a system where companies who are financially challenged at this time, and are unable to meet the full payment of their national insurance, can come in and effectively have a loan put in place so that contributions will go into the form of a loan to that particular enterprise, and that enterprise will be able to repay that loan once the economy turns around over an agreed period of time. Sir, we need to be able to address those issues.

The point that I am trying to make is, there are a number of systems within the Public Service that are in need of review to get around, in some cases, the bureaucracy within the system, thereby increasing the efficiencies in terms of the collection processes and so on.

Sir, I know that sometimes the whole question of delivery of service has challenged Governments. We have had situations over time where Governments have created organisations such as the Rural Development Commission and Urban Development Commission, as mechanisms to get necessary services more speedily out to citizens.

We have, also as Governments, used companies like the Grantley Adams International Airport to improve effective services in areas that are sensitive public areas, that the services can run efficiently without some of the bureaucracy that may exist within the Public Service.

3.50 p.m.

Mr. Speaker, we have to recognise that as persons managing those institutions, in terms of trying to get the speedy delivery of services, there is always the temptation

of persons who are put in leadership roles to try to circumvent some of the internal controls that are established within those systems.

I think one Honourable Member in the Chamber this morning referred to the whole question of micro managing in some of the institutions, and we need to be able to recognise that some of those private sector habits that we have, are sometimes caused by the fact that our private sector in Barbados is predominantly made up of companies where the directorships and management, in a number of cases, are embodied in one individual, and that certainly creates an environment in the private sector, where systems are often bypassed. Since all doors lead to that one individual, sometimes there is a breakdown in the internal controls and the internal check procedures to safeguard the assets of the particular company.

Mr. Speaker, sometimes in our zeal to deliver services, persons who are put in directorships within these Government institutions, are often tempted to bring some of those bad habits into the application of carrying out their responsibilities.

We have at all times to ensure that persons are following the procedures that have been set up and ensure that we recognise these are Government funds that are being managed and not our own personal funds.

Mr. Speaker, we have seen examples over the past years where we have mismanagement at the same UDC, mismanagement at RDC, challenges with the Hardwood Company and absence of adequate documentation to support the transactions that the Corporation, or the institution has undertaken, during the course of the year.

Mr. Speaker, that absence of documentation can be a challenge to the best auditor in the world. If we do not have the evidence, then we will have problems, similar to what we have seen.

Mr. Speaker, we have heard Ministers at different points in time with responsibility for the UDC and RDC, come in and speak about files that cannot be found, files that went to the incinerator and computers that have gone missing. Mr. Speaker, we have seen the whole gamut of problems, so it is important that we ensure that there are proper systems.

Sir, sometimes when we look at the Public Service, we are tolerant with the checks and balances that have been put in place to safeguard the assets of our country. Nevertheless, as I said, we need to constantly review those systems to ensure that the level of bureaucracy, or that the checks and balances, while being kept in place, are efficient in the manner in which they work.

Mr. Speaker, those are some of the challenges that I see from my perspective with this Public Service Amendment Bill.

Mr. Speaker, I note as well that the amendments speak to the whole question of discipline within the Royal Barbados Police Force and the Barbados Fire Service, to the extent that the particular wrongdoings are not covered by the principal Act.

Mr. Speaker, I note and welcome this particular change so that the opportunities for discipline can be dealt with, in a more timely manner.

Mr. Speaker, with those few words, I want to commend these amendments to the Public Service Act to this Honourable Chamber.

I thank you for the opportunity to speak, sir.

Asides.

Mr. SPEAKER: The Honourable Member for Christ Church East.

Dr. The Hon. D. S. LOWE: Thank you, Mr. Speaker.

Mr. Speaker, as I listened to this debate over the last two sessions, I thought to myself that it would be necessary to make a brief intervention and certainly, my intervention is no indication of the thoroughness with which this matter has been dealt with so far.

Mr. Speaker, on Both Sides of the isle, contributions have been made to highlight matters relating to this Public Service Amendment Bill.

Mr. Speaker, I had pondered over the last few days, by asking myself what is it that we really want the public servants to know about where this Government is going, and how the partnership between the Government and the Public Service should emerge.

Mr. Speaker, the truth is that we believe it is important that the Public Service knows the Government is very aware of the role it must play in the Administration of Government, and the role it must play in assisting the political directorate to achieve its policy mandates.

We have said, and sometimes we have said it casually, that Government is a continuum, Mr. Speaker, and we also should acknowledge that in order for that continuum to be in effect, the public must serve as that thread that keeps the Public Service moving, in spite of political change.

Sir, to keep Government and governing uninterrupted, the Public Service must be allowed to play its role.

Mr. Speaker, that role should encompass all aspects of governing the country, and it should also include not only the internal customers of Government, but the external customers, those persons that we seek to serve day in and day out, who are not public servants.

The political directorate, Mr. Speaker, must place its faith in the Public Service. We have heard that in this debate and we acknowledge that and accept it as critical to the process of governing.

4.00 p.m.

Mr. Speaker, the Public Service must be committed to helping the political directorate of the day to develop and deliver its policies in spite of whatever unique beliefs public servants may in fact hold, and rightfully they should hold those beliefs.

Mr. Speaker, that is why there must be a carefully cultivated nexus between the Public Service and the political directorate. That link that holds these two critical systems together are in a relationship that is seamless, where the political directorate enables the Public Service to carry out its functions, and where the Public Service works to enable the political directorate to deliver its policies according to the Rule of Law.

The Public Service has been defined differently by different theorists. For one, the Public Service is seen as a system that aims to deliver highly qualified and high quality advice and support to Government.

Our Government is only two years old. Many of us are in this role for the very first time and we rely heavily on the advice of the Public Service and public servants in general, to guide us through this never-ending maze we call the Public Service and we call government.

Mr. Speaker, the truth is that as we move this country forward, this country's identity as a Government system is largely developed by the Public Service.

Public servants over the years, and as far back as history would trace the emergence of the Public Service, have worked to shape how the country does its business and to create a kind of fashion that guide the way we do what we do in the service.

Mr. Speaker, another defined the Public Service as a system that seeks to deliver leading-edge Public Services to the masses. Yet another sees the Public Service as an

institution guided by a set of core values that should be embraced by all who practise in the Public Service.

These core values, Mr. Speaker, are the cornerstones of the relationship that exist between the political directorate and the Public Service, but that have such a far-reaching effect on how the country operates with regard to matters relating to accountability, governance, et cetera. What we highlight these core values to be, would be honesty and objectivity. We expect the business of the Public Service to be done in honesty, and we expect public servants as well as members of the political directorate to be objective in how they conduct their business. There are also the core values of fairness, integrity, accountability, transparency and respect for every individual.

Mr. Speaker, if these values are to take root within the corridors of the Public Service, and if the Public Service is to be a predictable entity within the bowels of Government, then it means that we have to share these values, and we have to allow these values to become part and parcel of the culture of the Public Service.

Sir, the Public Service has a culture, a personality and a set of rubrics that guide its behaviour. The Public Service is in fact a pronounced public culture that allows for not only the defining, but the defending of the rules of the Public Service.

Mr. Speaker, when we think of culture, culture does not emerge unless there is a value system. A value system, Mr. Speaker, is that mechanism that guides our beliefs and that in fact gives life to our beliefs. It gives life to what we feel, and how we feel about what we feel, and what we do, and why we do what we do. Therefore, the Public Service is so uniquely defined by that culture that there are sets of Laws... that is why we are in this debate to contemplate elements of the Public Service Laws and to see where we need to refurbish, enhance, and change in some respect, and see where we need to build a stronger system, a system that is indeed necessary for us to be able to conduct the business of Government.

Mr. Speaker, the culture in the Public Service refers to the norms, those normative behaviours that are expected of all public servants. I hesitate, Mr. Speaker, to draw distinction between the ranks of the Public Service because at the end of the day, all public servants must be encouraged to execute their responsibilities with honour and for love of country.

All public servants, regardless of if they are Permanent Secretaries, or messengers and drivers, wherever they stand in that spectrum, are expected to execute their responsibility with the same level of dedication and fervour as anyone else on any other rung of the Public Service ladder.

Mr. Speaker, I would want to express my deepest appreciation for the public servants who assist day after day in driving the agenda of the Ministry of the Environment, Water Resources and Drainage. It is not always easy and at times, we have sharp differences on how things should and should not be done but, Mr. Speaker, at the end of the day, what is recognised is that the Public Service and the public servant each has a role to play and that role should be played in an unencumbered fashion.

Very often as inexperienced as some of us are, we are forced to rethink our own positions on different aspects of Ministries business and are forced to go back and say, listen, maybe I was wrong and we need to relook this and we need to move in that direction that was previously recommended.

Mr. Speaker, the relationship has to be one that is built. The relationship has to be one that is cultivated and one that is nurtured, because we recognise that you cannot execute the business of your Ministry unless you rely heavily on the role and work of the public servants. You cannot be successful in executing the Government's policy unless you create an enabling environment that allows public servants to freely express their views, and to freely guide the process as they should be allowed to do.

Mr. Speaker, that is why I pause to thank those public servants in the Ministry of the Environment and indeed, all of those public servants whom we interact with from day to day across the Government system, because they serve to provide the kind of guidance that would allow for the success of Government.

Mr. Speaker, I have no difficulty in people expressing their views. I say all the time that the public servants have the right to own the process as it relates to the delivery of Government's policy but, at the end of the day, the Minister has the responsibility to ensure that when the business of the Ministry is conducted, and it comes the time to giving account for what has, or has not happened, that the Minister realises that he has to stand very often alone to give that account.

Mr. Speaker, it therefore should not be a relationship where there is really a divide based on power, it should really be a relationship where we understand that the success of one requires the full participation of all, and that the praises given to one indeed are praises belonging to all.

Mr. Speaker, that is the journey we try to take.

4.10 p.m.

Mr. Speaker, the norms of the Public Service refer to standards, it refers to the way we do business. Sir,

standards by their nature are predictable entities. There are predictable rules that if we do it this way here, and we go to the north to another entity of the Public Service, we expect the same standard to prevail.

Sir, what kind of Public Service do we want to see going across time? We want to see a Public Service that its culture is so defined by the norms and standards it holds, and that it is also defined by such practises that determine whether, or not Government succeeds or fails.

Mr. Speaker, I would also pause to say that public servants make you aware very quickly that while you are transient, many of them are permanent. Therefore, you take a lesson from that, because if your journey is only for a moment, at the end of the day, the success of the country's agenda has constantly to rest in the bosoms of those who would be around, perhaps long after you have gone.

Sir, I am often amused when I hear people say: "Minister, just keep in mind that when you put things in place, other Ministers will come and sometimes make adjustments." Therefore, the public servant has to be as nimble enough to make adjustments, but what should remain stable is for love of country first. Sir, that should be at the heart of why all of us do business in this country, relative to the goodwill of this country. Therefore, the culture is made up of norms, standards, practices and specific roles of the public servants.

Sir, I ask myself, how do we want to see the Public Service further developed during this time? Indeed, the public servants role is one of learning and development in the Public Service. Sir, even now during these lean times, we still have to make sure that there is a constant replenishment of knowledge and that public servants continue to be given the opportunity to develop themselves, for nothing defeats high morale more so than when a worker realises that it does not matter what depth of contribution he or she makes, that there never seems to be an opportunity for development.

Mr. Speaker, I would like to see a Public Sector that continues to invest in the development of its workers. I have made the point in my Ministry that I would like to see the day comes when more public officers would have the opportunity to be exposed to international experiences because they make the Ministry richer when they do.

Sir, I do not look too fancifully on situations where one, two or three officers get to do all of the travelling, all of which is necessary, while other important persons who develop Cabinet Papers and who make substantive contributions to the success of those travels never seem to get the opportunity to get their own learning and development going as others do.

Mr. Speaker, I think this is important, because the Public Service is not just a group of public servants, it is not just defined by senior public servants. The Public Service is the end to end, the sum total of all those thousands of persons who come to work every day to make a Government work. Sir, this Government is about supporting every single one of them, from top to bottom.

Mr. Speaker, the role of the Public Service is not only learning and development, it is also about socialisation. It is also about political socialisation. It is about public socialisation. It is about how do you take a young public servant who now enters the service and expose that individual to the best qualities that make the Public Service. It is about who is responsible for the monitoring, the coaching and the guidance. It is about who is responsible for helping them to get through those early years, or early months in the Public Service, so that they are nurtured by individuals who represent best practices in the Public Service.

Mr. Speaker, there must be a distinct defining role where the Public Service takes upon itself the responsibility for ensuring that once you come into its doors, that there is an abiding opportunity for you to have interaction with those persons who would give you the best possible opportunities for learning, for development, for attitude development, for self-development and those important elements of one's own maturation within the Public Service. It is also about monitoring and evaluating the performance of the Public Service.

Mr. Speaker, let us agree for the purpose of this debate that there are persons in the Public Service who do not represent its best qualities. Let us agree on that, not for the sake of argument, but for the sake of acknowledgment. Let us agree that there are persons who somehow have missed along the way, they have lost their love for their work and for country, they have lost their purpose and, therefore, they have become individuals who basically hide out in the system. Their contribution is diminished because they have lost their interest.

Mr. Speaker, the Public Service has the responsibility of ensuring that those persons do not become its defining elements and that only those persons who bring the level of enthusiasm, commitment and drive, are the ones who are given the opportunity to influence the development, the work habits and the productivity of our public servants, particularly the younger public servants.

