
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 2013 – 2018

HOUSE OF ASSEMBLY

Tuesday, February 2, 2016

Pursuant to the adjournment, the House of Assembly met at 10.15 a.m. on Tuesday, February 02, 2016.

PRESENT

His Honour MICHAEL A. CARRINGTON, B.A., LL.B. (Speaker) Her Honour Mrs. M-J. MARA THOMPSON, M.Sc. (Ph.Ed.) B.A.(Deputy Speaker)
Rt. Hon. OWEN S. ARTHUR M.Sc. (Econ.)
Mr. GEORGE W. PAYNE, Q. C.
Mr. G. A. CLARKE, B.Sc., Dip. Ed., J.P.
Mr. R. St.C TOPPIN, LL.B. (Hons.)
Hon. DENIS ST.E. KELLMAN
(Minister of Housing, Lands and Rural Development)
Hon. Miss MIA A. MOTTLEY, Q.C., LL.B.
(Leader of the Opposition)
Miss CYNTHIA Y. FORDE, J.P., L.C.P.
Hon. RONALD D. JONES, J.P., B. A. (Hons.) M. A. (Ed.) (Minister of Education, Science and Technology and Innovation)
Dr. the Hon. DAVID C. ESTWICK, B.Sc., M.B.,B.S.
(Minister of Agriculture, Food, Fisheries and Water Resource Management)
Mr. DALE D. MARSHALL, Q.C., LL.B (Hons.), L.E.C.
Hon. MICHAEL A. LASHLEY, LL.B. (Hons.)
(Minister of Transport and Works)
Hon. RICHARD L. SEALY, B.Sc., M.B.A.
(Minister of Tourism and International Transport)
Hon. FREUNDEL J. STUART, B.A., LL.M.
(Prime Minister and Minister of National Security, the Public Service and Urban Development)
Hon. JOHN D. E. BOYCE, B.C.H., MRAC, M.Sc., C. Eng.

(Minister of Transport and Works) (Leader of Government Business)

Hon. STEVEN D. BLACKETT

(Minister of the Social Care, Constituency Empowerment, and Community Development)

Mr. JAMES D. PAUL, B.Sc.

(Chairman of Committees)

Dr. the Hon. DENIS S. LOWE, Ed.D., M.Ed., B.A.,

Dip. Theology (Minister of Environment and Drainage)

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

(Attorney-General and Minister of Home Affairs.)

Hon. STEPHEN A. LASHLEY, B.Sc., LL.B. (Hons.), L.E.C.

(Minister of Culture, Youth Affairs and Sports)

Hon. DONVILLE O'N. INNIS, Dip., B.Sc., M.B.A.

(Minister of Industry, International Business, Commerce and Small Business Development)

Hon. CHRISTOPHER P. SINCKLER, B.A., M.Sc.

(Minister of Finance and Economic Affairs)

Mr. TREVOR PRESCOD, B.A.

Mr. KERRIE D. SYMMONDS, B. A., LL.B.

Lt. Col. JEFFREY D. BOSTIC, M.V.O., B.A. (Hons.)

Dr. Mrs. MARIA M. AGARD, J.P., D.Ds., B.Sc. (Hons)

Mr. DWIGHT G. SUTHERLAND, M.Sc., M.B.A. (Dist.), B.Sc.

Miss SANTIA J. O. BRADSHAW, LL.B. (Hons.)

Prayers were taken by Reverend Mark Harewood.

Mr. SPEAKER: This House is now in Session.

MINUTES

Mr. SPEAKER: Honourable Members, I am not as yet in receipt of the Minutes of Tuesday, January 26, 2016, and therefore I ask for the usual motion.

Hon. D. E. BOYCE: Mr. Speaker, I beg to move that the Minutes referred to be deferred.

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

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

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: Honourable Members, by way of housekeeping, I just wish to inform this Honourable House that Mr. Wayne Jones, who would have been acting as Marshal for some time now, has been confirmed in that post as Marshal and with us today taking up duties for the first time is Mr. Adrian Craigwell who has filled the position of Deputy Marshal. I wish them well as they go forward.

PAPERS

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

Hon. C. P. SINKLER: Mr. Speaker, I am commanded to lay the following Bills:

1. The Loan Contract No. 3542/CH-BA, between the Government of Barbados and the Inter-American Development Bank, December 18th, 2015;
2. The Savings Bonds (Amendment) Regulations, 2016;
3. Excise Tax Regulations 2016.

FIRST READING OF BILLS

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

Hon. A. D. BRATHWAITE: Mr. Speaker, I am commanded to move the First Reading of the following:

1. Immigration (Amendment) Bill, 2016.
2. Criminal Assets (Recovery Fund) Bill, 2016.
3. Trafficking in Persons (Prevention) Bill, 2016.

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

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

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. A. D. BRATHWAITE: I beg to second that, Sir.

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

GOVERNMENT BUSINESS

ORDER NO. 26 – SECOND READING OF THE COMPANIES (AMENDMENT) BILL, 2016.

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

Hon. D.O'N. INNISS: Mr. Speaker, I rise to engage in this matter of the amendment to the Companies Act, Cap. 308, which is to provide for the establishment of incorporated cell companies in Barbados. Mr. Speaker, I start by saying that this is an extremely important amendment we are making today because it allows us to create another very interesting product for the International Business and Financial Services Sector. As Honourable Members rightly appreciate, this sector can only grow out once a Government continues to identify not just easier ways of doing business in Barbados but also of equal importance the kind of products that we have to offer to the global environment.

Mr. Speaker, it comes at a time when not only is Barbados preparing to celebrate its 50th Anniversary of Independence but also to say that in many respects the International Business and Financial Services Sector is today celebrating 50 years of existence, in the sense that the first International Business Companies Act was placed on the statute books of Barbados in 1965. That certainly in many respects carved the way for Barbados to be known as a serious jurisdiction of choice for discerning international investors.

Of course, much has happened since then. In the late 1970s we would have created the Offshore Banking Act, and then over time to where we are today we have created a very robust and diverse international business financial services sector that covers broad areas such as international insurance, finance administration and institutions, international business entities, societies with restricted liabilities and various products and subsectors of a larger industry which is today making an immense contribution to the social and economic development of Barbados. Even

though today we are going to focus briefly on a product that falls within the insurance industry, it would be remiss of me not to spend a few minutes reflecting upon the international business sector and where we are today. Mr. Speaker, it is not one of those areas we talk a lot about in Barbados in the public domain, but it has certainly been making a very steadfast and focused contribution to the development of this island. Perhaps, discussions around this sector are kept within a small group of the society and not in the larger society as it really ought to be; because when you ask the average Barbadian today about international business and the financial services sector, it is perhaps perceived, Sir, as something reserved for the domain of a select few, primarily expatriates and highly-paid business executives in a narrow area.

The truth of the matter, Mr. Speaker, and colleagues, is that the international business and financial services sector is making an immense contribution to Barbados. We estimate that we are currently contributing in excess of \$900 million per year to the Barbados economy, and over 4 000 jobs directly in the sector and several thousand indirectly. That money really is derived from licensing fees paid to the various Government departments and the professional fees paid to attorneys-at-law, accountants, and various corporate administrators in the industry. It also is measured in terms of the quantum contributed to the economy by way of rental of office space, rental of homes, and of course, salaries and wages paid, the telecommunications infrastructure, and several other contributing factors. Needless to say, it is significant. As a matter of fact, I go as far as to say that the international business and financial services sector is perhaps the most significant net contributor to the foreign exchange of Barbados. In terms of the amount of foreign exchange earned by the Barbados economy, it is my view that the international business and financial services sector is the most significant contributor.

We have certainly, Mr. Speaker, determined within Government that this sector must play an even more pivotal role in the development of this economy and this society. There is the constant statement that we are perhaps too dependent on the tourism sector, and we are a mono-crop economy, for want of a better term, with our emphasis on the tourism sector. However, I hold the view that the international business and financial services sector is of such significance and of such a high level of resilience that it certainly is up there with tourism, albeit perhaps not as well known to everybody. Certainly, if you talk about how we can further diversify and place Barbados' economy in a more sustainable position, undoubtedly the international business and financial services sector is a low-hanging fruit that we can certainly utilise to help us get there, without compromising, I should say, anything we are doing in tourism. As a matter of fact, there are many synergies between tourism and international business that as a

Government and as a people we have to continue to build upon and emphasise.

We have determined that Barbados must become the wealth management centre of choice in the Western Hemisphere, and the truth of the matter is that we are marching steadfastly toward that. What does it take to have that? It takes a stable Government and the reliable infrastructure of Barbados, and we are certainly there in that respect. It takes successive governments and political parties to have an appreciation of the industry and the sector and Barbados' role in the global environment, and I am satisfied that we are also marching steadfastly toward that as well. It means that we must have a diverse range of products to cater to the marketplace, and certainly when you look at the product mix that Barbados offers among all the jurisdictions in this side of the world which are involved in this particular discipline, Barbados has perhaps the widest range. There are some places like the Cayman Islands that may be known for some aspects of the financial services a narrow focus areas, maybe in the insurance industry. The British Virgin Islands also have their niche area. However, when you look at the widest possible range of products catering to discerning investors, Barbados has the widest range, to my mind. We also have, coupled with that, the reputation issue, and Barbados is certainly well known in many respects in spite of the occasional bashing and mislabelling we get as a jurisdiction of substance where you have brick-and-mortar enterprises and not just brassplate operations per se. Therefore, Barbados' reputation, which has been earned and sustained over the last 50 years, is one that we can certainly celebrate as we move forward in rolling out this exercise to become the wealth management centre of choice in the Western Hemisphere.

Apart from the products and the Government apparatus and institutions, it is also important that we have a calibre of high-quality professionals and employees of Barbados that can service the sector. Certainly, 20 to 25 years ago when the international business sector was really on everybody's tongue, it then seemed to be more accepted as being driven by expatriates. The evidence is that back then, you had approximately 90 per cent of the workers in this sector being non-nationals and expatriates, but today we have made a complete reversal where perhaps no more than ten per cent of those who manage the affairs of this sector are expatriates, with the other 90 per cent being primarily Barbadians or those of Caribbean origin. Therefore, we are seeking to point out from a macro perspective that the international business and financial services sector has really evolved over the last 50 years in Barbados to where it is now firmly located on our economic landscape as a feature and a part of our economy that is very robust, diverse and poised for even further growth and development as an industry, and by extension, for the economy and society of Barbados.

This matter before us today, Mr. Speaker, really relates to the amendment to the Companies Act to create what we call incorporated cell companies, and it is an aspect of the international insurance industry. I believe that we really and truly must not lose focus of what has been happening in Barbados and, as I said earlier, it is not an industry or sector that we talk a lot about. If you therefore ask the average Barbadian what is a captive insurance company, for example, they may not know because their insurance relates to motor insurance and life insurance and the traditional things you buy in the domestic arena. However, you have a situation where many large companies, multinational or maybe just national entities, recognise that the premiums which they would otherwise have to pay to insurance companies that are not part of their emphasis are so high and the risk factor may not be so significant as to take it out, that they create their own internal insurance; what we generally refer to as a captive insurance company or an entity that is owned by a body that is also its customer in that respect. You also find that it is perhaps very common in certain industries, for example the oil and gas industry, where you find that many of the major players do own captive insurance companies. In the health industry as well, you find that there are many large health institutions that have challenges in obtaining the requisite health insurance policy or asset insurance policy for their entities, and because of this factor, they determine that they ought to self-insure and create the captive insurance. Then there are those diverse multinational corporations that see it fit and certainly most cost-effective to self-insure and establish a captive insurance. Barbados today is the home to approximately 237 captive insurance companies, and that is a significant number of companies that have chosen Barbados as the domicile for their international insurance transaction. Where does this place Barbados in the international ranking? Barbados is actually now considered to be number seven in the international insurance industry as a location for these entities, and that is extremely important. We oftentimes beat ourselves up in this country and give the impression that we are not a serious player in some industries and some sectors and whatnot. This little Island of 166 square miles is on the cups of celebrating its 50th year of Independence is today ranked among the top ten domiciles for captive insurance as reflected by captive review, a reputable international agency. Where are we specifically located? At number seven and advised by the regulators here in Barbados. That certainly ought to give us a level of exuberance and make us feel very positive about the sector. I go further, we currently in Barbados through this sector ensure assets globally that have a value of about 120 billion Barbados dollars that, Mr. Speaker is a significant amount of money. We sit and review the financial statements for the domestic insurance companies, and there seem significant when you see Barbados insurance company may have half billion dollars in assets written or ensured either here or whatnot so much here but more throughout the region.

The reality about it is that in the global arena, Barbados, which is now located at number seven as a domicile for the National insurance is currently ensuring assets that have a value in excess of 120 billion dollars. To be precise the last figures, I saw Barbados based captive insurance companies and the national insurance entities are ensuring assets globally that have a value of 126 billion Barbados dollars deriving from that the premiums, collected by these Barbados companies, are some 39 billion Barbados dollars.

Mr. Speaker that is a significant amount on our prefunded locate in our minds Barbados' position as a serious domicile of choice for the international insurance industry. Of course, before people get excited do not believe that that money is in Barbados because we are really an eight-billion-dollar economy, by inaudible much but it is significant to know that we are playing such a major role in the global insurance industry. This sector is regulated by the financial service commission and let me give praise to the Chief Executive Officer, the board, and the staff at the Financial Service Commission- FSC. I think they have been doing an excellent job as a regulator finding the right mix in understanding the industry that they are regulating and conducting themselves in a professional manner at all times, and I think we must give praise where praise is due to these public officers who work their end. Of course, the staff in the Ministry of International Business, really the director and the staff who certainly work closely with the Financial Service Commission as they do with the Central Bank of Barbados. These are the kinds of institutions that are responsible for helping Barbados to earn its reputation as a domicile of choice. As Ministers, we say what we have to say, and do what we have to do but it is really these public officers who serve as regulators, policy advisers and marketers that are really responsible for driving this sector forward.

Today we continue to listen to the industry players to listen to partners in the Barbados International Business association who have generally been there as a partner, advising us on what the market is asking for and how we should respond and the things we should do and even go to the point of giving advice on necessary (INAUDIBLE) could happen. In this case, of course, the charter accountants, and those accountants particularly those who work in the tax side that have been able to make it happen. From the International Exempt Insurance side of the business, as we call it, the Financial Service Commission- FSC has been collecting about five million dollars per year, in license fees and that is a significant amount. However, we believe that there is much more that could earn directly by the Financial Service Commission- FSC and by extension, the State in terms of fees collected.

Mr. Speaker, therefore, believe that what we are embarking on today in terms of amendments of the

Companies Act Cap. 308 and making provision for incorporated Cell companies will certainly help Barbados' key Government agencies collect additional revenue and at the same time also provide opportunities for those who service the sector, the international insurance managers the accountants and Attorneys- at- law and Tax advisors who work in the systems creating and administering these structures to earn even more and therefore, by extension all of the other entities and organisations that depend on the sector. What specifically are we seeking to address today? It is to create what we call an incorporated cell company, a regime at this point in time allows for what we call segregated cell companies. Sir, basically, you have a corporate structure, at the apex you have your company what we call segregated cell and then underneath there are a series of cells. Quite frankly, there are a limited number of entities under that apex that are providing ownership to insurance products therein, those are what we call the cells. Sir, with the segregated cell company structure that we have now, those cells that sit under the segregated cell company are not treated as limited liabilities companies or standalone legal entities. Therefore, if there is an action taking place in one cell, it can contaminate the other cells and the overall structure therein. There is also a perception that legality and the importance of cells that come under segregated cell structure are not recognised in some jurisdictions as standalone entities, for example, the US Internal Revenue Service have always questioned them and there are other jurisdictions that do not attach a level of import to these segregated cells that come under segregated cell companies. There are useful because they have tax planners and insurance planners to segregate transactions of the entities whether they are related or unrelated so that they can help contain the cost and from an accounting perspective to be able to better administer the transactions in each cell.

Mr. Speaker, as I have said, there are limitations and one limitation is not having the ability to be treated in some jurisdictions as a limited liability company. Therefore, having listened to the partners and having looked at what other jurisdictions are doing, for example, Guernsey that started in 1997 believes in the protected cell company structure, and what has been happening in other jurisdictions in the Caribbean like Cayman Islands and other parts of the world, Barbados has determined at this point in time that we ought to go the route of the incorporated cell company which fundamentally at the apex of the segregated cell, you have an incorporated cell company and then underneath of that, you can have an unlimited number of incorporated cells that are treated as separate legal entities. Sir, that is extremely critical because for the first time now, we are able to say to industry partners, and the industry on a whole that you can come to Barbados and you can have this ICC regime that allows you to have your entity at the apex but then each cell is now treated as limited liability company if all of the

attendant benefits are in in terms of your board, shareholders, legal obligations, the fact that you can be sued is certainly of a great importance because in the segregated cell company structure one cell probably much is limited in that you could not do business with another cell. In the incorporated cell company structure, the cells that sit under the apex are able to do business with each other pretty much is limited in that you could not do

business with another cell. In the incorporated cell company structure the cells that sit under the apex are able to do business with each other, so they are treated as separate entities. This means certainly for the Corporate Affairs Intellectual Property Office side that we expect there will be an increase in business and revenue because each one of those entities certainly have to be registered therein to go forward. You have to have your own directors, your banking arrangement, your advisers and whatever. Certainly, from the FFC side, I believe, they will use the Exempt Insurance Act as a guide and expect that they will have the fee. I think the annual license fee right now for one of these international insurance entities is about \$20 000 so expect that would remain so for an incorporated cell company but, of course, I expect that the cells that sit under the ICC would attract a lower fee structure but that is being worked out by the FFC and the other partners and will certainly form part of the Schedule or the regulations and whatnot that would come hereafter. Mr. Speaker, we are satisfied that this would become another product to be well marketed around the world. We have already looked at which jurisdictions would find this to be attractive.

Let me say that right now about 70 per cent of the international insurance business in Barbados originates out of Canada so the Canadian market has been our major source for international insurance agencies here, capita exempt insurance, segregated cell companies, whatever. The other 30 per cent originated out of the USA and Latin America to some extent. We will continue to work in the Canadian and the US market to roll out the incorporation cell company structure as a new product here but there are already significant interests being expressed out of the Latin American market for the incorporated cell company structure and as soon as we are able to get this matter out of the parliamentary process to have it become law and gazetted there will be entities to be established in Barbados almost immediately.

Managers and cooperate administrators have already indicated to my ministry that they have a significant interest awaiting the decision of the Government of Barbados to start incorporating in Barbados and investing here so we are going to see some growth in this industry this year, Mr. Speaker, there is no doubt about it. This will be significant. We are not talking here about \$100 000 additional revenue we can easily earn a couple million

dollars more over the next 18 months out of this industry with just this particular product.

Mexico has been identified as one of the major markets that we can go into. Despite the falling oil prices which would dampen the Canadian market somewhat or prolong the falling oil prices, Mexico has become now a significant player in the global business arena, and we are seeing in Barbados, Mr. Speaker, increase interest out of the Mexican market for products that we offer and certainly recognise that there is more that we can get out of that market. As a matter of fact, with the Prime Minister's permission, I hope that we are able in a few months to mount our mission into Mexico and Latin America to grow out the business.

Asides.

Hon. D. O'N. INNISS: The Prime Minister is responsible for Invest Barbados, and he would certainly have to take responsibility for that, but we also recognise that throughout the Latin American market on the whole there is increased interest. I am certainly seeing from my end in the international business sector an increase in the number of entities originating out of Venezuela doing business here in Barbados and going global and the Latin American market is one that we cannot ignore. It is right next door to us, there is a level of flexibility available here in Barbados that is of interest to them. They certainly want to have a level of, not just secrecy but more protection that our structures here in Barbados offers.

I think, Mr. Speaker, though that there are a couple of opportunities that must be pursued if we start to do somethings differently in Barbados. I have always said that every graduate of every high school in Barbados ought to be conversant in a foreign language. We keep underscoring the importance of foreign languages in Barbados and if I had my own way, nearly all of them would have to learn Spanish. It is a huge market right next door to us but there is nothing that people appreciate more than when you can have a conversation in their language, know their culture, their nuances and whatnot. We say these things sometimes with respect to tourism, but the truth of the matter is that the Latin American market is huge. We can get more out of Latin American, but it would certainly help if this island is able to produce people who are conversant in the Spanish language and appreciated the culture and all the nuances they of it and that, Mr. Speaker, is something I really hope we can forge ahead on.