Mr. Speaker, every once in a while, sometimes we joke over in the Ministry, because we get people shuttled in and out so fast, that you do not even get chance to learn their last names. They come in, they go out; they are sent here to act and there to act, and you hope that when they come your way that there is something that can be done to

help concretise their own experience and they own growth and development.

Mr. Speaker, I am saying that the Public Service must have an internal mechanism that is designed to monitor and to evaluate performance and to create those opportunities for recognising the high performance of those civil servants who give 110 per cent, day after day. Those incentives can be no-cash incentives.

I heard the Honourable Member, who sits next to me, talked about those moments of recognising people for their contributions. He talked about the fact that, from time to time, you should find the resources to do something that is out of the ordinary, but that shows that you appreciate people.

Sir, good leadership is about finding the opportunity to tap people on the shoulder and to say that they have done a good job, that they deserve to be recognised for their contributions.

Sir, those are points that we seek to make day in and day out, and it should be part and parcel of the culture of the Public Service.

Mr. Speaker, succession planning is also very important. Sir, never should there be an occasion where there is an officer who has to move up to act, but when you look down the line, you cannot find anyone to move up in that person's place because the opportunity has not been given within the bosom of that particular entity, for those persons to grow and develop and to become part of that whole succession planning process.

I believe that a thriving Public Service is indeed driven by conscientiousness that there needs to be a constant planning for development and for placement, because as individuals move on and move out of the system, there must be those persons who are not just there in body, or in qualification, but must also be there in experience, to be able to take up those critical positions within Ministries and other Agencies.

Mr. Speaker, the role of the Public Service is not just learning and development, it is not just socialisation, it is not just monitoring and evaluating performance, it is not just succession planning, it is also a policy application.

Sir, one of the biggest potential contention between the political directorate and the Public Service sometimes can be matters related to policy application, policy interpretation. Sir, very often I am hearing discussions on who has the right of policy, who should really be responsible. Sir, we say it is the political directorate who has that responsibility.

4.20 p.m.

Sir, you ponder that for one moment and then you realise that there is a large element of truth to that because policy is not stagnant. Sir, there is a policy focus and a policy direction, but for policy to become practices and programmes, then you need the role of the Public Service to help peel policy out into programmes and then to make those programmes applicable to the overall agenda of the Government.

I believe that we need to help our public servants understand the role as it relates to policy application.

Sir, ensuring that Rules and Regulations are followed, is another role of the Public Service.

Mr. Speaker, the guidance of the Chief Accounting Officer is critical. The Chief Accounting Officer is the one who ensures that the Financial Rules are followed. He is the one who ensures that there is strong dynamic management of the affairs of the Ministry. He is the one who should understand and know the history of the Public Service.

Mr. Speaker, the Rules and Regulations to be followed also has to do with the adherence to governance standards, adherence to standard of equity to make sure what is done within the Public Service is fair and gives expression to equity and fairness.

Mr. Speaker, it is about being impartial, it is about really seeking to ensure that when decisions are taken and when advice is given, that it is given within the ambit of objectivity, that it is given impartially and that it is given to A as well as it could be given to B.

Mr. Speaker, another role of the Public Service is about the key relationships that define the Public Service. These relationships are very critical because the essential relationship in the Public Service is the relationship between the Public Service and the political directorate. Sir, that relationship should, first of all, be clear of all political prejudice.

Sir, what is important is that being clear of political prejudice does not mean that an individual does not have the right to embrace their own political preference. What it means is that within the Public Service, what neutralises that political preference is the responsibility of delivering fair and free services in honour of country first, then people, and then other preferences after.

Mr. Speaker, it should not only be clear of political preferences, but this relationship between the Public Service and the political directorate should be free of political interference.

Sir, public servants should be, and must be allowed to carry out their functions without being bull-pistled by the political directorate.

Sir, the annals of history, relative to the course of politics in Barbados, would demonstrate that perhaps the very reason why we are amending this particular Bill, is because there may have been some political interference in that process by them.

Mr. Speaker, without casting aspersions on the Other Side, what we would want to say is that we will map out a path, we will scope a path, Mr. Speaker, that would ensure that public servants are allowed to carry out their duties, and that in carrying out those duties, they should not become intimidated by political pressure.

Mr. SPEAKER: Honourable Member, you have five minutes in which to conclude.

Dr. the Hon. D.S. LOWE: Mr. Speaker, let me rush to conclusion because my time is going. I should also say that this relationship between the public servant and the political directorate must be complementary and not one of contention.

Sir, the Public Service really should compliment the political directorate agenda. It should work to allow a seamless journey from policy to interpretation, to implementation, to evaluation.

What we want, as a Government, is to ensure that our disposition in governing is of such, where it allows for the fostering of that complement and its cause to diminish any threads of contention.

Mr. Speaker, I should also say that the relationship should not be encumbered by political expediency.

Mr. Speaker, I should say in conclusion that any Government who understands the journey of success and who is committed to sustainable development and the sustainable development of a country, realises that the political directorate and the Public Service must work hand in hand to ensure the overall success of the Government.

Mr. Speaker, I should also like to say that in order for that to happen, we have to share, as the political directorate, in the growth and maturation of the Public Service and we have to give those persons who have had the experience, who have given so much to the Public Service, the opportunity to be able to help us to understand better when necessary, the journey that must be taken for sake of country and for love of the Public Service.

Sir, we will not succeed and we will not be able to sustain success unless we work together to make it happen.

Therefore, any amendment that this Government believes is necessary relative to the Public Service Act, this Government will understand those amendments in consultation with the Public Service, and in consultation with other groups of interest, to ensure that the journey from this point forward is a journey that is seamless, it is a journey that is concession-driven, and it is a journey that reaps the kind of success that we believe that we can, in fact, reap.

Mr. Speaker, I thank you.

Mr. SPEAKER: I am obliged. The Honourable Member for the City.

Hon. P. M. T. TODD: Mr. Speaker, I rise to support this Public Service (Amendment) Bill before this Honourable Chamber and to start by agreeing with the Honourable Member from St. Michael Central that we really must ensure that we have the necessary sort of approach to the Public Service as a people, and that we ensure that the morale is at the highest level.

Mr. Speaker, I totally agree with him when he makes the point that a simple exercise such as a Xmas social should be the norm in each Department, even if we have to invite, given the current economic challenges facing the world, the members of staff to pitch in and make a contribution, be it in the form of a monetary contribution, the provision of drinks or edible dishes.

Sir, that Government togetherness is very important because we are a small society and we are really one big family when we compare ourselves with other countries with millions of citizen. We are a limited land mass and our population is small compared to larger countries, so we need to live together as a people, notwithstanding the political divide, but we realise that in the time of national disaster, be it earthquake, hurricanes, floods, tsunamis, or what have you.

4.30 p.m.

We have to remember that we as a people must come together to survive, regardless of political persuasion, race or creed, we are all Barbadians and human beings, and we need to have that sense of togetherness in terms of being proud Barbadians.

I am convinced that the vast majority of public servants of that ilk realise that they are servants of the people, and must work with the given regime of the day to ensure that the will of the people is respected and that national development is made a priority.

Sir, I will go further to highlight some of the social events that could rebuild this morale. For example, I know

that the Ministry of Transport and Works has a social club. I remember attending a cruise on one of the pleasure boats hosted by that club which was well attended. In fact, I have been fortunate to have attended a number of such cruises of other Departments of Government, including the Air Traffic Controllers, the Post Office and the Fire service, which were very well supported by the Prison Wardens. It seems that since the Arch Cot disaster, there is this close affinity between the Prison Wardens and the Fire Service.

Sir, last Saturday, I was at a cruise sponsored by the Police Sports Club, of the Royal Barbados Police Force. I remember going to the Police Sports Club, at Weymouth, singing Karaoke with the officers who were off-duty. They really appreciated that a Minister of Government took the time to mingle with them, to remove the formalities. They did not have to salute me. We were equal Barbadians relaxing to cope with the stresses of our day to day existence. I believe that more such clubs should be promoted and made active in the various Departments.

Sir, within our own Ministry, as part of Education Month, last year, we had a night cricket match between the Ministry's staff and teachers' team, where we had the Senior Education Officers playing in the team. Regardless of their physical conditions, they were able to entertain the crowd, make a few runs and take a few catches and so on, mingling with the general workers as equals, as human beings on this earth. It really helps the morale tremendously. I was even able to sing a Karaoke tune on that occasion and all were very happy to see a Minister was able to humble himself to do what ordinary people do.

Sir, we should not promote this sort of elitism and this class thing, where people think that because you are a Minister of Government, or you are X, Y, Z in a leadership position in a country, that you are holier than I, and everyone should genuflect when you pass. We must remain humble and be your brother's keeper so that we can really respect each other as human beings.

Sir, I would go further in terms of morale. I was fortunate that within a few weeks of the change of Government, after the January 8, 2008, General Election I attended, with other Ministers of Government, I think it was the second Annual Dinner and Awards hosted by the Minister of Labour, and the Honourable Senator in the Other Place, the feature address there, at the then Sherebourne Conference Centre.

I really commend that Ministry for the Dinner Awards where the various Departments within the civil service came together and recognised the outstanding performers in these Departments, where messengers, maids and fire officers were recognised for the high levels of productivity and professionalism.

I believe that the National Initiative for Service Excellence (NISE) would have played a leading role in that regard. Yet there are a number of Government Departments that have not bought into that programme, and I implore them to really get on board.

Through the Permanent Secretaries and other senior officers within the various Ministries, they would have to assess the various employees and submit the necessary reports and nominations, so that their Ministries would be represented in that Annual Dinner and Awards exercise.

Again, as other Honourable Members mentioned, this provides an opportunity to give recognition to these people, regardless to which level of the civil service they are at, to their professionalism, be it punctuality, or going beyond the call of duty, but being good public servants. It does not have to be thousands of dollars, but a simple award.

Sir, I was there and people were dressed in their finest formal wear, and felt very proud to be highlighted publicly for their achievement. This must be, as I said, pervasive and encompass all Departments of Government, bar none. It is a sociological/psychological issue.

Sir, talking about the relationship between the regime that is the political directorate and the Public Service, there is no need in this small society for animosity to thrive because we have the same purpose. We must respect the individuals and respective roles of each player in this process. There are not usually exclusive. As a mathematician, there is an intersection between the two sets. I am saying that once there is mutual respect and understanding of our mutual roles, then it is full steam ahead in terms of the Public Service serving the needs of the masses.

The Honourable Member for Christ Church East mentioned that one the roles of the Public Service is to deliver leading-edge services to the masses. The Honourable Member for St. James North, in his presentation, suggested that this Administration was perpetuating a feeling of redundancy on the part of Senior Technical Officers and Permanent Secretaries. He accused our Administration of micro-managing the various Ministries. There is no need to promote this sort of contentious relationship between the political Administration and the Public Service.

First of all, let me say that I make no apologies for saying that the will of the people must be respected. We say that we live in a democracy.

We have General Elections every five years, or there about. We are not talking about Party paramount. I am saying people's paramount, paramountcy of the people.

Individual political parties contest General Elections. They have Manifestos which outline the general policy, promises of the various political Parties, so the electorate elects a regime, and they expect that the promises the political Party would have made, would be implemented by and large.

Sir, for example, notwithstanding the fact that the Public Service would assist with the rolling out of the policy.

4.38 p.m.

Sir, once this is understood then, I believe all will be well. It does not mean that you are trying to dominate. It is that you have been given a mandate and you are executing that mandate of the people. The will of the people must not be frustrated by anyone.

Mr. Speaker, in that regard, the electorate would have suffered under the Barbados Labour Party Government of 14 years from 1994 to 2008, where often it was clear to the public that in order for you to get a job in most Government Departments, you had to present a letter from your Barbados Labour Party Member of Parliament. Even when we assumed office, we still had the vestiges of these, where people did not understand that the Government had changed, and there was no need and, therefore, members of the public could freely apply for a job and be given a fair chance of getting a job. Sir, those dark days of political bias are behind us.

Mr. Speaker, I am saying that the Opposition forces should not encourage their supporters, who may be in the Public Service in key sensitive positions, to think that they have a right to continue this suppression of the Democratic Labour Party supporters, or people who do not support the Barbados Labour Party, and do all in their power to deny them an opportunity to get a fair chance of getting work.

The people have decided that those days are over and all and sundry must accept that fact. I assure the public that certainly this Government will not stand by and let anybody use their position, be it in personnel, or whatever leadership position, to discriminate against Democratic Labour Party supporters, or those people who do not support the Barbados Labour Party. I am not saying to do the opposite, but give everyone a fair change.

Mr. Speaker, the people have spoken. The Government has changed and it is full steam ahead.

Mr. Speaker, I heard the Honourable Member for St. George North say a lot, but it was under the Barbados Labour Party regime that we had Calypsonians singing songs like "Wuk for Wuk." The Honourable Member for St. George North will be familiar with that because it was

his opponent that sang that song, but you do not hear any Calypsonians talking about this now that the Democratic Labour Party is in office.

Mr. Speaker, you understand if you want a house, a house spot or a job, all members of the public will be given a fair chance.

Mr. Speaker, in terms of the reform of the civil service, we have to look carefully at the issue of remuneration, because I know there was reclassification done of the civil service, even the days of the Democratic Labour Party Administration prior to the 1994 General Elections. I think that this is an ongoing evolutionary process and we still have some anomalies that can create issues of seniority.

I believe I have heard when the Barbados Labour Party was in office, they had accepted the fact that, for example, the remuneration given to a Minister must be higher than that given to a permanent secretary.