Even Portuguese, the Brazil market is there, and it is a huge market, but I do not think we appreciate the size of the Brazilian market. The Americans certainly appreciate it and they by passed us and all the nonsense people talk, they are down there investing in Brazil. This little island can get much more out of a partnership with Brazil but knowing

the Portuguese language and culture certainly helps quite a bit. Notwithstanding that is a work in progress, I am sure, through the Minister of Education and the society on a whole, notwithstanding that, we are seeing and increase, not just in interest being expressed but actually structures being established in Barbados to satisfy the demands of the Latin American clients who want to expand not only within their geographical space but who certainly are now becoming significant players on the global business arena. Barbados must continue to be the conduit through which global trade can take place.

We continue to attract businesses from China who are going into Latin America. We have been doing it for many years to the Canadians who are investing globally. The last stats I saw showed that Barbados managed about \$70 billion in Canadian global investment in 2014, I think it was. That is a significant amount of investment that entities located right here in Barbados are managing which are going global but in order to move forward, Mr. Speaker, there are a couple of matters that you have to play close attention to. This international insurance industry and the International Business and Financial Service Sector on the whole is not going to grow out unless you pay very close attention to the dynamics in the global policy space particularly in terms of tax issues and we constantly find ourselves, as a small jurisdiction here and a small jurisdiction in the Caribbean on the whole, up against a moving goal post where the US is saying that they want certain tax compliance matters addressed and certain demands that are placed on small economies like ours to be compliant and to change their rules to accommodate theirs. Meanwhile, the US is probably the biggest tax haven in the world but there are different strokes for different folks. The EU, also occasionally, raise their heads and raise some concerns, make some rules, and sometimes we are not part of the conversation but we end up being the victims. We had to debate domestic violence and we have it going forward but there is a level of abuse going on in the International Business and Financial Services Sector that must be of great concern to this country as well. In that case, financial abuse -- thank Honourable Member for St. Thomas -- in this case you are the victim and you do not have a say sometimes and you do not have the police to run to. What Barbados has done - I thank the Prime Minister for his leadership in this matter and certainly the previous Administration as well -- is to take a position that we are not too small to get up and join the fight and make a case on behalf of Barbados and small open economies that is why we find ourselves today continuing to serve in the global forum as vice chair and to have recently hosted their conference here in Barbados a few months ago because these things culminate and make Barbados be recognised as a serious, not player, but as a serious partner in the global financial world and international trading systems that we have going on around here. We are very mindful of these things, and we have the automatic exchange of information.

They have moved from saying you have to have tax information exchange agreements to now toward a more multination approach that starts with the automatic exchange of information, but it is to sign on to that. As a matter of fact, we have just started, thanks to the Director of International Business to move ahead with the Peer Review Supplementary out of the Global Forum that certainly will examine our structures, our tax systems, communication apparatus and what not, here in Barbados to ensure that we are able to get a higher ranking in the global arena because these things do attract the attention of investors and their advisors and determine who do business in Barbados. The banking sector is always an issue. There are some who speak of the risking because we have here in Barbados primarily foreign loan banks, Canadian banks. There is also the issue of transactions going through the US market and the attendant pressure being placed on commercial banks. Mr. Speaker, that is why sometimes not only on the international business side but even as an individual doing business with banks in Barbados today, more and more is being asked of you and greater and greater challenges are there for you to do transactions not only domestically but also externally. The banks really and truly in many instances are responding to a change in the regulatory environment within which they have to work. Mr. Speaker, we certainly will continue to engage in robust discussions globally on these matters because that is where the policy space is and arrangements are made, these exogenous factors that are being impacted upon us here in Barbados and this sector in particular.

Mr. Speaker, there are also a couple of endogenous or local factors that impact upon the sector as well. We have to ensure that wherever possible we remove the ambiguity surrounding how things are done around here in terms of our policies and how they are interpreted and implemented, whether they be within the Barbados Revenue Authority, the Customs and Excise Department or the Immigration Department. All of these key agencies of Government that impact upon this sector must ensure that they avail themselves to meaningful conversation and that they are prepared to make decisions, and quite frankly, in black and white, so that there is consistency in the applications and policies and all the ambiguity is removed so that no matter who you are once you go before a State agency to have a matter resolved, you get the same outcome once you go in with the same kind of concern. I think in fairness to both sides that we have an opportunity to really wrap our minds around these issues and create a better environment there.

Our marketing efforts certainly can be up a bit. The international business sector is a sector where a significant amount of the marketing efforts is conducted by the private sector. Many of our attorneys-at-law, accounting firms and corporate managers have been getting up and going out and looking for business. They have not been sitting back

waiting on Government to organise all of the events for them to attend. When the Government does organise the various trade shows and conferences, we are very grateful for the partnership from the private enterprises in Barbados who go along with us to be the keynote speakers and the technical advisors and to address many of the technical issues raised by potential clients in Barbados.

Mr. Speaker, one of the matters that we have to address frontally is in relation to measuring the contribution of the international business and financial services sector to the Barbados economy. I remain very concerned that we are still using statistics that reflect the number of licenced entities as a gauge for the contribution of the sector when in truth and in fact today more entities are functioning in this sector as regular Barbados companies that do not require a licence but only require Central Bank permission to hold a foreign currency account. We are measuring the sector. There is one gentleman whose name I would not call who has been working tirelessly, thanks to Invest Barbados in particular and the Central Bank and my ministry, in collecting the data from various files but we have to move towards a paperless data collection environment. My ministry is going to engage with the Barbados Statistical Service for them to lead the charge in terms of collecting data on the international business and financial services sector.

Mr. Speaker, even in the absence of such strong empirical data that may come from a more modern data collection system, we know that this sector has contributed at least \$900 million to the Barbados economy, and that is a significant amount. Mr. Speaker, not in any way to deflate my colleague, the Minister of Tourism, it is a sector that does not take much from the Treasury and the Government to develop either. I note that we probably spend in excess of \$100 million of taxpayers' money per year marketing the tourism sector, so when I hear people in that sector making noise and attacking Government, I want to remind them that we are spending about \$100 million per year marketing the tourism sector in Barbados and that brings in about \$1.2 billion. The international business sector that brings in certainly less than that gets about one-tenth of the tourism sector to market and develop it. Mr. Speaker, I am not asking to have more money even though that could always be helpful, but tourism may want to take a cue from the international business sector in terms of how we develop partnerships and reduce the burden on the State for developing the sector, but that is another conversation that the Minister of Tourism would have with his people.

Mr. Speaker, certainly measuring the sector is critical. In fact, redefining the sector is also critical for us at this juncture in our development because it can no longer be about licensed entities. We have to really get Barbadians to appreciate that international business is our business. Certainly, there are domestic companies here that are doing

business globally that we do not consider as international business. Goddard's Enterprise and Goddard's Catering just announced that they are doing business in Columbia, that is international business that must be quantified within the Barbadian context of international business today. When I look at the number of professionals, attorneys-at-law, accountants, engineers and even healthcare practitioners who are doing work down the island, that too is part of our international business arena. When we look at the ICT environment, the number of young Barbadians in particular who are designing Apps or who are providing ICT solutions to clients around the world, that too is part of our international business sector today.

Mr. Speaker, we really have to sit and wrap our minds around a new definition for international business in the Barbadian context and once we do that, I think we are going to find that this is a sector that really and truly must be one that engages the minds of every Barbadian regardless of their status in life.

Mr. Speaker, we have much more to do. As I said earlier, today we are excited about the opportunity to roll out a new product called Incorporated Cell Company. As I said earlier it is part of the mixed in the international insurance industry and part of the macro international business and financial services sector. Barbados continues to be a well-managed, well-regulated sector and that in itself is an attraction to the discerning investor. We have found a judicious blend between the regulators and the marketers and the property developers. I know some people complain about the length of time it takes to get from idea into the actual delivery of the product, but we certainly recognise that we have to have a deep conservative process ongoing so that when we complete our work here we know it is well done and the marketers are ready to take the product and go outside of Barbados with it in generating business almost immediately.

Mr. Speaker, there are a few things that we have in the pipeline. I have asked the staff only yesterday to revisit the International Business Companies Act and our legislation so that we could start to look at what more our service providers in Barbados can offer to this sector. For example, I am not being presumptuous here, but the truth of the matter is that we have really evolved.

There is a time when international business was reserved for the domain of foreign entities, they were owned by foreign companies only. Then we moved to the point where Barbadians could own these structures as well. There was a time when international business entities here could not do business within CARICOM, that has been removed. We have reached the stage now where businesses in Barbados are allowed freer space to do business whether those entities are located in Barbados in an international entity so that there is no affecting or creating competition

domestically. Our international business sector must be borne out on basically two fundamental principles, the ability to earn foreign exchange for this country and certainly the ability to help grow out our business sector creating jobs and all the attendant benefits thereon. Certainly in the wealth management side of life it is our intention, first to go to Cabinet, then to Parliament with the necessary changes that will allow the assets, certainly these same assets that we are talking about in the national insurance industry, to be managed by wealth managers out of Barbados, because what is happening now is that you have high net-worth individuals or entities in Barbados with assets that are United States of America dollar-backed, but the wealth managers in Barbados cannot manage their assets because those entities may be deemed to be ordinary residents in Barbados.

My contention is that the assets are not really in Barbados, even though they are United States of America dollar-backed, let us therefore allow these wealth managers and others to have the opportunity to earn some of the fees in Barbados from managing these entities and assets, as opposed to what transpires now where the assets of some Barbadian companies like this are managed out of the United Kingdom, New York, Cayman Islands or wherever.

Mr. Speaker, it is a work in progress. It is a very dynamic industry, Mr. Speaker, and I am satisfied it is one that is very resilient. The International Business and Financial Services Sector has a wonderful opportunity like tourism not just to resuscitate this economy but also to really place it on a sustainable growth path, and certainly this Government is very committed to that. We will continue to engage with our stakeholders, we will lead from in front, and we will certainly continue our focus as we have said in our Vision Plan, to make Barbados the wealth management choice of the western hemisphere.

Mr. Speaker, with those few words, I beg to move that this Bill be now read a second time.

Hon. A. D. BRATHWAITE: I beg to second that, Sir.

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

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

Mr. E. D. HINKSON: Mr. Speaker, I rise to make an intervention in this debate on an amendment to the Companies Act. The Opposition certainly has no objection to this attempt by the Government of Barbados to widen the financial stability of the country and the foreign exchange revenue base of this island. I have to certainly agree with the Honourable Member who has led this

debate, certainly the implications behind his speech, that as a nation we cannot feel happy or satisfied that we are now becoming more and more dependent on one aspect of our economy for foreign exchange, tourism.

Mr. Speaker, I am happy to see that our tourism product has risen by 14 per cent instead of Gross Domestic Product, but our tourists arrivals have increased, the income spent by tourists seems to have increased, although I am one who believes that we should be having a lot more foreign currency out of our tourism product than we are right now. I believe that too much money still stays outside of Barbados, in terms of tourism and does not come into Barbados, that in a lot of cases the tourists pay for their trips and vacations outside of Barbados and that money does not come in as it should, maybe only coming in, in some cases, to pay the salaries of those workers in the hotel sector, or maybe to do a brushing up on refurbishment during the slow months, September to October or otherwise.

Mr. Speaker, as policymakers we have to look to see new products all the time. We have to look to see what we can do to diversify this economy. We have to look to see what we can do to gain more foreign exchange into Barbados, so that we can pay our food import bill, which is over \$600 million a year, so that we can pay for the oil that is required to fuel our economy, our transportation, et cetera. Therefore, certainly, we commend the Government for bringing into legislation this new international business product and to see how it will operate in terms of the diversification of our corporate entities.

Of course, the Minister was correct in seeking to define what an incorporated cell company is, it is basically a product that came into force about 20 years ago. Guernsey, in 1997, would have been the first jurisdiction in the world, I believe, to bring in legislation giving credibility to this product. Malta about 12 years ago also brought it in and that is now an established jurisdiction in the area. Basically an incorporated cell company is a single legal entity which is separate and distinct from all others, it has its own Memorandum of Association and Articles of Incorporation, its own company registration number, and its own Board of Directors. In this respect, it differs in principle to a protected cell company which was a more established product.

Mr. Speaker, it is said and certainly if this is the case... Barbados, of course, has come in, I do not want to say late, but certainly after other jurisdictions in the Caribbean, like the Cayman Islands, with this product and even though that is a disadvantage to us it could be an advantage too because we have therefore been able to measure and see how other jurisdictions have done and to learn from whatever mistakes they may have made, but certainly by bringing in this product, yes, the reading and

learning on how these products have operated so far is that they have been a cost-saving device in terms of administration, because cost savings can be achieved from economies of scale by using a common framework and central administrative company facility, and also the fact that the assets and liabilities can be segregated according to class and rank, it seems to be an advantage.

Of course, these incorporated cell companies concept carries on one of the basic fundamental principles of company law, that a company is separate and distinct in terms of legal personality from the Board of Directors or shareholders of the company and by creating a separate registered legal entity, this Parliament of Barbados by approving this Bill would be continuing that basic philosophy of company law.

Mr. Speaker, we still have to be concerned, though, Mr. Speaker, even though, yes, the Honourable Member presenting this Bill spoke of \$900 million being brought into the economy by the International Business Sector every year and we should not be content with that alone, we have been hearing that figure certainly from the time this Honourable Minister had the mandate at the political level for this sector of the economy, but we certainly should be looking to increase this sector by more than \$1 billion by the end of this year. Sir, it has to be noted that the Central Bank of Barbados in its most recent Press Release of December 2015 speaks to the issue that during 2015 no new international banks were likely licensed and that wound up their operations, and that in fact at the end of December last year -- less than two months ago -- the total assets under management were \$75 billion, and that in fact represented a decline of around ten per cent compared to the assets at the end of December 2014. These statistics, and this is by the authoritative Central Bank, have to be a matter of concern to all of us in here as parliamentarians, and in particular to the Government of Barbados; that in some ways the international business sector is declining. The Central Bank says that the business environment for international banks continues to be a challenging one. We have to, I think, as policymakers, come to the realisation - and not only talk the talk but walk the walk as well -- that there has to be certain synergies between these major sectors of the economy, and we have to promote our international business sector to a greater extent as part of our tourism product. I know that the Honourable Minister for International Business has been talking the talk. I said more than once in this Parliament that I certainly on this side agree with a lot of what he says, but again I am not so sure that he has the support of his Cabinet colleagues on a lot of what he says. I am not so sure that he has been given the support in terms of resources, and whether his many public pronouncements about the bureaucracy relating to this sector and to business on the whole in Barbados are being addressed. Our sectors -- our international business sector, our captive insurance sector, and our financial

services sector -- along with this new sector which is being created under this legislation can only achieve their full potential if the bureaucracy and the red tape which revolve around them are lessened.

I note that the World Bank in its most recent report has now rated Barbados at 119 out of 189 countries on its ease-of-doing-business index in June 2015. 119 out of 189. We cannot feel proud of that as a country. I think a couple years ago we were at 95, so how did we get at 119 now? It is no use trying to close our eyes to this reality. We need to facilitate business in this country. There is no reason whatsoever that we should be down in the bottom half of countries in terms of the ease of doing business. I note that the Right Honourable Prime Minister, in his address to the Chamber of Commerce last week, said that he was going to line up a Minister to deal with who will be the point person on business facilitation. This present Government has a record of making pronouncements that are not followed through whatsoever, with the view probably that they feel that people will forget about them and that in the next few months they will be nine-day wonders and it will be business as usual, but this is a serious problem. The Barbados Labour Party through the Right Honourable Member for St. Peter, in the lead-up to the last General Election, spoke about providing a business facilitation unit that would deal with issues and speed up progress for our decision-making in terms of investment opportunities and international business expansion in Barbados. This is something that this present Government ought to have addressed fundamentally and acted on by now. We are being left behind even within our own region in this regard. Countries in the OECS (Organisation of Eastern Caribbean States) have passed us in terms of facilitating business, in terms of people who have money, who love the country and want to do business in the country but are being held up by Government bureaucracy, by Government departments that push around paper, by the system. I am not blaming individual public servants in this regard; it is the system that the policymakers need to address. A public servant is going to do things by the book, by how they have been accustomed to doing it for the last 20 years unless they have been given direction from the responsible Minister on how to alter course.

This is something that we seriously need to address in terms of us going forward, in terms of us coming out of this recession. A 0.5 per cent growth last year is no growth. It cannot be seen by the naked eye. A country like Barbados needs three to four per cent growth every year to make any difference in terms of demographics, et cetera. A 0.5 per cent growth really is nothing whatsoever, and every year we have the Governor of the Central Bank making pronouncements that we will see growth of two per cent and 1.8 per cent. The Honourable Minister who led off this Debate predicted last month that Barbados would see growth close to two per cent this year. This will not happen

in the environment that we operate under right now in terms of this bureaucracy. As I said, I credit the Honourable Minister for International Business for making public pronouncements ever so often on this issue about the bureaucracy and red tape, but that Honourable Member is in a position as Minister in charge of International Business, as a leading member of the Cabinet, to do something about it. If it still continues in spite of his genuine public concern, something has to be wrong with the fundamental operations of the Cabinet on this particular issue. I, for one, support him on the issue even if his Cabinet colleagues do not.

We need to, again, as the Honourable Member said, be concerned about the international tax implications of this whole sector, and certainly when I looked at the Bill, that struck my mind. The Honourable Member mentioned it: What will be the reaction now of the developed countries to the establishment by the sovereign state of Barbados of this new corporate product? We have seen the case after, I believe, the developed countries encouraged us to expand our international business sector, starting in the late 1970s under the Barbados Labour Party administration of the Right Honourable Tom Adams, and after they encouraged us to advance this sector and to diversify our economy from the sugar industry especially. They have continuously over the last 20-odd years sought to put obstacles in our pathway to the same development, and both Administrations, yes -- the Administration under the Right Honourable Member for St. Peter and this present Democratic Labour Party Administration - have sought to address these issues, and we have to continue the fight because it is unfair that these developed countries who are some of the biggest tax havens in the world -- the biggest tax havens in the world are Europe and North America not our small Caribbean countries and it is very unfortunate that we are seeking to operate, and to a large extent are operating clean jurisdictions on this issue and obstacles are being put into our pathways.

Mr. Speaker, in the late 1970s when the then Barbados Labour Party administration updated and activated the legislation on international business company and the offshore sector captive insurance et cetera, the then Democratic Labour Party Opposition sought to say that we would be bringing mafia into this country, that we are being warned that mafia money is coming in and there is money laundering et cetera. Sir, the 14 years almost that we have developed that industry has shown that has not been the case. We have to a large measure operated clean jurisdiction on the issue and it highly unfortunate that these wealthy countries in the northern part of this hemisphere are seeking and continue to seek to put obstacles in our development and our attempt to diversify our economies. We cannot say no enough that this is wrong and we will support every effort of the Government on the issue to rid this blacklisting whenever it comes up on these issues. Sir,

the concern has to be how will these developed countries react to us, and do we have a plan on how we will deal with them, do we have a strategy.

Mr. Speaker, as the Honourable Minister said about 70 per cent of our business in this area is through Canadian entities and legal persona but it was the same Canada which a few years ago sought to skim us, and a recent past Prime Minister of Canada I believe had a lot of investment in Barbados in this sector and I believe that after he was no longer Prime Minister Canada sought to bring in legislation seeking to limit and curtail their citizens investing in the international business sector in Barbados and other Caribbean countries. This is wrong and we have to speak out against it because anything that hinders the development of our people, of our country and our economy has to be addressed. There was a time when the international business sector of this country employed many more people than the 4 000 I believe that the Honourable Minister said are employed in the industry today and the fact of the matter is that the salaries and income gained by Barbadian citizens in this industry are higher than in other sectors of the economy, generally speaking, reasonably high salaries are earned by professional people and by the support staff in this sector. Sir, many of our people have gone and got high education so that they work in this sector and so that they can have the qualifications and experience and training to help develop this sector. We have therefore invested in terms of our education in this sector, and we have to find a way and, certainly the Opposition will support the Government in any meaningful way to continue to develop this sector which we believe have a lot more potential than what is being realised at the present time. We should, in our submissions, use our diplomatic missions more to promote Barbados. We spend a lot of money on our diplomatic missions, and it cannot be seen as a holiday away from home and a cocktail circuit by those who serve us at diplomatic overseas. Our diplomats have to put their hands and heads to the ground and work hard in the name of Barbados and certainly I would hope that the Government of Barbados has a strategy whereby our diplomatic missions will market this new business investment tool as well as all of the other tools because we spend millions of dollars on our diplomatic missions. I know recently there has been concern that the Government seemed to have cut back on diplomatic missions in terms of housing et cetera but those who serve us at that level will also have to realise that they have a national and professional duty to promote our country, and not only in terms of tourism but in terms of international business as well.