Clearly, if the Permanent Secretary is making much more money than the Minister, they may figure that they have more clout because they are being paid more and the respect for the office of Minister would be diminished.

Mr. Speaker, by the same token, one would expect that when you have situations where, for example, the Chief Education Officer and the Permanent Secretary within the Ministry of Education and Human Resource Development would be at the same remuneration level, we would not wish that to result in no respect for who is in charge and the relationship between the two.

There are similar situations in other Departments, be it the Chief Immigration Officer, the Permanent Secretary in that particular Ministry, and others, where the salary levels of those senior officers are so close that there is no clear delineation, in terms of seniority and you do not want power-plays within the various Ministries, which would frustrate the whole delivery of services to the public.

The public and the people of the country would, therefore, suffer and we would not wish that to persist, so we need to look closely at these areas, and of course, there are various categories of workers who may need upgrading, such as policemen and teachers, and this gives rise to challenges in recruiting well-qualified persons into the civil service.

When you look at senior accountants in the various Ministries, you would expect Chartered Accountants, CPAs, CMAs, ACCAs, but in the private sector they would be paid three and four times what the Senior Accountant in the various Ministries would be paid and so, it is difficult to attract these chartered accountants in the civil service.

Mr. Speaker, we have to be realistic, within Government budgetary limitations, especially in sensitive areas such as Accounting. We want to ensure that best practises, in terms of the strict financial management of the scarce financial resources of the country, are properly guarded. Sir, that is why we have the Governor of the Central Bank being very well paid, even with a chauffeur-driven vehicle, because we know that this is a very important position within the Government and governance of our country. Mr. Speaker, these are issues that we have to face, frankly.

Mr. Speaker, I have taught in the Government Service for at least eight years and I know that then and even now, there is a shortage of geography teachers and mathematics teachers. I remember at 9/11 2003, I was able to be recruited.

Asides.

Hon. P. M. T. TODD: The Opposition does not like to me to talk because they feel the punches that we give them on This Side, but I will not be distracted by their rhetoric. Their conscience bites them whenever I speak.

Mr. Speaker, I know there is a shortage of mathematics teachers, science teachers and geography teachers. I was recruited as a mathematics teacher in 9/11, 2003. The New York Board of Education came down to Barbados and they begged me to go and teach mathematics in New York. All I had to do was get on a plane, but for my love of country and love of politics, I sacrificed the financial rewards therein to serve the people of the City of Bridgetown and the people of Barbados.

Asides.

Mr. SPEAKER: Honourable Members, you are getting a bit too loud, please.

Hon. P. M. T. TODD: I am saying, Mr. Speaker, we have a serious issue of the brain drain, where many of our brightest brains, our graduates from the University of the West Indies and other tertiary institutions, are being lured away, be they doctors, nurses, teachers, to greener pastures, in terms of remuneration, in north America, Great Britain, Europe, even Bermuda and the Cayman Island. Sir, that is why we must always ensure that we train excess personnel in various areas.

I really frowned on the dark days of the Barbados Labour Party Administration, when they deliberately had a hiatus of training for nurses, and we are still recovering from that, where over a number of years, the training programme of nurses was curtailed completely, a very retarded policy of the Barbados Labour Party Government.

Mr. Speaker, I am sure that this Administration would not go down those lines and so, I will ensure that we retrain more graduates, more doctors and so on, so that if we lose any to the brain drain, we will have enough young persons coming forward to be trained so that Barbados would not be devoid of these well-trained persons to really assist in national development. This is a reality.

Mr. Speaker, we have had problems getting Behavioural Change Modification Specialists in the fight against HIV/AIDS. I am not sure if we have gotten one yet, because that is a specialised area and again, we need to have the necessary remuneration levels to attract these people here. I believe they are called Behavioural Change Communication Specialists. These are the realities, Mr. Speaker, specialists in the medical field, such as Urology.

Within the Ministry of Education and Human Resource Development, we are committing millions of dollars in public funds to ensure that national development scholarships are available.

4.50 p.m.

Last year, we sent someone overseas to be trained in urology. These are medical specialists that deal with issues of prostate cancer and so on. There are just one or two urologists in Barbados, and if they go, we could end up with none and many men health would be threatened. These are very key areas for national development if we are going to keep the standard of living in our country and the health of our country at the optimum level. Mr. Speaker, this is a caring Government.

I remember that under the Barbados Labour Party, you hardly ever got a national development scholarship. They made it more and more difficult to get a Barbados scholarship. There was a time when you could have gotten a Barbados Scholarship with less qualifications than what you need today, because successive Barbados Labour Party Governments has increased the grades needed to get a Barbados scholarship to deny Barbadians the opportunity to access the various levels of education that they would wish.

Mr. Speaker, let me just say another thing quickly in terms of the relationship between the political directorate and the Public Service.

I was fortunate to be at the Organisation of American States Ministers of Education Meeting in Quito, Ecuador, just a few months ago and I met the Minister of Education of Belize, a very young bright individual, and in speaking to him he made a point to me that when a new Government assumes office in Belize, our CARICOM neighbour just north of us, they come in with a whole team

of persons equivalent to what we call Permanent Secretaries today.

Mr. Speaker, I am not saying that we have to adopt that completely. I am saying that this is nothing new. In North America, when President Obama won the Presidency, up to now I think he is still in the process of selecting various key persons of his Administration. Hundreds of democrats would come into the Administration in the Government Departments within the United States of America system and run the country alongside the general civil service.

Mr. Speaker, we have to realise therefore, as I said, that the will of the people must not be frustrated. Mr. Speaker, the role of the civil servants, senior or junior, is not to seek to frustrate in a belligerent way the will of the people and the policies and programmes of the Administration, but to get familiar with the Manifesto.

When we assumed office, the first thing we did was to ensure that copies of the Manifesto of the Democratic Labour Party were properly circulated so that the senior civil servants would have the policy framework in front of them and they would assist the various Ministers in implementing this policy. Of course, we expect them to be professional, and if they have certain concerns in terms of how we need to tweak the particular aspects of the policy together, we will work together in a symbiotic way in the interest of the people.

Let me congratulate the Prime Minister, Mr. Speaker, and let the public know that we are again seeking to have seamless and cohesive governance to our country. This is demonstrated by the fact that we have had at least three retreats between the entire Cabinet and the senior civil servants, the Permanent Secretaries, the Chief Education Officer, the Solicitor-General, the Auditor-General and so on, where we came together in an environment where we were not distracted by the day to day activity and worked together as a cohesive unit respecting our respective roles, not condescending and cussing out one another but working together in the interest of Barbados. This is enlightened leadership under the Honourable Member for St. John.

Mr. SPEAKER: Honourable Member, you have five minutes in which to wind up.

Hon. P. M. T. TODD: Mr. Speaker, I assure you that the governance of our country Barbados is in good hands under this Democratic Labour Party Administration.

Mr. Speaker, I notice that in some of the aspects of this amended Act, as the Honourable Member for St. James Central mentioned, is the issue of clarifying discipline within the police force, the fire service and the prison

service. It reminded me of the fact that in the recent situation where a freelance television journalist and photographer, and a still photographer of one of the print media were arrested, the Commissioner of Police at that time made the point that he felt limited in terms of his powers to discipline his subordinates, where just a few dollars in terms of fines were meted out, so we need to look at this seriously in terms of discipline, so that we have proper discipline within the disciplined forces of our country.

That whole issue rendered the Commissioner of Police unable to apply the necessary negative sanction to keep his officers in order in terms of best practises in terms of their service delivery to the public, so this is an issue I think we can look at as time goes on.

Mr. Speaker, in terms of the morale of the public servants, let me just say also that this Administration is taking very seriously the issue of occupational health and safety within the various Government Departments.

Mr. Speaker, I acted as Minister of Health for a few days for the Honourable Member for St. Philip West and I was amazed that that Jemmotts Lane complex which houses the Minister's office was dilapidated. We had just assumed office.

Mr. Speaker, the Barbados Labour Party held the reigns of Government for 14 years and the former Prime Minister was supposed to be a very good friend of the former Minister of Health and that is how he treated him and had him in substandard conditions.

Mr. Speaker, there is this complex called sick building syndrome. There is a condition called "housitosis" where you have a concentration of dust mites in these sick buildings that could cause serious respiratory illness.

Even in this Chamber, Mr. Speaker, our Administration has risen to the occasion and has installed these wonderful air purifiers, so that the Honourable Member for St. Peter would not have the excuse of saying that the atmosphere affects his sinuses, so he is not coming into the House. He has to find another excuse why he cannot sit next to the Honourable Member for St. Michael North East for too long a period.

Mr. Speaker, we are going further. We have moved the people from the Welfare Department. I remember touring that Department at Bay Street when I was in the Ministry of Social Care and rodents were running through the ceiling of that building.

Mr. Speaker, the Barbados Labour Party laughs whenever we have to say anything about rodents.

A few weeks ago, I went to the funeral of a constituent of mine, a young woman, who died from leptospirosis. The Barbados Labour Party is laughing, but the people are not laughing, they condemned the arrogance of the Barbados Labour Party in terms of keeping Bridgetown and the Government buildings clean and free of these disease-bearing vectors.

Mr. Speaker, this Administration is building two new buildings at Warrens for our public servants so that a lot of these sick building issues within the civil service would be addressed.

The Prime Minister personally took an entire day visiting the various Government offices that had serious issues and ensuring that these issues are dealt with in a timely manner.

Mr. SPEAKER: Honourable Member, please wind up.

Hon. P. M. T. TODD: Mr. Speaker, I thank you for your patience and I say long live the Democratic Labour Party Government as we move our country forward in the new year.

I thank you.

Mr. SPEAKER: Yes, Honourable Member for St. Michael North East.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, there was a time when the speeches in debates amending legislation, or passing legislation would have to have some level of contact with the Bill which is before the Honourable Chamber. I am not so sure that the last Honourable Member who spoke would have remembered that was a rule of this Honourable Chamber, but suffice it to say that it is an unfortunate thing.

Hon. P. M. T. TODD: On a point of order. The Honourable Member is misleading the House, because in her submission that my speech did not contact with the Bill is casting aspersions on your ability to Chair this Chamber, and I am sure that you would not have allowed me to stray from the Bill.

5.00 p.m.

Mr. SPEAKER: Honourable Member, I do not see it as that, but let me say that if the Rule with respect to relevance was strictly enforced, a number of Honourable Members would not be allowed to speak and that includes Honourable Members on the Other Side. Let us not bother about us. Let us move on.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I am aware that while your Lordship has not sat on the Bench, in your role as Speaker of this Honourable House, you have developed talents akin to those who serve on the Bench, talents which may otherwise be described as judicial deafness when required.

Sir, may I say that the Bill which is before this Honourable Chamber serves to do two things, and let us be clear about it.

Sir, first, there is an attempt to give the Democratic Labour Party Government greater leeway in terms of the provision of jobs within the Public Service.

Secondly, the rest of the Bill represents simply amendments that are intended to clean up prepositions and to replace words that are akin to each other and so would be a form of housekeeping.

Mr. Speaker, I make this point because the Honourable Member for Christ Church West Central would have suggested that the substantive Act that is being amended was of such a terrible nature, that this Bill had to come to correct all of the wrongs. I will come to the Intent that is clouded by the rest of the Bill.

Sir, there is no better way I know than to go through the amending clauses of this Bill one by one, to prove the point to the listening public who, unlike Honourable Members of this Assembly, do not have a copy of the Bill, or the substantive Act.

Sir, we have heard all kinds of things in here in this debate, 95 per cent of which bear no relationship to the actual substantive amendments.

Mr. Speaker, do not get me wrong, in fact, I believe the Honourable Member for St. Philip West and a few Honourable Members may have spoken about some things that they would like to see in a reformed Public Service, and I praise them for that, just as others on Our Side have spoken about things we would like to see in a reformed Public Service.

Mr. Speaker, I would want to say that those statements made in here in this debate bear no relationship to the actual amendments that are here. They constitute nothing more than a desire for the future. Therefore, lest the improper perception is created that this set of amendments is creating that basis for a reformed Public Service, let us come straight back down to what this amending Bill does. Let us look at it very quickly, and I will choose the first few clauses to make the point.

Sir, Clause 2 of the Bill deals with definitions, definitions that are just tidying up what were there before

in this particular Act, in relation to the definition of what does it means. Sir, the word “days” means working days. The definition of “Code of Discipline,” means the Code of Discipline set out in the Third Schedule. Sir, these are all housekeeping matters.

At Clause 3, Section 5(1) of the principal Act is amended by deleting subparagraph (i) of (c) and substituting the following:

“(i) recruitment to or promotion in the service.”

What does that say in the substantive Act? The substantive Act says, “recruitment or promotion in the service.” What does the amendment now say? It says to delete that section and insert “recruitment to or promotion in the service.” Therefore, they have put in the appropriate prepositions, the word “to” and the word “in”. Sir, other than that, it is the same section.

At Clause 4, Section 6 (1) of the principal Act is amended in paragraph (b), by inserting immediately after the word “designated” after the words “in writing.”

What does Section 6 of the main Act says. It says:

6.(1) “There shall be a Head of the Public Service who

(a) shall be the holder of the office of Permanent Secretary; and

(b) shall be designated as Head of the Civil Service by the Prime Minister in his own discretion.”

Mr. Speaker, this amendment puts in the words “in writing”.