Mr. Speaker, of course, we commend the private sector, as the Honourable Minister has done, who have to a large extent advance Barbados' cause in this area of our economy and the Attorneys-at-Law, the accountants, the business investment people Government always as in

everything else has to facilitate this and should not be the body which is upfront in terms of this because Government in many cases is inefficient and bureaucratic but the environment has to be provided for these individuals to go out there and earn foreign exchange for our country with the support of Government and, therefore the support and promotion of private sector Barbados in trade missions that the Government may launch and other sectors is to be commended.

Mr. Speaker, I note today, and I would wish to draw the attention of the Government to this fact. Sir, Malta has an established jurisdiction in this area. You would note that under this legislation in Malta, a Memorandum of Association and Articles of Association need to be filed with the Registrar of Companies before the certificate of registration is issued. I note that under the Bill before Parliament today the incorporated cell company has 21 days after registration within which to file its by-laws, its Memorandum of Association and its Articles of Association. I wonder if that is really the correct thing to do. I certainly would prefer to see a case where before the Certificate of Registration is granted that the constitutional documents of the ICC are lodged with the Corporate Registry. Sir, maybe the Government has made this alteration from what happens in Malta to speed up the process and if so, maybe that is a good thing but still I would have thought it more prudent that the Registrar of Companies and the administering authority see the by-laws of the company before granting the Certificate of Registration.

Mr. Speaker, this debate also lends itself too to the regulations, policies and functioning of the Corporate Registry of Barbados. I certainly and other Attorneys-at-Law agree with me that it is still taking too long to get an ordinary company incorporated in this country.

In most cases it takes about two weeks, 10 working days to do. I noted again, Mr. Speaker, that when the Honourable Minister in charge of Corporate Registry was asked about that a few months ago his response was that a limited liability company can be incorporated in 18 hours. I certainly, as a practicing attorney-at-law know of no such instance. The Honourable Member may know, I do not know if someone leaned on the Corporate Registry to have a company incorporated in 18 hours at some time but that certainly is not the norm and where we have competing jurisdictions in this region, for example, Tortola where they have same day incorporation of companies, we have to be concerned. A company cannot take 10 working days, two weeks sometimes 18 days to be incorporated once everything is in order. The Barbados Labour Party (BLP) in the early 1980s simplified the issue of incorporation of limited liability companies under the Companies Act which was brought into force and again this is part of the bureaucracy which needs to be addressed in terms of ease

of doing business in this country. Mr. Speaker, I again, agree with the Honourable Minister who has presented in terms of the need for our citizens, our young people to learn a second language. I said so publicly on many occasions. The Barbados Labour Party (BLP) in the early 1980s under the ministerial mandate of the Honourable Dame Billie Miller as Ministry of Education made Spanish as Barbados' second language but we have a situation today more than 30 years after that where foreign languages are not comprehensively taught in our public primary school educational system. I have not heard the current Ministry of Education's position on this. Certainly, I have made many pronouncements on this Spanish. We are surrounded to a large extent by Spanish speaking countries in Latin America, Central America and South America, Spanish speaking countries with large populations. It should be an imperative for our young educated citizens to have a knowledge of Spanish, of Portuguese, of French, whatever, to be able to give them wider options in terms of job opportunities, in terms of going overseas and getting jobs, in terms of being able to invest in other economies, be a part of the Latin American system, in terms of international organisations and we have to see in an era still of recession in Barbados we have to develop these opportunities through our educational system for our young persons and certainly I would wish to see the Ministry of Education embark on this policy not only in words but in deeds. Like I said, again I support the pronouncement earlier in this debate and the Honourable Minister has led this debate on that issue.

Mr. Speaker, this is not a Bill that will find opposition from this Opposition today. It is one thing though to pass the legislation but you have to give the support, the logistical support and the human resource support to the sector for it to advance, for it to make a real impact on our development, on our advancement of people, on our expansion of foreign exchange capacity because it is certainly not a good thing and not commendable that we seem to be relying more and more on one sector of our economy. The recent outbreak of Zika, something that most Barbadians have not even heard about two months ago that could possibly affect our tourism product shows how much external factors of which we have no control can affect our tourist product. Certainly, Mr. Speaker, therefore, wish to register the Opposition's support for this Bill here seeking to diversify our international business sector.

I am obliged.

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

Hon. A. D. BRATHWAITE: Thank you, Mr. Speaker. Just a few words here because from time to time I have read some commentators suggestion that the Barbados economy is only firing on one cylinder, et cetera, and

indeed I just want to make the point and the overwhelming point that this sector, Sir, contributes significantly to our way of life. It enables us to be able to provide many of the social services that we now provide to our citizens. I made that point because sometimes we seem not to make the connection between a sector that does not appear to be the sector of the ordinary Barbadian and how that sector contributes indirectly to all of us in this country so when the Minister says, for example, that this sector contributes approximately \$900 million to our economy, that is not to be scoffed at. Indeed, if I take us back to, I believe to 2010, when we were forced to making some very tough choices when Canada, as you may recall, Sir, made the same benefits to international business companies in the British Virgin Islands, Bermuda, Cayman, et cetera, equating them with Barbados. We were faced with the challenge of many service providers saying to us, we have a choice between paying no tax in Bermuda and paying 2.5 per cent taxes in Barbados. Several of them actually exited the jurisdiction. We spent an inordinate amount of time discussing that particular situation with many service providers who then said to us that they were quite prepared to stay in Barbados at a reduced tax rate. We came to Parliament, we did not have a choice, and amended our legislation and basically the net effect of that is that we gave up about \$250 million in tax revenue. If you add an indirect component to that, we could have probably given up about \$300 million in revenue at one swoop, not because we were foolish or that we were madmen, but the choice was, either give up something as significant as it was or lose everything and I dear say, Mr. Speaker, that we have therefore spent the last few years in that hole trying to recapture that revenue and we have been doing it slowly because as you know this is international business and that is we depend on what is happening in the international environment but our approach to international business is diverse. We now approach international business to say that any business that brings foreign exchange into Barbados we want you to think of that as international business, so international business should not be looked on as just an international business company or a captive insurance company. Any business that we establish that offers services outside of Barbados and brings in foreign exchange into Barbados, we want you to put your minds around that and accept that you are therefore conducting international business.

Mr. Speaker, I want to make the point that in fact that contrary to what you might hear by some commentators that indeed that the international business sector is still very much alive and is still making a significant contribution to this economy. It has challenges. It has challenges because the bigger countries, if I use the Organisation for Economic Cooperation and Development, et cetera, have been offering some challenges to financial centres like ourselves. The last fight that many international financial centres had, in particular those who are British dependant territories, is being asked to have a

public registration of beneficial owners of companies in their jurisdictions. You cannot go to London and do a company search and find out who the beneficial owner of the company is but yet the British Government is saying to their dependant territories we want to be able to come to your country and do a search of any company and be able to determine who is the beneficial owner. Such is the double standards that we are faced with. This is a fight that they have been having for the last 18 months and that fight will come our way.

Mr. Speaker, my point is that on a continuous basis over the last eight or so years while we have been trying to grow this sector and while we have done more double tax treaties and investment protection treaties and offered more new products than any other Government in the history of Barbados, we have had to spend just as much time looking over our shoulders justifying why we do our business and how we do our business. Mr. Speaker, we spend even more time defending our products than we do on product development because of the double standards of the international community.

Sir, I heard the Honourable Member for St. James North spoke that two banks have left, and the banks have less revenue, et cetera, but what the Honourable Member does not tell Barbadians, and maybe he did not know, is the fact that over the last year or so many countries like ours have been having significant challenges with correspondence banking relationships across the region. If you cannot have a correspondence banking relationship, then you are almost out of business, and that exactly has been the challenge. If you do not have a bank that could hold your US dollars and your Pounds, et cetera, then you really cannot carry on banking. Mr. Speaker, that has been the challenge not just for Barbados but for us as a region. Sir, it is not by accident that there has been a slow-down in the number of new banks established in Barbados but there has also been a slow-down of new banks established in the financial services centres for that very reason.

Mr. Speaker, this is not a case where we have been sitting down and doing nothing. We have had, and you heard the Honourable Member for St. James South addressed it, some significant challenges in terms of how we are trying to defend our right as a sovereign country to offer legitimate products. Mr. Speaker, it goes further because every time we figure that we have turned a corner, then something happens. The Organisation for Economic Cooperation and Development may say that Barbados is fine, Barbados is not on a blacklist and then one day the Organisation for Economic Cooperation and Development countries would place Barbados on a blacklist. The International Monetary Fund may say that you are fine and then the next year the Organisation for Economic Cooperation and Development says that you are not fine.

These are the fights that we have been having over the last couple of years.

Mr. Speaker, that having been said, I believe that we should give ourselves credit for being able to maintain the sector to the level that we have been able to maintain it at. There are some other things that we have to do because as I said we need to look at the sector as anything that would bring in foreign exchange. I have said on more than one occasion that there is no reason why we should not have the registration of aircrafts in this country, in particular private aircrafts. We need to move in that direction. I have said on more than one occasion that we need to do better in terms of our ships registry and that there are opportunities there. I used the expression 'boys and their toys'. In other words, the super-rich would normally have their yachts and their aircrafts that they want to have registered somewhere. The biggest opportunity that we have that we should not vacillate from is that I believe there is no reason why Barbados should not get into the Citizens by Investment Programme or by what other name called.

Sir, here is why I say that. During my time outside of Barbados, I assisted in the registration of many, many companies that own significant real estate in the City of London, Miami, New York and in many of the major cities across the world which were owned not by citizens in those countries but by citizens who were encouraged to move to those countries to establish homes and businesses in those countries, and there is therefore no reason why we as a region and we as a country should be concerned about London or the United Kingdom, for example, expressing some reservations about what they have been doing for 30-40 years and doing successfully.

Sir, if you walk down Oxford Street or Knightsbridge, et cetera, I am sure that when you look to your left and to your right, you will see that many of the multimillion Pound investments there are not owned by English men and women but are owned by individuals who have been encouraged to move to the City of London and have a residence in the City of London. We should not be concerned as a country, that there are a few countries in the world that persons would rather live than Barbados. We have an opportunity, and we should not let it pass us by.