At Clause 5 of this Amendment says Section 11 of the principal Act is amended by deleting the introductory words of subsection (1) and substituting the following:

“11. (1) The following Codes for the Public Service are hereby established.”

Mr. Speaker, what does Section 11 of the principal Act now says? It says:

“11. (1) There is hereby established for the Public Service the following Codes:

(a) the Recruitment and Employment Code that governs the methods to be used in recruitment and promotion in the Service.”

Mr. Speaker, they have replaced “There is hereby established for the Public Service the following Code” with

the sentence, “The following Codes of the Public Service are hereby established.” Mr. Speaker, this is just changing the verb making it passive.

At Section 6. Section 12 of the principal Act is deleted and the following is substituted.

“12.(1) Where an officer or employee is aggrieved by any action or decision of

(a) a person appointed by the Commission who has or who had supervisory powers over that person;

(b) a person other than a person referred to in paragraph (a) who has supervisory powers in respect of the employment of that person; or

(c) a fellow employee, the officer or employee may invoke the procedure with respect to grievance handling that is set out in the Fourth Schedule.”

Mr. Speaker, when you look at the two Section 12s, the only difference is the word “person” in Section 12.(1) (b) of the amending Bill. Whereas, in the main Act, it says:

“(b) a person other than a person referred to in paragraph (a) who has supervisory powers in respect of the employment of that person.”

Mr. Speaker, what does the new amendment says? It says:

“(b) a person other than a person referred to in paragraph (a) who has supervisory powers in respect of the employment...” - new words - “of that person.”

Mr. Speaker, I could go on clause by clause. and every single amendment in this amending Bill, with the exception of the three amendments that I will now come to.

Sir, for those who do not have the benefit of the Bill, let me tell you how many a clauses are there. There are 17 amending clauses and every single one, with the exception of three, are to replace a word, to add a preposition, or to invert from passive to active. Sir, that is what is before this Honourable House today as a substantive reform of what has been described as a wicked and heinous Public Service Act, 2007.

Mr. Speaker, if ever there was a disconnect between what a Government says and what a Government does, it is in this legislation. Sir, before I say that, let me say that there are a lot of symmetry and similarity, because this is a Government that is wonderful at setting targets but has not developed the art of being able to execute the strategy to reach those targets. Sir, we see it in the economy, we see it in the social services, we now see it in the passage of this

legislation, supposedly to bring these wonderful amendments, which are not there.

Mr. Speaker, there are three substantive amendments and it is the intention behind two of those three amendments and the cavalier attitude towards the third amendment that should cause us to be concerned in this Parliament here today. Sir, I speak specifically of Clause 8 that is intended to amend Section 14 of the Act.

Sir, Section 14 of the principal Act was the part of the Act that we tried as a Government, to bring some transparency to the creation of temporary posts in the Public Service.

Prior to 1974, the Prime Minister did not have the power to create temporary posts in the Public Service. We recognised - although we may say late, but it was recognised and I believe this fervently - that power to create temporary posts in large numbers, has led to a weakening of the Public Service and the quality delivered by the Public Service, largely because it saw a shift away from meritocracy to one in which political support and favour was the order of the day. Sir, this was done across both Parties, across all Governments since 1974.

5.10 p.m.

Sir, what took place in here was an attempt to be able to bring back some level of transparency. It has not taken away the powers completely because the Prime Minister or the Minister of Establishment still has the power to create the temporary post, but it is now subject to scrutiny, because under the substantive Act, any post so created must have been created by Order, and by Order means it would have to be gazetted and it would be known to the entire public.

Mr. Speaker, I ask myself the question: Why would those two words be removed from Section 14 of the Act? Sir, in Clause 8 of the Bill it says that Section 14 of the Principal Act is amended in Subsection 1 by deleting the words "by order".

Sir, the only conclusion I could reasonably come to was to be able to allow the Minister of Establishment to be able to create temporary posts in the dark of night without having to subject themselves to the scrutiny of the entire public of Barbados by these posts being put into the Official Gazette.

Mr. Speaker, this is an Act that sought to make that distinction, and to bring back some central grounding in terms of creating the meritocracy in the Public Service, by having a new Recruitment Code, and by having a clear Code of Conduct.

Sir, all of these things are designed to be able to lift those standards to be able to give you a Public Service that is based on those precepts.

Mr. Speaker, this Government today seeks to remove that process of transparency by taking out the words "by order" and removing the obligation of the Minister of establishment by creating post "by order" in Public Service.

Hon. D. J. H. THOMPSON: Mr. Speaker, on a point of order. The Honourable Member is misleading the House.

Hon. Miss M. A. MOTTLEY: The Prime Minister might seek to rely on that delusion in his mind that he is protecting the Honourable Member for St. Peter to hide the fact that he is now reversing the transparency that the very Honourable Member for St. Peter presided over as Chairman of Cabinet to ensure that it became part of the Laws of this country, because he feared a day may well come when a Minister....

Hon. D. J. H. THOMPSON: Mr. Speaker, on a point of order. The Honourable Member is misleading the House.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I have been in this House long enough to know when comments that you are making are hitting home. The Prime Minister can rest assured that if I had any intention to tarnish an image, it would be his for trying to create a red herring and then knocking it down.

Sir, I go back to my point that this system, which was passed in December 2007, and became the Law to put some transparency in the system is now being reversed, not by the Honourable Member for St. Peter, not by any member of the Barbados Labour Party but by this Prime Minister and Ministry of Establishment.

Sir, it is his intention to want to create posts - he used the word "secret" and I suppose I could use that as easily as in the dark of the night - in a way that runs counter to every other substantive provision in the 2007, Act and I go on.

Mr. Speaker, therefore, when you hear that there is some desire to help and to improve the Public Service and you hear all the other Members talking, you ask yourself, whether they have read these amendments, or is it that they are happy with removing the transparency in this legislation such that there would be politicisation again in respect of the creation of the post.

Mr. Speaker, that is only Part 1. Sir, Part 2 comes in relation to the lengthening of the time-lines for which persons can be now appointed to temporary posts without

advertisement and without being subject to the Recruitment Code.

Sir, before you could, under this Act, put in someone only for three months, but under these provisions, this now allows you to put in that person without having to adhere to the Recruitment Code for up to 12 months.

Mr. Speaker, it is our contention that when you take the combination of the removal of transparency in the creation of temporary posts and you also look at the fact that it is now open for persons to be appointed to those post for up to 12 months, then it is clear that to the extent that there is any substance in this Bill at all, in those two provisions, it is to enlargen and to empower the Democratic Labour Party Government in its desire to continue the politicisation of the Public Service.

Mr. Speaker, I have said that I do not believe that is the proper approach. I feel strongly that the comparative advantage of the Barbados' economy and the reason for our improvement in the quality of life, has largely come as a result of having, for the majority of the 20th century, one of the better Public Services in the region and in the Commonwealth.

Mr. Speaker, I go further and make the point that while it has worked well for us for the most part since Independence, and while we have thousands of excellent public servants, many of the systems under which they function are ancient and inappropriate for modern Barbados.

Sir, those are the areas that I would like to think that the Government would be focusing on instead of seeking to do a reversal of those mechanisms for transparency that are in this Bill.

5.20 p.m.

Sir, you heard me speak about them being opposed or at least cavalier to a section, and what is that section? Sir, the repeal of the section that empowers the Public Service Commission to employ persons who have criminal convictions is a step in, my view, that is backward, and that will come to haunt this Government and the people of this country, who for some reason may have had some brush with the Law in the previous past. Let us go through what is the situation.

While the previous Law may have been silent on it, the Regulations clearly showed, and I am referring to the Service Commissions Public Service Regulations, 1978, at Regulation 22, that: "any person who became convicted of an offence while employed by the Public Service of Barbados ran the risk of dismissal" as one of the options that the Public Service had in terms of dealing with them.

Sir, many of us know of circumstances where people were suspended, they ended up being convicted. Once convicted, in many instances, they were in fact removed from the Public Service.

Sir, the practice and convention which in Law sometimes has as much force as written Law, no person was employed in the Public Service of Barbados so long as they had a conviction. That was largely because most of those persons would have been employed as casual workers.

Once the post of casual workers was abolished, the reality is, it became known that there was a practice developing where people who had previous brushes with the Law were having difficulties getting employment. That was why this section was placed in the Act deliberately to supplement the Service Commission's Regulation which was silent on employment with a conviction.

The Service Commission's Regulation spoke about the possibility of dismissal once employed, but the practice in the Convention as you would have been advised by the Head of the Civil Service and previous Heads of the Civil Service, was that persons who had convictions were not employed as public servants. They had been employed always as casual workers, working at the Ministry of Transport and Works and various other Departments, dismissible at pleasure within one day.

Asides.

Hon. Miss M. A. MOTTLEY: Sir, I am hearing 'sotto voce', nonsense. Sir, you can speak to every single Head of the Civil Service who is still alive. That is the reality of employment within the public service.

In order, therefore, to ensure that those persons who were casual workers, but who became public servants, by reason of the Barbados Labour Party saying that it was not fair, that those persons could not go out and borrow money, or get a mortgage, because they were dismissible within twenty-four hours, in a cooler developed, that while governed by practice and convention, and not written Law, saw that the majority of persons going forward with convictions were not getting employment in the Public Service of Barbados.

It was the deliberate intention and policy of the Barbados Labour Party that the message had to be sent that the Public Service Commission was empowered to still employ those persons, even if there is a brush with the Law.

Sir, a fellow as a teenager threw rocks across the highway, somebody got injured, that conviction is there with him. Is that now to prevent him after he has a degree

from getting a job in the Public Service? People who get themselves into all kinds of incidents, but who have stayed out of it for years, in some incidents decades, are they to be prevented from working in the Public Service of Barbados in a job which has no relationship to the conviction that they have?

Is this Government so proud, that having had this fact drawn to their attention, they are not prepared to send the message, because the Prime Minister said in here last week that he believes that people from his Constituency who may have had a brush with the Law should be employed.

The reality is, that by removing this empowering section you gain nothing, but by removing it, the message goes that the practice and convention that saw people being precluded from being hired from public servants...

Hon. D. J. H. THOMPSON: On a point of order. The Honourable Member is misrepresenting me. Therefore, if she seeks to quote me, she should quote what I said. I said that I know of people in my Constituency who have criminal offences who have been employed, and in my view it should not be left to the discretion of any interviewing officer to determine whether somebody who has a previous criminal conviction should be employed. That is why I support the removal of the section in the Act.

I never said that I support people in my Constituency to give the impression that I am only dealing with them.

I have a general view of the issue whether it is my constituents, or your constituents. I know some who have been employed who I represented, and who had criminal convictions prior to the passage of that legislation who were supporters of the Democratic Labour Party and, of course, after the conviction became supportive of the Barbados Labour Party and got jobs under a Barbados Labour Party Government.

Sir, this idea that people who have criminal convictions were not being employed is wrong. I know that the Honourable Member for St. Michael North East knows whom I speak of, at least one instance, not one conviction, a litany of convictions. I represented him in about five, the Honourable Member for St. Michael North in about three, and I can list other attorneys, including the Honourable Member for St. Michael North East.

Mr. SPEAKER: Honourable Member, your time has virtually expired. Please, conclude.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, my time could only expire because of the interruptions. Sir, we will talk every day on this, we do not mind.

Sir, let me also say this. The Honourable Prime Minister should remember correctly, because the gentleman to whom he is referring, when he badly represented him and led to his conviction, was, in fact, not employed by Government, but in fact employed by a construction company. In fact, the poor young man only became a Barbados Labour Party supporter when he realised how badly he was represented by the Honourable Member for St. John. We shall not deal with that.

Sir, the reality is, these matters are clearly hitting home, and you cannot have a section removed - what does the section say? That people are prevented from being employed? It does not say so. Section 3 of the First Schedule, in the Recruitment and Employment Code:

“ The Service Commission may recommend the employment of a person who has a criminal conviction where it is satisfied that person with a criminal conviction is suitably qualified and is otherwise a suitable candidate.”

Why would a Government remove this section that gives the Service Commission the power to give people who have had a brush with the Law another life, another opportunity to earn a living? It is for this reason, along with the removal of the transparency in the Public Service Act, by the removal of the words “by order”, reverting us to a situation which we wanted to move away from, that the Barbados Labour Party cannot support these amendments.

If the Government is prepared in Committee to put back in the words “by order”, and is also prepared to put back in this amendment that empowers the Service Commission to hire people who have convictions, then we will support it.

5.30 p.m.

I would not know, or would any Honourable Member on This Side would know how to look at our constituents, many of whom recognise that if they had a brush with the Law, the Government is the employer of last resort for them.

In the absence of casual workers, Mr. Speaker, there is no longer a creature called a “casual worker”. The only way the Government could engage them, is for certainty to prevail because no Minister, or Member of Parliament, sits on the Service Commission and let us remember that policy is not set by the Public Service. Policy is set by the Government, and to the extent that there has been a convention that has been in place for decades, then the courts will rule that the convention also prevails.

I would hate to think that it is a case where this Government has no heart and no empathy for people who need a job, having been convicted. I can, therefore, only

assume that it is false pride, and if it is false pride, then politics is dominating in the management of these affairs in a way that will enure to the detriment of ordinary people, and not to the Honourable Members who sit in this Chamber.

Mr. SPEAKER: Thank you, Honourable Member.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I will wrap up, but I know that I have not gotten back the time and I thank you for the time that has been given. I say that unless those amendments come, the Barbados Labour Party will not be able to support the passage of this legislation, or the companion Constitutional amendment.