I say, Sir, our approach has to be that whatever brings foreign exchange into this country should be considered to be international business. We do have some issues. If there is one comment made by the Honourable Member for St. James North that I agree with it is that we do still have some service issues. We have spoken about this from time to time until we have gotten hoarse, but we seem not to be able to make that transition or that relationship between the individual's function in terms of how he or she does his work and payment on the 25th or the 26th of the month. That is a relationship that we have to

make. The clerk at the Registry must understand that if she does not do her job, that there is a relationship between that and her being paid on the 25th or the 26th of the month. Mr. Speaker, there has to be something wrong when you could be spending hundreds of thousands of dollars courting a relationship, persuading someone to move to Barbados and establish a relationship and then it all disappears because someone takes five or six days to carry out a simple task that should take two hours. Mr. Speaker, we need to address that. Successive Government have tried. I heard the Honourable Member for St. James North speaking about bureaucracy, et cetera, but we really need to get down to the nitty-gritty and find out what prevents us from doing better in terms of execution, which is one area that we need to completely eradicate. If we could get those done and if we could provide what I term the 'toys for the boys', I believe that we have an opportunity to have another \$500 to \$600 million being contributed to this

economy on an annual basis. Mr. Speaker, I end by giving my support to this Bill and by saying that Barbados is still the preferred jurisdiction in this hemisphere to conduct business and we cannot vacillate from our position. We are a sovereign nation and there are some things which we are going to have to continue to fight but we need to produce a product and a service so that this industry can continue to grow and contribute to our economy.

Mr. Speaker, with those few words, I signal my support for this Bill. I thank you.

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

Hon. D.O'N. INNISS: Mr. Speaker, I wish to start by thanking Honourable Members who spoke on this Bill which is before us and of course to commend those who would have given support in other ways. I do not have a lot to add to what was said earlier, I certainly just wish to reiterate the fact that this sector continues to be of great importance to the economy of Barbados, it offers a bright ray of hope for the further expansion and diversification of this economy and as a Government we certainly will continue to keep our hands on the ship and to ensure that this goes in the direction in which we would wish it to go.

The Honourable Member for St. James North, I thank him for his support of the work in the Ministry and the Government by extension. Naturally, as an Opposition Member you have to find something to oppose but generally speaking, I thought the Honourable Member's comments today were very supportive of the work of the Ministry and the sector in particular.

I want to give the assurance to the Honourable House and to Honourable Members of the Opposition, as I

have done before, that my Ministry stands ready to engage outside of Parliament with the Opposition Bench on matters that are pertinent to the International Business Sector in particular, because having unified approach to these matters certainly help us in our work globally and certainly sends the right message that we are serious about the sector going forward.

Mr. Speaker, there is one point that Honourable Member for St. James North mentioned in reflecting upon the recent Central Bank of Barbados Report, the comments together in terms of the number of banks established in Barbados and the fact that there has been a decline. Sir, that decline really cannot be attributed to any lack of marketing efforts on Barbados' side but perhaps is more attributed to changes arising out of decisions of the Canadian Revenue Authority and the Government of the day in Canada that basically stated, and I am paraphrasing, that if you wish to be considered an offshore bank in our jurisdiction and get the benefits back in Canada, you have to be owned by a licensed and regulated entity back in Canada, as opposed to private banks that are really owned by private individuals, high net-worth individuals or companies and are therefore not regulated. What we are seeing is that some of those banks have actually converted to International Business Companies because they are able to achieve what their goals are, without having the necessary banker's license, so that while number of registered banks may have declined, the number of entities providing the fundamental services hitherto provided by the licensed banks perhaps have increased in some respects, but it is part of the changing dynamics in the industry.

I should also emphasise that as part of the global business environment, when companies experience decline in their own fortunes and their balance sheets look a little different than they did before, decisions to shift to another location or to expand their business globally using jurisdictions like Barbados sometimes goes on the backburner, so certainly the deep and prolonged economic recession, particularly that from the 2008 to 2011 period would have impacted upon the sector. We are seeing some resurgence of it, obviously there will be a lag between the growth in developed economies and what we start to experience here in Barbados. Mr. Speaker, at the end of the day we certainly recognised the tremendous opportunities, we will continue to roll out new products in response to what the market is demanding, and certainly with incorporated cell companies' legislation which is derived from the amendments to the Companies Act is certainly a step in the right direction.

We have recently rolled out the Corporate and Trust Service Providers legislation and that is certainly going forth, with some challenges I will admit, but generally speaking, it is part of the drive towards making Barbados a

better regulated jurisdiction and will certainly enhance our reputation globally there.

Mr. Speaker, the Honourable Member for St. James North also made the point in respect of the Corporate Affairs and Intellectual Property Office and I am not going to bury my head in the sand and say that all is well, that is an important department within the Government structure, not just in terms of the revenue it derives which is about \$7 million a year for the Treasury but its role in helping to create and grow out enterprises in Barbados is extremely critical. Therefore we have to continue to find ways in which we could improve efficiencies in that department.

I am mindful that the Registrar, to her credit, has asked for additional staff for the department. We have our constraints therein but it is not always a case of just having additional staff, but looking at how we could improve the systems therein, the things we do and how we do them. One of the things that we must commend this Administration and the Registrar and staff for is for the introduction of electronic filing. A few months ago we rolled that out, whereby attorneys -- and if Honourable Member for St. James North would invest in a modern computer system, the Honourable Member would know that you go online and do company searches or filings and once everything is in order you ought to be able to have your company incorporated within 24 hours.

Mr. Speaker, the Honourable Member reads these reports and I do not dismiss them, I take note of them. I ask if they are accurate and if they are accurate, how can we make things better, it is a continuous work in progress to improve business efficiencies in Barbados but certainly in terms of the Corporate Affairs Department, while there are challenges, I admit, we have made great strides by certainly rolling out an electronic platform that allows you to sit in your office and do your searches and actually do some of your filings online. Once everything is in order, I am advised that you can have your company formation within 24 hours.

Mr. Speaker, I am mindful that there are some who would call me and quarrel about taking two or three weeks or whatever and invariably when I check it is a case where there has been miscommunication between the Office and the service provider or the legal clerk, or there is actually something being awaited from the service provider's end, but it is easy for the Government to take all the flap and to get all the beating up on but I have asked the Office to ensure that we take each complaint seriously, let us get back to the service providers, and let us ultimately strive towards improved customer service in that department.

Mr. Speaker, I certainly will be meeting shortly with the Barbados Bar Association, particularly to address our minds specifically to the Corporate Affairs and Intellectual

Property Office because I think it is important that the attorneys hear what are the issues that department is facing and certainly from our end we can hear directly from the service providers what are the challenges they are experiencing and put our heads together and find sustainable solutions to go forward. I note the spirit in which the criticisms were extended and to give the assurance that we will continue to work to improve that department wherever possible.

Mr. Speaker, as we go forward I give the assurance that this sector will continue to be vibrant, we will seek to diversify it, to roll out new products, to work with our stakeholders in the public sector and private sector as well, to create a situation where Barbados can be the wealth management centre of choice in the western hemisphere and really and truly create far more opportunities for our young people in particular, in this industry and related matters.

Mr. Speaker, with those few words, I now beg to move that this Bill be read a second time.

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

On the separate motion of Hon. D.O'N INNISS, seconded by Hon. J.D.E. BOYCE, the House resolved itself into Committee for further consideration of the Bill. Mr. JAMES PAUL, Chairman of Committees, in the Chair.

Mr. CHAIRMAN: This House is now in Committee.

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

On the motion of Hon. D.O'N. INNISS, seconded by Hon. J.D.E. BOYCE, Mr. CHAIRMAN reported to His Honour the SPEAKER the passing of one Bill in Committee, and His Honour the SPEAKER resumed the Chair and reported accordingly.

On the motion of Hon. D.O'N. INNISS, seconded by Hon. J.D.E. BOYCE, the Bill was read a third time and passed and cited as the Companies (Amendment) Act, 2016.

ORDER NO. 22

Resumption of Debate on the Second Reading of the Domestic Violence (Protection Orders) (Amendment) Bill, 2016.

Mr. SPEAKER: Yes, the Honourable Member for St. Thomas.

Miss C.Y. FORDE: Thank you very much, Mr. Speaker. I wish to make some references, Sir, to this Bill

and to indicate my support for such a Bill coming before this Honourable Chamber. I think it is long overdue in the light of what we have been witnessing over the past few years, and I am really very happy to have been able to, I believe, help to start Government's efforts in bringing this piece of legislation.

Mr. SPEAKER: Just a minute, Honourable Member. Just let me remind this Honourable Chamber that the Debate that we are having is with respect to both the Domestic Violence (Amendment) Bill and the Sexual Offences (Amendment) Bill, so we are doing them jointly. Okay. Fine. Honourable Member, please continue.

Miss C.Y. FORDE: Thank you, Mr. Speaker. A lot of my emphasis will really be on the domestic violence aspect of it, although I know that the sexual offences component is really very critical as well, especially based on what we are experiencing in our society and what would have been held as personal business in households or communities in terms of people not revealing details of sexual acts, and so on, that are perpetrated on others. My emphasis is on the domestic violence component since this is the area where I have shown most interest and where I had the opportunity to be able to do a little research within the last few days, because I was not aware of what was happening last week since I was off the island. Mr. Speaker, I just wanted to refer to some descriptions from the voices of some people in the rest of the world. We are not living in any cocoon, and we are being influenced in every way by what is happening internationally, regionally and so on, and therefore it was interesting to have come across a number of comments that would have been made by persons, both victims and others who have an interest in ensuring that our people, not just our women but also our men and our children, are shielded from the domestic violence that we know has been taking hold of many lives across the centuries. I shall refer to these comments which I have written, Sir, but I am not using any book right now.

Some say it is "a plague of centuries", "the walls of silence", "an issue that transcends boundaries", "a long, hard road in the fight", "a triumph for the movement toward justice and compatibility", "the scales of justice must work", "a tool against impunity", "seeking equity in relationships", "transferring rights into realities", "revealing hidden violence", "a life free of violence is our right", "women must decide". I agree that women must decide, but so too must men and so too must governments who are responsible for ensuring the safety and protection of citizens. Mr. Speaker, I was browsing through a newsletter from the Bureau of Gender Affairs for 2004, and in it is a page that speaks about myths about violence, and it is interesting some of the myths that we have, and the taboo associated with them. If you would give me the permission, Sir, I would just like to touch on a few so that the general listening public would be able to get an even

better understanding, because from the outset, Mr. Speaker, I always felt that it was pertinent that any discussion of this nature be taken into communities - whether it has to do with domestic violence, violence generally, sexual offences and so on -- and ventilated in the public domain. The public needs to talk. We may have been taboo before, but many more people want to come out and talk because they are witnessing people's lives that are brutally destroyed, and people's future destroyed because of the scars left behind as a result of sexual offences that would have occurred, and so on.