Asides.

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

Hon. D. O'N. INNISS: Thank you, Mr. Speaker, I rise to give my support to this amendment before the Chamber, and to do so in a short time.

I sat here and listened to the comments from the Honourable Member for St. Michael North East, and I was a little shocked to see that the Honourable Member would have spent about the first 55 per cent of her time going through some wordings in this amendment. I would have thought and appreciated that as an Attorney-at-Law with seven years standing and one who is now a Q.C., that you would have had a far greater appreciation for the need to bring clarity to some aspects of our legislation.

Certainly the Public Service legislation is one that we must all seek, wherever possible, to ensure there is the greatest degree of clarity. Where such clarity does not exist, we can all expect that individuals who wield the power will certainly find ways of abusing it, as was well exemplified under the 14 years of Barbados Labour Party rule in this country.

It was simply amazing, as one reflects on that show in Parliament in December 2007, when the Honourable Member for St. John and his team literally prorogued Parliament, as a result of the dismal performance of the then Barbados Labour Party Administration, which sought under the cover of darkness, like thieves in the night to ram down the throats of Barbadians, an ill-conceived legislative reform, in respect of a Public Service Amendment, which fortunately for the late Right Excellent Errol Walton Barrow and the Democratic Labour Party's investment in education over the years, educated Barbadians saw beyond that, and gave them the resounding defeat at the polls on January 15, 2008.

Sir, when one says that the current Opposition Members really do not have the moral authority to seek to lead any discussion on public sector reform, one is very serious.

The Honourable Member for St. Michael North East sat in a Cabinet, as Deputy Prime Minister and as a leader in that Party, and watched public servants being vilified, cursed and treated in the most despicable manner for 14 years, so I really stand here very sincere when I say that they have very little moral authority to comment seriously about public sector reform in this country.

We in the Democratic Labour Party Administration campaigned in the last Election about making it right in the public sector. We accept that given the fact, we have almost 30 000 Barbadians employed in that sector, given its importance to development and diversification of our economy, we could not help, but ensure that we provide the right kind of environment, legislatively and otherwise for our public sector to function effectively.

I am amazed when I hear the Honourable Member for St. Michael North East seeking to give the impression that this amendment really and truly does not add a lot of value, and it is a pappy-show and a lot of fluff.

I knew the Honourable Member for many years and I know well of her debating skills and great oratory skills, but at the end of the day, you have to say, where is the beef. The reality about it, she spoke, for example, in one area of shifting the length of time for which temporary employees could be employed from three months to 12 months, and sought to give the impression that this is some kind of political match-up being wielded throughout the civil service to ensure that the political goals of the Democratic Labour Party are well achieved.

The reality about it is that most public servants will tell you, temporary and otherwise, that the three-months condition caused great hardships and a lot of frustration in the Public Service.

Every individual who complained about not being able to receive his, or her money on time, as a temporary worker, could relate that has something to do with perhaps the short time-frame in which by Law, they could have been employed.

If you talk to anyone in the Personnel Administration Department, in the Chief Personnel Officer's office, you would realise the mammoth amount of paperwork and the layers of bureaucracy one has to go through to really and truly ensure that these Lawful temporary employees get all the attendant benefits to which they are entitled.

Obviously, a caring and responsible Government, very cognizant of that challenge, both to the employee and the employers who have to manage the process, would have had to do something about it.

I commend the Honourable Member for St. John, the Attorney-General and others, for bringing us to the point today, where we can say to them that instead of three months, they have up to twelve months. It certainly will lead to increase efficiencies within the Public Service of Barbados, but more importantly lead, I believe, to a reduction in the high level of frustration encountered on a daily basis by these individuals.

I really and truly think the Honourable Member for St. Michael North East ought to know better, and that is a very important aspect of this matter that we are dealing with today.

One of the other issues that arose in this amendment which, I believe, is found in the Third Schedule of the legislation, relates to the matter of the establishment by the Governor-General of Panels to inquire into the misconduct of a serious nature by public officers.

Every one of us who is fortunate to serve as Ministers of Government, and even as politicians and, generally speaking, citizens of this country, knows individuals who have been interdicted and are off from work, sometimes for up to three years, receiving a salary, and you cannot bring any measure of conclusion to such situations.

Sir, to my mind, it is enlightened wisdom that we have reached a stage in Barbados today, in terms of management within the public sector that we can see panels being created to ensure that there is both timely and efficient discussion, and investigation to such allegations against public officers, and ensure that there is transparency in the whole process.

Mr. Speaker, I certainly believe that is indeed a very important aspect of this amendment, which we are dealing with today.

Another important aspect that we really and truly could commend this Administration for, relates to the issue of the disabled individuals within our society, and the opportunity for them to gain meaningful employment in the Public Service. Let us not bury our heads in the sand, if you are differently able in this society, you are treated of course differently.

We have realised that former Administrations have not given a lot of emphasis and genuine and tangible support to the plight of the disabled in this society.

5.40 p.m.

Mr. Speaker, this amendment has clearly defined a person who is disabled within the Public Service recruitment process and also provided a clear opportunity for them to get employment within the Public Service. Mr. Speaker, we must be commended for that initiative and boldness therein.

Mr. Speaker, another area that has challenged the Public Service and public sector reform in this country over time, has been the definition of Departmental heads. That oftentimes crops up when you have legal issues to deal with, particularly in terms of discipline and decision-making.

Mr. Speaker, I certainly believe that there was and is a need to bring a great deal of clarity to that particular situation.

Mr. Speaker, this Government certainly is one that has taken public sector reform as a matter of priority. We recognise that under the former Administration, it was a lot of talk, just as we had from the Honourable Member for St. Michael North East just now, but very little in respect of delivery.

What we had before and which we are seeking to certainly avoid to some extent now, are situations where, for example, a Prime Minister and his team could just get up one day and send home the four heads of Departments of the Queen Elizabeth Hospital.

Mr. Speaker, people must remember that these kinds of tactics and examples exemplify the kind of Public Service or Administration at the highest level of Public Service in Barbados, under the former Administration.

Mr. Speaker, if you talk to any senior public officer in Barbados today who work under the former Administration for 14 years, they would tell you about the cursing and the abusing that they got from former Ministers of that Administration. There was an atmosphere of terror that permeated the Public Service in Barbados. Mr. Speaker, we cannot say that we are serious about Public Sector Reform, or about management and develop a culture of fear throughout the Public Service. It would not get us anywhere.

Mr. Speaker, one of the other issues that we certainly hold dear to in this Administration is in relation to the issue of transparency and accountability in the Public Service.

Anyone who analyses and certainly recognises the importance of the public sector to the development of small open economies, have to accept that wherever possible, we have to strive to recruit the best possible individuals, and

we have to ensure that they are adequately and appropriately deployed across the system, and that measures are in place for evaluation and appraisal of the said officers.

Mr. Speaker, it is that level of thinking, and that kind of culture, that we need to bring to a modern-day Public Service in Barbados.

Mr. Speaker, there are several challenges that have confronted the Barbados Public Service over the years. I have certainly been one to have made some comments about them over time. Perhaps that is borne out of my passion for public sector management, that having been my area of study at undergraduate level.

Mr. Speaker, we have been challenged over the years by the hierarchic structure of our bureaucracy, the level of red tape and the attendant excessive delays in decision-making in the Public Service. We have somewhat been challenged by the centralised nature of the service, which has also resulted in some stifling of initiatives and somewhat of a disinclination to delegate across the board. On the operational side, that has oftentimes resulted in costly undertakings, lengthy decision-making and a level of frustration particularly by those whom we seek to serve.

Mr. Speaker, all of these are issues that we have to bring to the table occasionally in debates like these and work together collectively with the public officers to ensure that going forward and certainly whenever we demit office that we have left behind a Public Service that we are extremely proud of, one that is delivering at the highest level that can be expected and one that is bringing tremendous economic and other benefits to Barbados.

Mr. Speaker, one of the other issues which has challenged the Public Service over time is the issue of human resource management. Some of these amendments in this legislation here speak to issues regarding recruitment, promotions, appointments, transparency, discipline, et cetera, issues that are fundamental human resource management issues. I have always contended that the Public Service over the years had tended to focus a lot on personnel management and too little on human resource management. There is a fundamental difference between the two.

Mr. Speaker, as a responsible and enlightened Government, we are going to do whatever we can to ensure that we bring to the Public Service of Barbados, a greater degree of seriousness about human resource management, it is needed. At the end of the day, our 30 000 odd public officers are our greatest asset, they are our human resource, and we have to ensure that we develop them to the fullest of their capacity.

Mr. Speaker, as a Government, we have not just talk. For example, we came in and found that public servants were forced to work in some of the most dilapidated and horrifying working conditions.

The Prime Minister asked all of his Ministers and colleagues to ensure that we provide the best possible accommodation for public officers, and we have made tremendous success in that vein.

Mr. Speaker, sometimes people say why are you talking so much about what the former Government did, or did not do, but it is only two years ago that they left office, but for 14 years with all the money in the world that the former Prime Minister had to spend, millions of dollars that he boast about up to now, public officers of Barbados did not have the best physical working conditions to exist in, and you were asking them to produce. To me that is a shining example of the lack of commitment to making it right for public officers in Barbados, even in terms of recruitment.

All of a sudden the Honourable Member for St. Michael North East is concerned about political interference and recruiting political individuals.

Mr. Speaker, let us face reality. As politicians and as Members of Parliament, there is a duty on the part of each and every one of us, to find gainful employment for our constituents and our political supporters. That is the reality, but the former Administration took it to the limit where they even put individuals, 40 and 50 years old, who could only boast of two certificates, their birth and baptism certificates, and membership in the Barbados Labour Party in key positions inside and outside of Barbados.

The Honourable Member for St. Michael North East wants to come in here today and put up a red flag and talk about political interference in the Public Service and this and what not. It was not that when they were in office for 14 years and employing individuals whom the Honourable Member for St. Peter would have perhaps been referring to when he called people riffraffs and goons. All was well. They were washed in the blood of the lamb.

Asides.

Hon. D. O'N. INNIS: Mr. Speaker, we are serious about public sector reform in Barbados. Mr. Speaker, I really and truly believe that the time has come, and certainly we are making bold steps in these amendments, to bring to Barbados a higher level of thinking and appreciation of the importance of the public sector to our economy and attendant to that, the issue of effective public sector management.

Mr. Speaker, we need clear concise legislation which would guide those who are charged with the responsibility of moving the public sector forward. This Government really and truly has done a lot in that area.

Mr. Speaker, there is much more that we have to do. I certainly believe that going forward there would be a clear understanding of the role of non-governmental organisations and civil societies in the delivery of Public Service. I think that is an issue too that we have to debate and grapple with.

There is the issue of developing a new organisational culture for public sector Administration and a lot of other things that we need to grapple with. However, Mr. Speaker, we should not expect that legislative reform is all that you need to bring about a new Public Service in Barbados. It is setting the stage. We are leading by example. We are sending a clear message that this Administration is serious about developing and sustaining a new Public Service.

Mr. Speaker, there are other things that individuals need to do that you cannot legislate. You cannot legislate the fact that anyone who writes to a Government Department should get a response within seven days. You cannot legislate, for example, something that says that when an individual goes to a public office, he, or she should be greeted with a smile and a good morning, good afternoon, how are you. These are fundamental things that cannot be legislated.

5.50 p.m.

However, what we will do as a Government, is provide an enabling environment that allows public officers to feel enthusiastic about their work, so that when they go to work each day, they can greet their customers with a smile, that they can respond to letters in a timely fashion, that they can appreciate that the money that is being spent is their money as well, that it does not come from Mars. We will provide an enabling environment so that they can appreciate and work towards a productive day, each and every day.

Mr. Speaker, as I close, I want to reiterate my earlier point that this Administration is very serious about Public Sector Reform. These amendments are long overdue. We have moved with a sense of purpose and energy in bringing these legislation before Parliament, and I encourage all colleagues to give it their support.

Mr. Speaker, I thank you.

Mr. SPEAKER: The Honourable Member for Christ Church East Central.

Hon. R. D. JONES: Mr. Speaker, first let me commend those individuals on This Side who have spoken on this Bill. This debate was led off by the Honourable Member for St. Michael South, who has laid a historical foundation as to the development of the Civil Service of Barbados.

The Honourable Member touched on the colonial period and working through to the contemporary times that we are in today.

Honourable Members on This Side have been at pains to point out the outstanding contribution of the majority of civil servants of Barbados, persons who have dedicated themselves to the service of the people of Barbados, through their employment in the various Ministries of this country.

Mr. Speaker, in my presentation, one of the things that I do not want to do is to remove the humanity which those public servants possess. Sir, as a result of that particular humanity, you would find that at some times, during the course of the week, the month, or the year, that some of them will be at odds with each other.

One gets the impression that all might be very good, that there are placid waters, but that is not always the case. We are all human-beings and in the mix of everything, you will find sometimes there are raised voices among them. You will find that there are language used among them that might not always be of the best construction. You will find that there are prejudices among them. You will find that there is favoritism among them, because they are human-beings, and as human-beings we are all exposed to the frailties of life. Therefore, I do not want to go through a cleansing process in this debate as though they are not human-beings.

Mr. Speaker, there were many things said. I fully appreciate the contribution made by the Honourable Member for St. Philip West. I thought too that it was quite a profound elucidation on the whole aspect of the Civil Service. I believe we should take a look at what has been said, to be allowed to see what that particular contribution was.