This myth says that domestic quarrels, beatings, and fights are characteristic of the lives of uneducated and poor people and members of lower social classes, and that for people of higher economic, cultural, or educational classes such occurrences are rare. The facts, Sir, say that violence against women does not know any economic or class distinctions; it happens everywhere in all social classes and groups. Another myth says, Sir, that domestic violence is an occurrence of the past when people were more violent and women were more considered the property of the men, but the fact is, Sir, that the incidence of domestic violence is very frequent in our time. Legal experts and women's human rights advocates in many countries consider it to be one of the most under-reported crimes; and you know what happens in Barbados as well in many communities, where women have been beaten to pulp but because of class and so on they say not a word. There are others who believe there is no future for them if they do not stay in this environment, because we are told that we must subdue ourselves to our men and we must respect men because they are the heads of households, and so on and so forth. Sir, I do not want to go any further expect to say the myth that women provoke the beatings by their nagging attitudes or action and that they deserve to be beaten because they have disobeyed their husbands or partners and have done something wrong. The fact is that this common belief illustrates that the problem of battered women is a social norm which is deeply rooted in the way and men and women are brought up to regard themselves. Also, this kind of thinking shows how our society draws connections between marriage, property, ownership, sex and violence. The reality is that most women deserves to be beaten and that males will find any excuse for their actions no matter what their target does or does not do. Mr. Speaker, if members want me to make that a document of the House, I am only too willing to do that.

Mr. Speaker, I wish to further indicate there are numerous challenges still impacting on our women and our people and we know that in many of our communities there is violence every day. We have lost so many of our people as a result of this. I had the privilege to have a look at some of the statistics that the Honourable Minister who presented touched on last week and it touched me when I saw that over what I would consider to be a 10-year period in

Barbados, approximately 55 persons lost their lives. I believe that if we look at it in a more critical manner, we would recognise that 55 women would have been the children of 55 multiplied by two people, father and mother, would have had sister and brothers as well as they may have had two children or three children and when all of it out, we can see more than 1 000 people's lives being impacted upon as a result of domestic violence. Sir, it is not only murdering, it is also to do with the beatings or the scars that are left as a result of what would take place.

Mr. Speaker, I support and advocate public dialogue and I believe that domestic violence impacts on all union, whether it be a common law union, a marriage relationship or other relationships that we know the entire world is now looking at and treating to in a humanitarian way because we believe that human rights are the rights of all and you should not trample anybody's rights that they should be respected at every sphere of life.

Mr. Speaker, the escalated acts of violence in the world but more particularly in Barbados and in our children is an ugly one. Sir, last year was horrible year, where you saw many of our children being badgered. I cannot speak to whether the outcome of a death has anything associated with families and so but I think that the family unit is a critical one and when we see acts of that nature being perpetrated on our children, we need to take cognizance of it. Sir, as a young person, I know of many children who were sexually impacted upon and I saw the scars they carried for a life time and other persons who came to speak with me, I do not know if my personality cause people to gravitate towards me to discuss to do with their personal lives and many people have come and confided about sexual acts that were perpetrated upon them not only by strangers. Sir, the information that I read in this wonderful box call "Physical Violence Against Women in Barbados 1977-1985" by the Bureau Affairs at that time, speaks a lot to a number of other issues that have impacted on our people and they have given a lot of statistics.

Asides.

Miss C. Y. FORDE: It is researched and presented by a Myrna Jordan, BSc. It is a public document and that is the reason I have it in my possession because I like to hold on to information like that so that when I talk to others to be able to give them a sense of hope. Sir, a lot of people in Barbados do not listen. We have now become a society where we are in to ourselves and what happens to our neighbours and friends and other members of our family seems not to be important. Sir, sometimes those persons who are badgered just want a word of confidence and a word of guidance, some direction as to where they can go or what they can do to be able to escape from brutal beatings and the discrimination that takes place with them.

Mr. Speaker, therefore, we know of a number of areas where we can focus today. We know that approximately 40 per cent of women manage household and when they are beaten and taken advantage of in that way, they just cannot fulfill their roles in the way that they would want to because when women have to flee their homes to go to a shelter, or to go to families when they are living in St. Lucy., they have to go to St. Philip to get way from the perpetrators, it is really wrong. Mr. Speaker, if a man has to do it, it is still wrong because a man is a human being too and our society seems to lean more to the women and that is because of the numbers of women whose lives are being impacted upon is a larger percentage but we do have some males among us frail, and would take a beating, or be put out in the doghouse, that is what men call it, because they do not want to hit the woman or may not want to respond. Sir, from looking at aspects of the same legislation with the Domestic Violence Protection Orders Act, I can see that there is provision being made and I believe that the bot sexes would be included in this particular exercise but when we see so many of our people in the domestic environment being bruised, it destroyed their self-realisation. It deprives society of the creative abilities and the contribution towards the development of Barbados because when a woman is beaten or a man is beaten or bruise that persons cannot go to work depending on the severity, that person has to feed the family household and the connections are not there in the same way. Therefore, I think that it is important that we treat to these issues to ensure that there are fewer losses because the losses are social, economical, educational, emotional and, of course, the loss of life is devastating and people may become immobile as a result of a blow, the loss of employment, the impact that it has on health and one losing one health as well as a result of the beating. The other one that really takes my heart is one losing his or her pride. When you lose your pride because the people in the neighbourhood point to you, the workers in the workplace scoff at you and others tell you all kinds of strange things and it really destroys your pride and your dignity.

Mr. Speaker, I am happy to have seen the clause that includes the police officers being given the training and of course treating to the manner in a more professional way. I have known of times when women have gone and complained and the police would have told them to go home and give the man a little piece. Sir, whatever that piece is I do not know. It may not mean peace, and that hurts and when the man comes he is told: "You cannot take a horn, go back home and make up", so it goes both ways.

Mr. Speaker, I am happy to see...

Asides.

Miss C. Y. FORDE: The Honourable Member for St. Philip North seems to have had that experience because he

is interrupting me when I speak about the man who is being told to go back home and make up to the horn. I do not know if the Honourable Member has ever had a horn however, the member seems to be very interested in that aspect of the discussion.

Mr. Speaker, I also want to refer to our young people and their involvement in crime. We know the ones in the past when men would come home on a Friday night and Saturday night and drink out all the money at the rum shop and then when they get home there is no money for maintenance. We can understand what happen there but now there are other forces that are impacting on our people and I think that a lot of it is to do with illegal use and abuse of illegal drugs which is also taking a toll.

Mr. Speaker, I am remembering that sometimes I hear the song “How Many More?” by the Calypsonian and every day we are experiencing young men and now we are seeing a lot of young women getting caught up in this whole domestic violence set of acts and we are seeing more of our young women involved in sex offenses that are impacting on them and their psyche and of course their character. I believe that we need going forward, Mr. Speaker, in putting systems in place to be able to get our people to pursue avenues that would develop good character, that would help to build strong communities, that would help to promote the whole religious and spiritual components that we have always been nurtured with in the home, in the church, in the schools and generally in the rest of the society. We are lacking in a number of areas where we know what is right from wrong but it seems to me as though the easy dollar and the negative influences, especially those that are being impacted upon us from the outside world, the cultural penetration and so on, is taking a precedence compared to that strong platform of morality that we would have experienced as we go up in our society, therefore, Mr. Speaker, I want to say that the Government would have taken a good, strong political will to be able to want to work with this and I know that successive Governments have made efforts in trying to improve or to amend these various Acts to ensure the safety and the protection of its citizens. Sir, of the First World Conference on Women in Mexico in 1975 when Barbados started to make some strides, I am sure that they would have been efforts and legislation in place previously but because of our traditions, I do not think that the impact was there in the same way. Of course, in the Fourth World Conference on Women held in Beijing in 1995 we saw other aspects of development being followed through by this Government and the successive Governments as well. I know of the then foreign Minister’s activity, the former Honourable Member for The City of Bridgetown in her presentation when she referred to a number of areas that we had made strides in between 1975 and, of course, that current time where there were references to the establishment of the National Commission of the Status of Women. I believe that too

helped to inspire women and others in Barbados to be able to focus on issues to do with sexual acts as well as the domestic violence and violence generally. Of course, the creation of the Bureau of Women’s Affairs in 1976 and now the Gender Affairs Bureau because we now have to look based at men and women, include the men in the equation as we have already established that all men are not perpetrators some women are very cruel and indifferent. I am even going to add any other word because of the forum I am in but they seem not to care even about their children who are looking on and listening and drinking or sucking in the negativity that is coming through from their behaviour. It is a very big cause for concern. Then we look at the ratification of the United Nations Convention on The Elimination of Discrimination Against Women in October 1980. The National Advisor Council on women was appointed in 1984. The National Policy Statement on women in 1992 which integrated certain broad principles essential to policy development in all sectors of the economy and the Ratification of the Inter-American Convention of ... do power, on the Prevention, Punishment and Eradication of Violence Against Women in 1994. The list goes on and on because as I said earlier, Sir, and we all know, there were amendments to this particular situation.

Mr. Speaker, I have had further experiences that have helped to spur me to be want to be able to speak with this matter in the timeframe that has been offered to me and I want to refer to my personal experiences. First living in a parish where I can identify about 10 communities where women’s bodies that were brutally murder were found. Up until year before the last, I think there were 10 murders in 2014, there was one last year on the eve of Christmas in St. Peter, a mother with seven children. That hurts, that destroys every thought of a person being unkind to a partner that would have had so many children in the relationship. What happens to those children? We need to look seriously, Sir, at what the Government has to do to fill in the gaps that would be left because when we look at it, they are hospital or health cost generally, they are a cost to the Child Care Board, there are a cost to the Welfare Department, they are a cost to families, they are a cost to the agencies that come on board to assist with the counselling, with the lending of accommodation for food and shelter and a number of other areas. When I look at my two students, in particular, whose bodies were brutally destroyed, one whose name I would only call as Karen where the head has not been found yet, Mr. Speaker. That hurt. She was one of the most beautiful young ladies Barbados could want and I do not even think to this day anybody has been arrested for her lost. Then I look at Donella when I am walking coming down Shop Hill on mornings and I am ready to pass out with the short walk I would have taken, Donella would run up Shop Hill and how Donella was brutally murdered. That hurt me, it hurts the families and it destroys communities. It creates so much anguish, anger and bitterness in our society. Two Saturday

mornings ago, Mr. Speaker, while I was doing a community programme which I love doing and working with children and I am not used to having on my cell phone at all because I find that to be very disrespectful but I forgot and it is God's intervention that the cell phone was not turned off because a gentleman who lives in St. Michael called to say he had a problem and he was at the hospital. I asked what was wrong. I thought something was wrong with one of my relatives. He said he had a young lady there from way up in the East and I will not call the parish who was so badly beaten that her teeth were knocked out of the front of her mouth and I am here trying to get some help for her. I want to thank a former Women's Affairs Bureau leader with whom I can communicate who now has that woman in a shelter. Why must she be dragged out of her home because of a disagreement with a partner? If men love us, they love us. If they do not love us, Mr. Speaker, they do not love us. That is probably the reason, I do not know, that I do not have a male partner in my house, Mr. Speaker, because I do not think I would be that easy. I would lose my tooth, Sir, and somebody would have to lose something else. I think it is wrong. I am not trying to fight violence with violence but we have to retaliate at some point to make the point or to let the public know, yes, we are loving women or we are wonderful children but do not take advantage of us because of our dear loving hearts. I think it is wrong and I am not making that comment, Sir, for any Member on the Other Side to believe that I am looking for anything. I am not looking for any partner and I am not going to accuse any of them, Sir, in this Honourable Chamber of battering women either. They will know and they have consciences and they would have to look deeply inside their consciences to determine whether they are perpetrators of these crimes or not, Mr. Speaker.