Sir, we recognised that some of the difficulties in the Public Service have to do with labour management relations. There are substantial difficulties, deficits and deficiencies in that area. Some of the individuals who are responsible in the supervisory process seem not to understand how to deal with labour management relations within their particular Ministry or Department.

Sir, that, in itself, must not be seen as a negative, it must be seen as an opportunity for those persons to be exposed to greater levels of training, either through the

Personnel Training Division, the trade unions, or labour unions, to which they are associated and to work within the context of a partnership, to bring about the best way for persons to relate to each other within the working environment.

We also recognised that there are human resource management implications and difficulties within the public sector of Barbados. It is only within the last few number of years that we are getting better trained Human Resource Managers, some of whom are well qualified. We know that some of them would have to learn a lot of the systems of the public sector, but many of them are coming out strictly as practitioners in the whole aspect of human resource management and personnel management within the public sector of Barbados.

Sir, this augers well for the future of the Public Service of Barbados.

Mr. Speaker, we also have manpower planning issues in the Public Service of Barbados, that is why I believe that even at this time, there is some difficulty with filling many of the available posts that are to be filled within the service. It is an extremely long and drawn-out process. It is something on which I know this Government will be working to ensure that there is a shorter period of time to recruit the appropriate persons to fill those various job vacancies within the Public Service of Barbados.

Mr. Speaker, many Honourable Members have spoken to the issue of disciplinary action within the Public Service. We have heard previously many comments, either in this Honourable House and outside, relative to the whole aspect of interdiction, about how do you deal in a fair way with those persons who have been interdicted, how soon should those persons have their hearings, how quickly should they be told about the fundamental breaches and about the level of punishment.

There are still several persons who are left to languish and I believe that for fairness, justice and equity, there must be a mechanism to deal with these issues across the entire civil service.

Mr. Speaker, in the Ministry of Education and Human Resource Development, there are several persons who have been interdicted and we know that based on the process, some have gone on half-pay. We also know that persons suffer on half-pay. If you are innocent, you should be given the opportunity to prove your innocence in a speedy manner, so that you and your family would not suffer as a result of the halving of your salary, but if you are found guilty, then you bear the particular punishment as a result of being found guilty.

Mr. Speaker, I know we would like the ideal type of Civil Service. Those of you attached to sociology schooling would know Max Weber's theory, the bureaucratic model which was fashioned, to some extent, off that military model. Of course, the Civil Service is not a military institution and so it cannot be fashioned in an ideal type. There are too many vagaries that impact on the functioning of the Civil Service of Barbados.

Mr. Speaker, what can we hope to achieve at any given time? We need to have productivity across the entire service. I do not believe that anybody could quarrel about that. We have had instances where senior managers, or junior managers have been unable to speak to anyone further down the line from them.

This is a small society, we recognise that you might live next door, or two, or three houses down from the individual that you supervise. We recognise that there might have been historical differences in the village from which you come.

We recognise that there might have been historical differences between schools, either between individuals in schools, or individuals at the same school because we are part of a small society and people carry sometimes, unfortunately so, prejudices from one stage to the next stage of life. They do not rid their souls of these particular prejudices, therefore, we have a lot of this across the system.

There are civil servants who will tell you that they feel unfairly, or disadvantaged by their supervisor, where that supervisor may have granted a particular privilege to one individual, but has denied that privilege to the other individual.

6.00 p.m.

Mr. Speaker, there are civil servants who would tell you that they have been unfairly, or disadvantaged of by their supervisors, where that supervisor may have granted a particular privilege to one individual, but when you get to the other individual, that privilege is denied, and that there is lack of consistency in the delivery of these "privileges". You might give a particular member of your staff the opportunity to work through lunch so that they could go to the University of the West Indies to advance their studies.

Sir, that is all well and good but then James Saul - a fictitious name, of course - asked for the same opportunity to work through his lunch hour to get to a class at 4.30 p.m., that is denied. You create fractures within the organisation as a result of these inconsistent levels of behaviour.

Sir, we need greater consistency across the entire realm within your Department, within your Ministry.

Mr. Speaker, these are things, as part of your human resources management initiatives, that you must look at.

Mr. Speaker, you have a situation where young persons, or new persons, who might not necessarily be young, or old, they might be in between, would come into a Ministry and might never, ever meet the Permanent Secretary. They are lost in some room so there is no face attached to that person. Sir, that is a part of human relation strategies.

You should know the person, if not by name or whatever, everyone within your Ministry. They should have been in touch with you at least once and more than once. Sir, that gives a feeling to your presence within the organisation. It puts that humanness, that human face to the operation of these particular Ministries. There must be a call, as we chat more and more with the administrative arm of the Ministry, who are supervisors downline to give that face to the Ministry.

Mr. Speaker, earlier we spoke of the frustration some time that civil servants feel. Sir, persons bring from home the difficulties of the environment, or the strengths of the domestic environment, but let us speak more of the difficulties, or challenges of the domestic environment. Sir, they transport those difficulties, or challenges into the workplace, they feel that pressure and they react and respond in a negative way. We have called for those persons to have a smiling face, a clean and a forgiving heart but that in itself is not an easy exercise.

What we must try to do is through training and through patenting of behaviour, ensure that even as you feel stressed, as a servant of the people, you would still be able to give a quality service to those who come before you.

Mr. Speaker, I have had some occasion to make some comment relative to how I see things and how I feel and persons know that when I speak, I speak quite candidly. There are some persons, even on the Floor, who do not understand, or recognise the use of metaphors in particular context to speak in the most basis of manner, without understanding the metaphor used in such context.

Mr. Speaker, I have been in the Ministry of Education for just about two years now and long may it last.

Sir, at this stage now, I work with three Permanent Secretaries. I do not know every single Permanent Secretary across every Ministry because I have not had the opportunity to work with them, but from the time I entered

the Ministry of Education, working with those individuals as Permanent Secretaries, I can speak without contradiction or shadow of a doubt, relative to myself of their high level of professionalism, their keenness to get the work done, their strength and ability to advise and the Minister's ability to listen, or his ability to have conversation. Sir, I want to commend them even though two of them have retired.

Asides.

Hon. R.D. JONES: They were not forced out. They had reached good years of competent service and from this Floor, I would want to commend them for their contribution to the Public Service of Barbados. Sir, I am thankful because they have worked well, they are highly productive and highly focussed.

Mr. Speaker, this is some of the quality that we have had and that we continue to have in the Public Service of Barbados.

Sir, when you go downline you will also find that there is excellent quality within that particular Ministry using that Ministry as a microcosm of the wider Ministries across the Public Service of Barbados.

Mr. Speaker, what we have is a matter spoken about by the Honourable Member for St. Michael South, that there is an inherent contestation, unfortunately so, sometimes as a result of how the structure has evolved where you foisted on those who felt that they had total control over time, a new tier of governance and, as a result of that new tier of governance, some persons might feel threatened as a result.

Mr. Speaker, we are all human beings. Let us sit down, not like the Red Indians smoking the proverbial peace pipe, because if you understand the culture of those people, you know what was contained within the proverbial peace pipe and when you take a walk with the ancestors, it was as a result of what was contained therein.

Let us sit and have conversation, let us understand each other so that we can work both the administrative aspect of Government and those who are part and parcel of the political "class", who are Ministers, Parliamentary Secretaries, or whatever you have, to work for one good, that is the general good of Barbados.

Mr. Speaker, over the last 14 years, previous to 2008, there was an attempt - do not let us deny it, let us as ladies and gentlemen of this Chamber confront the truth - to politicise the Civil Service of Barbados. Sir, there was that attempt and some civil servants resisted this, particularly those who would have had their feet deeply imbedded in the culture of the Civil Service of Barbados.

Mr. Speaker, many of those who were picked and brought thought that they had a duty not to the Public Service but to the persons who allow them to be part of the Public Service of Barbados, so they developed loyalty to a particular individual and not to the process or, to the system, unfortunately.

Mr. Speaker, do not let anybody fool you. We understand that as human beings they would have their political preference.

Sir, this is a beautiful democracy and there is nothing wrong with that, but in the exercise of your responsibility, you subjugate those particular political preferences for the better, or for the good of the citizens of Barbados. Sir, that is essentially what we want.

Mr. Speaker, you do not want individuals who make it their businesses to break many of the Laws they are sworn to, including Laws of secrecy, or whatever else, and before a meeting is concluding that somebody's phone is ringing somewhere with aspects of that meeting.

Sir, I speak candidly. I beg no favour or hear no hate. Sir, people respect you for the truths you speak and not for the hypocrisy that pours out of your soul, or your system. Sir, I will not be part of that kind of exercise.

Mr. Speaker, I am not saying that those who receive the calls tell them to do it. It is as a result of what loyalty they feel to have conversation with others who are not involved in that conversation. Sir, there are persons who believe that they should do that and there are persons who still do that. There are persons who frustrate the legitimate aspiration of policies and this is why I have said that we should speak to humanity, that we should not pretend, or speak to hypocrisy.

6.10 p.m.

Mr. Speaker, we can only make the situation better by confronting the realities which exist, by putting on the table the truth which exists, by engaging those who now practise certain levels of that type of behaviour that it is not necessary, that they have a job to do and that they have a service to give, and when they do a good job, they must be given the kind of encouragement spoken of on This side by the Honourable Member for Christ Church East and the Honourable Member for the City of Bridgetown, that reward and award would be a natural consequence of what they do, and that there will be growth in this country as a result of the service they provide for all citizens of Barbados.

Therefore, what we are doing with these amendments is trying to recreate to make better a set of Laws, and I hope I am parliamentary correct, which were

hatched in iniquity. When you hatch something in iniquity, what is bred from it is evil.

The civil servants of Barbados have pointed out to the Government of Barbados that we are badly affected by what is contained within the legislation of December 2007. Including the three months, you have placed a significant burden on persons who are already strapped for time and for delivery of service, so that they have to repeat an authority every three months, so in two months another authority has to be done. If there are four authorities per year and you have 200, 300 or 400 per year, you would understand the burden of those persons working to make sure those authorities are out, and that persons could receive their legitimate pay, another travesty not yet amended, but will be amended because this is only tranche one. You can rest assured that there will be tranche two and tranche three, as we deal with the Public Service Act of Barbados.

Sir, you have this thing called a pool. The trade unions have quarreled about it. It is a curious culture in the civil service. There are persons with good consciences in the Public Service of Barbados, and sometimes they sit down when there is a promotion to come and decide among themselves, in a particular Department, that is their culture.

I am not saying wrong, or right to say, they believe Mary Jane has been in here for such a long time, that she should get this job, which is a line up. They take those decisions. Somebody outside somewhere, who does not understand it - then there is one job and you develop this pool and say that this job is filled by X 1, but will list six other persons because they have applied in line, X2,3,4,5,6 and 7. That is what happens.

Sir, I know the Barbados Union of Teachers has quarreled about it. I do not think that should happen. If you apply for one job and it has been filled, you will have another opportunity to apply for another one when it arises. A new pool, or some of those and others who come up as a result of the dynamics of the system, would have an opportunity to apply, persons apply.

Once you apply and you are successful, with the qualifications and experience, you are able to say this is what the job demands, this is the vision I have for this particular job that I am going into and they rise to the top.

They rise to the top. Sir, you can limit it, and this is what it is doing, limiting the choices of public servants. You create chaos out of structures such as those. That is what that Bill passed in December 2007, did.

Sir, it is all well and good for members of the Barbados Labour Party, led by the Honourable Member for St. Michael North East, to say that the Democratic Labour

Party just want to put full stops, change prepositions and put in commas. If you understand how important those full stops, commas, dotting the Is and crossing the Ts are, then we better make those changes.

I am sure that those on the Other Side who have taught, the Honourable Member for St. Thomas, St. George North and St. James North, know the importance of punctuation. Also the excellent teacher from the Garrison Secondary who has two students in this Honourable House...

Asides.

Hon. R. D. JONES: There are three? He was not a member of the Garrison Secondary School, but you taught him at another place. All excellent, bright individuals on This Side of the Democratic Labour Party, may be ably assisted by your hand. I compliment you. I would like to compliment you one day for your ability to be an excellent politician, but that day will come during your retirement. I will not now speak to that. When you retire I will sing your praises.

Asides.

Hon. R. D. JONES: Sir, I know the Honourable Member wants to stay in his seat though he is being forced out, but the bevy of people down there, has informed us that he will stay. Sir, one thing that I respect him for is his honesty. He made an excellent speech today, I will not deny that. Again, quite a good analytical mind, that is why he was able to teach the Honourable Member for St. Philip North and the Honourable Member for St. Michael North West, great Members of this team.

Asides.

Hon. R. D. JONES: Sir, nevertheless, as we work through remedying this Public Service (Amendment) Bill, that the Democratic Labour Party, the Government of the day, will stay committed to the civil servants of Barbados, but as part of that commitment, we are urging them to throw aside all the shackles, either self-imposed, or externally imposed. To throw aside the political bonds that sometimes force some of them to act foolishly, that sometimes cause some of them to do the things they know are wrong, and work against the best interest of Barbados. This Government will not do anything to any civil servant to bring them to their knees.

Sir, in fact, our Manifesto recognises the need for even more training for the public servants of Barbados. We spoke of the establishment of a Public Service Training College. That is what we have spoken of. This is only two years into the team, but I am sure as we look and investigate, that institution will unfold and become a

reality. Training is currently ongoing, but that is a next step. This Democratic Labour Party will do what is necessary to ensure that next step takes place.

In the early 1990s, this Democratic Labour Party established the National Productivity Council to look at the whole issue of productivity, not only in the production of a good, but the production of service to give the society some pathway to make a particular journey. I am not quarreling about NISE. It is nice to be nice, but you should not be forcing people to be nice. It should be a natural expression of their work and commitment to good service. Since that has not been the case with some, you had to put in place an institution.

Sir, we spoke about the Public Sector Reform. We have established this Department, or unit for Public Sector Reform. Sir, as the Honourable Member for St. Philip West said, you have not followed the kind of trajectory that would give purpose and meaning to all of those ideas. There is nothing wrong with throwing up ideas.

The Barbados Labour Party's Government, over time, have thrown up some good ideas, but it never had the ability to implement them properly. That has been among some of the major failings. That is why the people of Barbados have, in fact, put them aside for the Democratic Labour Party.

Sir, the Report on Law and Order, has been made a document of this House. No one can say that there has been a lack of talk about reform, talk. They have been unable to walk. Most of the time they wobble. It is action which is missing, not only action that has been missing. They have been missing in action, but care must be taken and the methods used to bring about action.

In today's world, power cannot be effectively exercised in the same manner as in colonial times. They all act as though they are Colonials in their particular methods and their particular behaviours.

6.20 p.m.

Mr. SPEAKER: Honourable Member, you have five minutes in which to conclude.

Hon. R. D. JONES: Thank you, that time is more than enough, Sir.

Asides.

Hon. R. D. JONES: Sir, when it was buttressed by coercion, the Barbados Labour Party was led by the Honourable Member for St. Peter in 2002.

Asides.

Hon. R. D. JONES: When you want to talk about coercion, he stands at the totem pole, and you know that when you are at the top of the totem poll and things are passed down, all of those who line up at the base of the totem pole receive some of it, so none of them are excused.

The Democratic Labour Party will make a difference of the Government of Barbados. We will ensure that the public servants of Barbados truly stand tall, they are given the ability to respond, and they are given the ability to ensure that the service which they provide is efficient and effective service, so that they would feel a sense of hope and they will have greater courage to do those things which must be done.

Mr. Speaker, I join with all of the colleagues on This Side and the Independent Member of this Honourable House, to support this Public Service Amendment Bill.

I thank you, Sir.

Asides.

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

Hon. F. J. STUART: Mr. Speaker, I rise to make some closing remarks on this Bill, and I should like to begin by saying how pleased I am with the contributions, which have come from This Side of the House.

I am satisfied that many years from now when researchers go to Hansard to evaluate us as a Government, that this debate will stand out as one of the more impressive debates that have taken place in this House and, therefore, I should like to thank all Honourable Members for the outstanding contributions which they have made to this debate.

The Honourable Member for St. Philip West has made a memorable speech, well researched, well delivered, well thought out and, of course, the Honourable Member for Christ Church East and the Honourable Member for Christ Church West Central.

Mr. Speaker, I do not want to select because I do not want to be invidious, but I think that the Honourable Member for St. Michael North West got the debate off to a very solid start, followed by the Honourable Prime Minister and I could go on and on.

Sir, from the Opposition side, of course, the speech of the Honourable Member for St. James North as usual, has stood out above all of the others that came from the Opposition, very thoughtful and very thought-provoking, as usual.

Whenever things in the House get a little tense, of course, you can rely on the Honourable Member for St. George North to provide timely comic relief and today was no exception. I think we are indebted to him for bringing some levity to the debate when the atmosphere could have become a little too macabre.

I have grown accustomed to the contributions of the Honourable Member for St. Michael North East. I practised with the Honourable Member in the Courts of Law for a little while when I sat in this House on That Side of the House, when the Honourable Member was on This Side of the House, and I am accustomed to her extravagance. Without that extravagance her existence will sooner or later be forgotten and, therefore, it is organic to her political survival to be as extravagant as she is, from time to time.

Mr. Speaker, I have grown accustomed to all of this. Oppositions have their work to do. Sir, between 1994 and 1999, some of us on This Side of the House today, sat in the Opposition when the debate on the amendment to section 112 of the Constitution, was being done in this House, and we took a position at the time that did not seem popular, revolted against the amendment, because the Government of the day was saying that they were passing an amendment that would forever make it impossible for any Government to reduce public servants' salaries.

We took the position that the word, "reduce" was not an unconstitutional word, and if that is what the Government was going to do, it should use the word, "reduce" in the Amendment, and not hide behind the vague phrase, "alter to the disadvantaged". We also said that the Amendment could make no sense, or no lasting value, unless you were also going to repeal section 48 of the Constitution, which empowers Parliament at all times, to make Laws for the peace, order and good government of this country, Sir, and we voted against it. It was not thought the popular thing to do, but it was certainly the principal thing to do on that occasion, and with the passage of time, we felt more and more vindicated, so we understand the position of the Opposition, and we respect their right not to support these Amendments.

I have been around for a little while and in 1974, I sat in the public gallery of this Chamber as well, Mr. Speaker, when the then Government was introducing amendments to the Constitution that affected public servants, and the then Opposition created much alarm and despondency in the society over those amendments and voted against them, but not one of those amendments has been touched between 1984, and now, although the Barbados Labour Party has been in office for 24 years, since those Amendments were passed, but not one of the Amendments that were supposed to bring Barbados to a grinding halt, and were supposed to destroy all of the freedoms of public servants and so on, has been touched, in

spite of all the furor that was created in 1974, so we have grown accustomed to these things and today, of course, is no exception.

I said when I made my speech introducing this Bill, that the Government that passed this legislation never had to work it. The Prime Minister was kind enough to repeat that statement and to hammer it home in the public mind, but we have been saying this in our councils and in the public domain for sometime, the Government that passed this legislation never had to work it.

This legislation was passed in December, 2007 and the Government that passed it was gone by mid-January 2008.

Sir, to be quite frank, the Barbados Labour Party does not really know how civil servants feel about the actual workings of the Public Service Act, 2007. It is the Government of the Democratic Labour Party that has had to deal with this issue, as they have cropped up from day to day and, therefore, we have no queasiness of conscience, we feel no discomfort in anything we are doing here today, because the process of consultation has been complete and we are satisfied that the public servants, who are to benefit from these amendments are on board with the Government on these initiatives.

Asides.

6.30 p.m.

Hon. F. J. STUART: Fortunately for me, I am Chairman of the Cabinet's Committee on Governance and these amendments came before the Cabinet's Committee of Governance. Other members are the Minister of Foreign Affairs, Foreign Trade and International Business, the Honourable Minister of Housing and Lands, the Honourable Minister of Agriculture, the Honourable Minister of Social Care, Constituency Empowerment, Urban and Rural Development and the Parliamentary Secretary in the Prime Minister's Office.

All public servants from the relevant Departments came before the Governance Committee of the Cabinet and went through line by line and word by word the Amendments before this House today, and satisfied the Governance Committee that they were necessary. Had the Governance Committee not been satisfied, they would not be before the House today.

Mr. Speaker, I want to applaud those public servants from the Chief Personnel Officer's Office, the Ministry of the Civil Service and Cabinet Office, for having fought for these Amendments designed to make their jobs easier and more comfortable, and making it a little more convenient

for them in the discharge of their responsibilities to the public of this island.

Mr. Speaker, I do not share the view of the Honourable Member for St. Joseph who spoke second in this debate that you pass legislation - and this is a decent paraphrase of what he said, I believe the Honourable Prime Minister highlighted it in his speech as well - to punish public servants.

That Honourable Member sought to explain the three-month rule, which we are amending today, in terms of basically punishing public servants, forcing them according to him, to do some work.

Mr. Speaker, we do not view the Public Service in that way. We have listened to the public officers and are prepared to be guided by them on this issue. Their case has been that the turnaround time of three months for the refilling of temporary vacancies in the Public Service is too short. As a result, hardship results on the persons who are filling acting positions as they are not paid on time, and it leads to much disquiet and much pain, and that they would like the Government to look favourably on a longer turnaround period. They suggested 12 months and we will go with that without apology.

Mr. Speaker, I believe that those Prison Officers at Her Majesty's Prison Dodds, who are still complaining to me and complaining to the Ministry of Home Affairs that they are still owed money by the Government dating back to when the Prison was transferred to Harrison's Point might get some comfort from the fact that we are making things a little easier.

Mr. Speaker, they made it very clear that the very Honourable Member for St. Joseph was supposed to put mechanisms in place for them to get paid for work they did while they were down at Harrison's Point, and they have not got it up to now. The Permanent Secretary in the Ministry of Home Affairs now has to busy herself doing archival work, as it were, to try to unearth the facts relating to that and to try to settle those injustices.

Mr. Speaker, we have no apologies to make on the 12-month issue. It is not an initiative that came from the Government. It was an initiative thought necessary by the public officers themselves.

Mr. Speaker, the other issue that much was made of or much is being sought to be made of, is the issue of whether the Government is right to repeal sub-paragraph 3 of Clause 3 of the First Schedule of the Act, which vested in the Service Commission the right to recommend the employment of a person who has a criminal conviction where it is satisfied that the person with the criminal

conviction, is suitably qualified and is otherwise a suitable candidate for employment.

Mr. Speaker, the case against the Government is that by repealing this sub-clause, we are making it impossible for persons who have criminal convictions to be employed in the Public Service. First of all, on any fair interpretation of the sub-clause that cannot possibly be true.

Mr. Speaker, when the impression is given that as long as this sub-clause remains, Service Commission has to employ persons even though they have criminal convictions is not true either. The language of the sub-clause says that Service Commission may recommend.

Mr. Speaker, any time a statute uses the word “may” expressly, implicitly it is saying may not too. May in any statute also means may not. If the Government of the Barbados Labour Party wanted to be above reproach on this issue, they would have said that Services Commission shall and make it imperative, but no, they put “may” there and as of now, even since the passage of this Act, anybody who wants to get into the Public Service has to fill out a form giving basic bio-data, name, address, age, qualifications and so on, and produce the names and addresses of two referees and two testimonials. That is what is required now.

Mr. Speaker, no issue is raised as to whether or not you have a criminal conviction. It has never been an issue and if it was never an issue, as the popular Barbadian saying goes, “if it ain’t brek, don’t fix it”.

To put this issue on the agenda now will really have an effect opposite to that which is being contended for, because it now forces Service Commission to enquire into people’s background and to expose to persons not at present being disadvantaged to the disadvantaged of perhaps, being excluded from employment in the Public Service.

Mr. Speaker, I had hoped that when the Honourable Member for St. Michael North East was on her feet and speaking on this issue, that she would have drawn attention, not just to the First Schedule, but to the Second Schedule which deals with the Code of Conduct and Ethics.

The First Schedule is the Recruitment and Employment Code and the Second Schedule is the Code of Conduct and Ethics. Paragraph 21 of that Code of Conduct and Ethics - the marginal note says criminal conviction - reads as follows:

“An officer who is convicted of a criminal offence or who is guilty of misconduct of a serious nature while holding public office is liable to be dismissed.”

6.40 p.m.

Mr. Speaker, Clause 21.(2) says:

“Officers who fail to disclose to the recruiting authority when required to do so any criminal conviction that they incurred prior to employment in the Public Service may be liable to be dismissed.”

Mr. Speaker, what is the argument? A criminal conviction does not stand in your way at the time of recruitment, but you have a duty of disclosure if, at any time in the future, you are asked about it. Sir, we have not touched that but the Honourable Member for St. Michael North East pirouetted around that and glided past the facts. Sir, whenever that Honourable Member speaks, she speaks as a woman who is immuned to facts.

Asides.

Hon. Miss M. A. MOTTLEY: On a point of order. Mr. Speaker, the Honourable Member is misleading this Honourable House and it is not very becoming of him.

Sir, the reality is that the section the Honourable Member just cited in the Second Schedule of the Act, which is not being repealed by this Government, but reinforces the point that a person with a criminal conviction stands still to be dismissed for failing to disclose.

Sir, that section would only have been in there if it were intended to require the person to disclose, in the first instance, therefore, you would not have that section in if the person had to say whether or not they had a criminal conviction.

Mr. Speaker, none of the Honourable Members on That Side need not worry about me, because the people who stand to be affected are the people who are our constituents, who have criminal convictions.

Sir, if that is what the Honourable Member wants to do, him knowing full well as a Lawyer that a conviction of 60 and 70 years still stands and prevent them from being engaged as public servants in the Public Service of Barbados. Those are the facts.

Hon. F. J. STUART: Mr. Speaker, I am not going to get into an argument with the Honourable Member. I made that mistake a few months ago and by the time the matter got back to the Chief Parliamentary Counsel, I discovered how right I was and how wrong was the Honourable Member. Sir, I vowed then that I would not get into any arguments over Law again. Therefore, I would want to move on.

Mr. Speaker, the other issue that has sought to engage the Honourable Member and around which the Honourable Member is trying to create some hysteria, has to do with the creation of temporary posts by Order. The argument now is that by removing the words “by Order” the Government is opening the floodgates for itself to create temporary posts without Parliamentary oversight.

Mr. Speaker, what is the current practice? The current practice is that the Minister with responsibility for the Civil Service approves the creation of a temporary post in writing, but he does this on the recommendation of the Permanent Secretary in the Ministry of the Civil Service on the appropriate file.

Mr. Speaker, that is the current practice. The Permanent Secretary in the Ministry of the Civil Service makes a recommendation to the Minister and the Minister approves it.

Sir, where is the stealth? Where is the floodgates to be opened? Does the current practice conduce to an abuse of power by the Minister?

Mr. Speaker, this Government can trust itself. I have said publicly in recent times already that I am deeply suspicious of people who want everything written down in Law. The most important Laws that hold any society together are those Laws that are not written, Laws relating to honesty, integrity and uprightness. There are no Laws for those things. Those Laws are the unwritten Laws of a society that really hold the society together, and not how many Laws you have written down. In fact, history records that at one stage during the history of the Roman Empire, the society was at its most corrupt while legislation abounded, because there are certain things you cannot legislate against.

Mr. Speaker, we can trust ourselves. We have not come to this Honourable House to ask the Opposition to support us in what we are here doing today. The Opposition is free to do what they want to do. We have not come here to beg the Opposition to support us in anything. We are here to do the public business and the public business will be done without your let or hindrance.

Mr. Speaker, after all the fanfare sought to be created over these amendments, which the Opposition said were simply cosmetics, but over cosmetics amendments every attempt is being made to create alarm, despondency and to raise the country's fever. After all this, the Government is committed to the amendments which are contained in this Bill.

We are grateful to the public servants who fought as hard as they did for these amendments and we intend to continue to keep faith with them. We invite them to keep

faith with us and within that context, it is my pleasure to move that this Bill be read a second time.

On the separate motions of Hon. F. J. STUART, seconded by Hon. R. D. JONES, the House resolved itself into Committee. Mr. S. A. LASHLEY, Chairman of Committees, in the Chair.

COMMITTEE

Mr. CHAIRMAN: This House is now in Committee.

Hon. F. J. STUART: Mr. Chairman, I beg to move a short amendment, that Clause 1 be changed from 2009 to 2010. Subject to that amendment, I beg to move that Clause 1 stand part.

6.50 p.m.

Clauses 2 - 5 were called and passed.

Clause 6 was call.

Hon. F. J. STUART: Mr. Chairman,

Clauses 7 - 16, inclusive, were called and passed.

Clause 17 was called.

Hon. F. J. STUART: Mr. Chairman, I believe that in respect of Clause 17, on page 21.

On the motion of Hon. F. J. STUART, seconded by Hon. R.D. JONES, Mr. Chairman reported to His Honour, the SPEAKER, the passing of one Bill in Committee with amendments and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. F. J. STUART, seconded by Hon. R.D. JONES, the Bill was read a third time, passed and cited as the Public Service (Amendment) Act, 2010.

A division has been called.

The bell was rung.

Ayes: Hon. D. J. H. THOMPSON, Hon. R. D. JONES, Hon. F. J. STUART, Dr. the Hon. D. C. ESTWICK, Hon. M. A. LASHLEY, Hon. R. L. SEALY, Hon. J. D. E. BOYCE, Hon. E. G. HUTSON, Dr. the Hon. D. S. LOWE, Hon. P. M. T. TODD, Hon. D. O'N. INNIS, Dr. the Hon. E. R. BYER-SUCKOO, Hon. C. P. SINCKLER, His Excellency Mr. D. St.E. KELLMAN, Mr. A. D. BRATHWAITE, Mr. J. D. PAUL, His Honour K. St. C. Best, Mr. S.A. LASHLEY, Mr. H. F. LASHLEY: - 20.

Noes: Hon. Miss M. A. MOTTLEY, Mr. D. D. MARSHALL, Mr. G. W. PAYNE, Mr. G. A. CLARKE, DR. W. F. DUGID, Mr. R. St.C. TOPPIN, Miss. C. Y. FORDE, Hon. R. C. EASTMOND: - 8.

Mr. SPEAKER: The results of the division are: 20 Honourable Members voted aye and 8 Honourable Members voted no.

This Bill is, therefore, passed and so cited as amended.

7.00 p.m.

Mr. SPEAKER: Honourable Members, the Bill has been passed, 20 Honourable Members voted for it and 8 Honourable Members voted against it.

ORDER NO. 3 – CONSTITUTION (AMENDMENT) BILL, 2010

Mr. SPEAKER: The Honourable Member for St. Michael South East.

Hon. F. STUART: Mr. Speaker, I rise to move the second reading of the Constitution (Amendment) Bill. I believe when I spoke to this Honourable Chamber on the Public Service (Amendment) Bill, I indicated that as a consequence of, and cognizant to the amendments of the Public Service Act, 2007, a constitutional amendment would arise and any remarks I made in my speech on the Public Service (Amendment) Bill would relate mutatis mutandis to the amendment to the Constitution.

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

Hon. R. D. JONES: I beg to second that.

Mr. SPEAKER: Honourable Members, you will recall that we said we would have one debate.

On the motion of Hon. F. J. STUART, seconded by Hon. R. D. JONES, the House resolved itself into Committee, Mr. S. A. LASHLEY in the Chair.

COMMITTEE

Hon. M. A. LASHLEY: This Honourable House is now in Committee.

Clause 1 was called.

Hon. F. J. STUART: Sir, just one amendment. The year contained in the Bill is 2009, but it should, in fact, be 2010. I should like to move that 2009 be amended to say

2010. I should like to move that No. 2 as contained in the Bill be deleted.

With those amendments I beg to move that Clause 1 as amended stand part.

Hon. R. D. JONES: I beg to second that.

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

Clause 2 was called and passed.

On the motion of Hon. F. J. STUART, seconded by Hon. R. D. JONES, Mr. CHAIRMAN reported to His Honour the SPEAKER the passing of one Bill, with amendments, in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

The question that the Bill do now pass was put and resolved in the affirmative, the House dividing as follows:

Ayes: Hon. D. J. H. THOMPSON, Hon. R. D. JONES, Hon. F. J. STUART, Hon. Dr. D. C. ESTWICK, Hon. M. A. LASHLEY, Hon. J. D. E. BOYCE, Hon. E. G. HUTSON, Hon. S. D. BLACKETT, Hon. Dr. D.S. LOWE, Hon. P. M. T. TODD, Hon. D. O'N. INNISS, Dr. the Hon. E. R. Byer-Suckoo, Mr. J.D. PAUL, Mr. S. A. LASHLEY and Hon. K.St.C. Best - 19.

Aye: Mr. H. F. LASHLEY - 1.

Abstain: Hon. Miss M. A. MOTTLEY, Mr. D. D. MARSHALL, Mr. G. W. A. PAYNE, Mr. G. A. CLARKE, Dr. W. F. DUGID, Mr. R. St.C. TOPPIN, Miss C. Y. FORDE and Mr. R. C. Eastmond - 8.

Mr. SPEAKER: Honourable Members, as you heard, 20 Members voted for it and there are 8 abstentions. The Bill has, therefore, been passed and cited in accordance with Section 49 of the Constitution.

ADJOURNMENT

Hon. R. D. JONES: Mr. Speaker, I beg to move that this Honourable House stand adjourned until February 2, 2010, at 10:00 a.m.

Hon. F. J. STUART: I beg to second that, Sir.

The question that the House do now adjourn until February 2, 2010, at 10.00 a.m. was put and was resolved in the affirmative without division, and Mr. SPEAKER adjourned the House accordingly.

7.10 p.m.

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SPEAKERS IN THIS ISSUE

BEST, Hon. K. St.C. (St. Michael East)
BLACKETT, Hon. S. D. (St. Michael Central)
BOYCE, Hon. J. D. E. (Christ Church South)
BRATHWAITE, Mr. A. D. (St. Philip South)
BYER-SUCKOO, Dr. the Hon. E. R. (St. George South)
CLARKE, Mr. G. A. (St. George North)
EASTMOND, Mr. R. C. (St. James North)
ESTWICK, Dr. the Hon. D. C. (St. Philip West)
HUTSON, Hon. E. G. (St. James Central)

INNIS, Hon. D. O’N. (St. James South)
JONES, Hon. R. D. (Christ Church East Central)
KELLMAN, His Excellency D. St.E. (St. Lucy)
LASHLEY, Hon. M. A. (St. Philip North)
LASHLEY, Mr. H. F. (St. Michael South East)
LASHLEY, Mr. S. A. (Christ Church West Central)
LOWE, Dr. The Hon. D. S. (Christ Church East)
MOTTLEY, Hon. Miss M. A. (St. Michael North East)
STUART, Hon. F. J. (St. Michael South)
THOMPSON, Hon. D. J. H. (St. John)
TODD, Hon. P. M. T. (City of Bridgetown)

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EDITORIAL NOTES — NOT PART OF THE REPORT

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

EDITORIAL QUERIES

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

Q1. Minutes. Mr. Speaker announces the ‘Minutes of Tuesday, November 10, 2009’, but Hon. R. D. Jones moves that the Minutes of the Meeting of ‘Tuesday, January 12, 2010’ be taken as read. Printed as in the source. Please confirm.

Q2. PRESENT list. The PRESENT list does not include Hon. Miss M. A. Mottley, Mr. H. F. Lashley, Mr. G. W. Payne, Hon. M. A. Lashley or Hon. R. L. Sealy, although each of them speaks or is recorded in a division. Printed as in the source.

Q3. Order No. 2, end of second reading debate. After Hon. F. J. Stuart moves the second reading, the source records no question put on the second reading before the House goes into Committee. Printed as in the source.

Q4. Committee, Clauses 6 and 17. The source reads ‘Clause 6 was call.’ followed by ‘Mr. Chairman,’ with nothing further, and Hon. F. J. Stuart’s remark on Clause 17 (‘I believe that in respect of Clause 17, on page 21.’) breaks off; no decision on either clause is recorded, although the Bill is reported ‘with amendments’. There appears to be a gap in the source. Please confirm.

Q5. Division, third reading. The Ayes list names 19 Members but gives the total as 20 (the Speaker also announces 20 to 8). The Noes list spells ‘DR. W. F. DUGID’. Printed as in the source.

Q6. Division and Order No. 3. In the source the Committee opening on Order No. 3 is labelled ‘Hon. M. A. LASHLEY: This Honourable House is now in Committee’, Hon. F. J. Stuart is called as ‘the Honourable Member for St. Michael South East’, and the division on the Constitution (Amendment) Bill lists 19 Ayes with a separate line ‘Aye: Mr. H. F. LASHLEY - 1’ and 8 abstentions. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 19th January, 2010 at 10.10 a.m., with His Honour M. A. Carrington, the Speaker, presiding; prayers were taken by Reverend Canon Ivan Harewood. Members stood for a

minute’s silence in solidarity with the people of Haiti. Minutes were taken as read, Mr. Speaker announced receipt of the Accounts and Statements for July 2009 prepared by the Accountant General, and Standing Orders were suspended for the rest of the Sitting.

The House resumed the second reading debate on the Public Service (Amendment) Bill, 2009 (Order No. 2), which reverses amendments made to the Public Service Act in 2007. Dr. the Hon. E. R. Byer-Suckoo spoke of her experience of the civil service as a Minister and said civil servants had been good stewards of the funds for the summer camps. Mr. R. C. Eastmond, for the Opposition, traced security of tenure from an International Labour Organisation recommendation of 1963, spoke of the position of temporary workers seeking loans and urged greater use of public servants instead of outside experts. Dr. the Hon. D. C. Estwick said the Bill was needed to undo the ‘mischief’ of 2007, which had turned the Public Service into an ‘acting’ service. Mr. S. A. Lashley criticised the rushing of the 2007 measure before an election, and Mr. A. D. Brathwaite said the 3 000 appointments then planned had not materialised.

Mr. G. A. Clarke argued that removing discretion over criminal records would make it harder for people in urban areas to find work; Hon. P. M. T. Todd’s point of order on this was not upheld. Hon. S. D. Blackett and His Honour K. St.C. Best supported the Bill, Mr. Best urging that the Qualifications Order be reviewed. His Excellency D. St.E. Kellman said the Barbados Labour Party had passed the 2007 amendment knowing it would lose office, and urged that training budgets be fully used. Hon. E. G. Hutson, Dr. the Hon. D. S. Lowe and Hon. P. M. T. Todd also supported the Bill, Mr. Todd speaking of the brain drain of graduates.

Hon. Miss M. A. Mottley said many of the speeches bore no relation to the amendments, and argued that removing the words ‘by Order’ from section 14 reversed the transparency brought to the creation of temporary posts and lengthened the time people could hold such posts without advertisement; the Prime Minister, Hon. D. J. H. Thompson, rose several times on points of order. Hon. D. O’N. Inniss said the Bill defined disability for recruitment purposes, and Hon. R. D. Jones spoke of an attempt to politicise the Civil Service in the years before 2008.

Replying, Hon. F. J. Stuart said the amendments had come before the Cabinet’s Committee on Governance, which he chaired, explained that temporary posts were created by the Minister in writing on the recommendation of the Permanent Secretary, and referred to the treatment of criminal convictions in the Code of Conduct and Ethics. In

Committee, with Mr. S. A. Lashley in the Chair, Clause 1 was amended to read 2010 and the Bill was reported with amendments. On the third reading the House divided, and Mr. Speaker announced 20 votes for and 8 against; the Bill was cited as the Public Service (Amendment) Act, 2010.

Without separate debate, Hon. F. J. Stuart then moved the second reading of the Constitution

(Amendment) Bill, 2010 (Order No. 3), saying his remarks on the Public Service Bill applied to it. In Committee Clause 1 was amended, and on the question that the Bill pass Mr. Speaker announced 20 votes for with 8 abstentions, the Bill passing in accordance with section 49 of the Constitution. On the motion of Hon. R. D. Jones, the House was adjourned at 7.10 p.m. until 2nd February, 2010 at 10.00 a.m.