I also want to take this opportunity because I know I will soon be told that the time has gone but I want to take this opportunity also, Mr. Speaker, to really express my gratitude at the various governmental agencies but now more particularly the agencies in the non-governmental sector that have put forward their resources, their time, their money and, of course, businesses and other agencies that come on board to ensure that women, men and children receive the necessary counselling, they receive the kind of shelter to keep them in safe homes during the period and the impasse and the legislation speaks to that as well and I want, if you will allow me, Sir, to make mention of a few names of those agencies. I cannot call all of the names but all of them, Sir, have been doing a fantastic job in helping to stymie the process of the loss of more lives or more severe beatings or homes being destroyed or women and men not being able to go to the workplace to be productive or for children to be faced with such experiences or to witness such experiences such that they too have the scars and determine that in order for me to survive and I have a partner when I get older I must tolerate it, or to be in school or in any institution and cannot study

because mummy and daddy were at home fighting this morning, I left them at home, and I am wondering what is going on, or having to go home to a stepfather or a stepmother to be harassed sexually...

I am not making any excuse for any man or woman who takes advantage of a child, it is wrong. Children are special, they are our future, God has given them to us and for any adult, I do not care what age, once they are over 18 years, to take advantage of any child sexually, emotionally, physically or otherwise, it is wrong and unacceptable because children are people too and human rights are significant for everybody to be able to have them respected and for them to be able to live and enjoy life.

Mr. Speaker, I want to express my gratitude to some of the organisations that I have made note of that have really done a tremendous job and really need to be recognised even more in this society for the excellent work they have been doing to make a change. Mr. Speaker, are we going to get others coming on board because we are now developing a society where it is about me and I and I and as long as that challenge does not impact on me or my family, I will give a blind eye to what is going on. I think that is wrong. More people who have come through the system, who have benefitted by the free education, the free healthcare services and all of the other aspects of good living in this Barbados that has come a long way and made tremendous strides compared to many other countries in the world, should come and give back to this society to help to make a difference especially for those who are vulnerable and those who are marginalised and to the poor people that would not be able to help themselves.

Mr. Speaker, I want to mention the Gender Affairs Department, the SAVE Foundation and the United Nations that every year sponsor all kinds of seminars to prepare us to be able to be better educated on how to grapple with the sexual offences and the domestic violence and violence generally and so on. I know of the Business and Professional Women's Club doing their work. I know of the Soroptimist Club and the other non-governmental organisations like the Rotary Club and the Lions Club and of course communities where there are women in particular who are holding young people together and mentoring them to teach them what is acceptable and what is not acceptable, how to firm themselves to shore up their dignity, to know how to be modest, how to dress, how to speak, how to present themselves in businesses and things of that nature and the respect that is due. I think it is critical that more of us give of our time, our energies, and our resources in helping to educate persons about what they should tolerate and what they should not in relation to these sexual offences and so.

Mr. Speaker, I find that many of our young people now are being taught, the calypso we heard last year that is

so offensive to many of us, something for something. The something for something is adding to these problems. The Honourable Member for St. Philip North is so familiar with these things. Those things seem to titillate him in a special way and I am happy that he is a young man and he still has a lot of vibrancy in him. He is alive and kicking, Mr. Speaker, and I am very happy about that. Mr. Speaker, I know that he too will join in the vanguard in making sure that these scourges are stamped out of our society. It will take a long time but it calls for good strong political will and it even calls for good strong leaders in our schools, churches, in our community groups, the Police Force, in our Cabinet, our Parliament and everywhere that we need strong people who will say enough is enough, we are not going in any way to tolerate the nonsense, and once the perpetrators or the would be ones see that we are standing up for what is righteous, what is correct and proper, what is a human right, I am sure that it will help in the process to be able to make a difference.

Mr. Speaker, I looked at Section 12 on page 21 of this Act and the other measures that are mentioned here where reporting has to take place. That is something that was of the past as well where many people would go to the hospital or to the clinic or even to the school or even our workplace for that matter and we noticed that there are visible signs in particular and somehow when we ask a question, the person said I fell and hit a book or something when we can see clearly that there was some kind of implement that would have been used to bludgeon the person and then there was no reporting. I went to Sandy Crest not long ago with a person with a domestic dispute as well and I learnt that the police were informed after the individual was examined and the report was made and that is true because the police did turn up eventually but they were not called previous to going to the institution.

Asides.

Miss C. Y. FORDE: The Honourable Member for Christ Church South would be referred, Mr. Speaker.

Mr. SPEAKER: Honourable Member, your time has expired but I will give you two minutes to make your last point.

Miss C. Y. FORDE: I so appreciate you listening to me, Sir, thank you very much.

Mr. Speaker, the Honourable Member for Christ Church South's feathers are ruffled but I will have to deal with him face to face. When we go downstairs, I will get the opportunity to talk to him. I am not interested in his antecedent, I just want him to play it right at this time and make sure that he treats his partners and women and children and men and everybody in a correct way.

Sir, I close because I am happy to know that the reporting will take place and once the reporting takes place and the police have the authority to be able to go forward through this legislation to make sure that they track down all of those perpetrators that it would help more of our people to be able to access the training, to look at conflict resolutions and of course to include many other aspects of what would be necessary for us to be able to live in Barbados as human beings with rights that are respected and that we share whatever knowledge, skill and understanding we have to be able to bring along others so that this country would again be the peaceful place that we have all learnt and live and known it to be previously. I wish to thank you, Sir.

Mr. SPEAKER: Yes, Honourable Member for St. Philip South.

Hon. A. D. BRATHWAITE: Mr. Speaker, I want to make just a short intervention in my support of this Bill because based on the presentations that we have had, there are only a couple of areas that might need some elucidation which we can do in Committee.

I would like to begin, Sir, by agreeing with much of what was said by the previous speaker, the Honourable Member for St. Thomas, and indeed note that domestic violence is just an echo of the level of violence that we are seeing in Barbados and as a region. When one looks at what happens in the region in terms of the level of violence, my good friend and colleague from Christ Church East Central would put it down to the psychology or sociology of slavery, that in fact that as descendants of slaves who were subjected to much brutality that maybe in some ways that has remained within our DNA, so we really need to do something about the level of violence overall in our society.

I know that we have, for example, 16 days of activism but we need to have a continuous look at how do we reduce the level of violence that we are seeing perpetrated across Barbados with our juniors and seniors in school and with our adults. Certainly, I am one who believes that much of what we see played out among our young people and indeed among our adults in terms of their violent responses is probably what they have seen or have been exposed to as young persons, I have no doubt about that.

Around about 2009 I had an opportunity to meet with CADRES and I believe the Bureau of Gender Affairs and some officers from the Office of the Attorney-General where I received a presentation as a result of a study that was done on the level of domestic violence in Barbados.

Mr. Speaker, I have it wrong, I believe that was probably early 2011, because I became Attorney-General in

October 2010. Sir, out of that presentation it was clear to me that we needed to move with haste to see what we could do to reduce the level of domestic violence in Barbados.

As you would have heard from previous Members, in many of our districts growing up, we either saw first-hand or heard of households where in particular the females were subjected to beatings quite often on Friday afternoons after the chap has returned from the rum shop, et cetera, for various reasons. Sir, in a modern Barbados, 2016, one would like to believe that that is a thing of the past but unfortunately it is not, it remains a significant cause of concern for us. Mr. Speaker, what the CADRES presentation brought home to us was that there are some deficiencies in the 1992 legislation.

Before I forget, Mr. Speaker, let me say that I am very, very happy to note that Members of the Barbados Labour Party Administration have come a long way since 1991, because when I look at the 1991 debates their lead spokesperson was asking why do we need this legislation, what is the evidence that suggests that there was a level of domestic violence that as a Government you needed to respond. I invite Honourable Members from the Other Side to read the debates and see, so I am happy to note that the modern Barbados Labour Party supporters have come a long way in terms of their understanding of domestic violence issues, so that when I heard the Honourable Member for St. Thomas I was heartened because what I read from her immediate predecessor, the individual at whose knees the Honourable Member has learned much of her craft was that...

Asides.

Hon. A. D. BRATHWAITE: I am happy that they have come such a long way. That is a serious comment in terms that we can stand here in 2016 and can debate such a Bill and that really there is no opposition to this Bill because we both recognised on both sides of the aisle the importance of this legislation.

Mr. Speaker, there was some concern that we had a law that did not recognise visiting relationships. There was some concern that we had a law that still allowed children in particular to be exposed and to be disadvantaged. There was some recognition that we had a law that seemed gender spewed, that is, a law which seemed more to favour men, although in the writing of the law, the law really was mutual, but in this Administration we seemed to have had a bit of an issue.

Mr. Speaker, the fact is that this 1992 Act, in the main, is actually not a bad piece of legislation. Where we fell down as a country was in its administration. I say that to say that, in fact within the last couple of years, because of the level of activism, because of the level of education,

the number of domestic violence level reports to the Royal Barbados Police Force has increased, the way how they respond has actually improved significantly and I will speak more to that, so if you check carefully, Mr. Speaker, since 2011/2012 in particular, we have had more significant discussion about domestic violence issues across Barbados, across the divide than we have probably had at any point in time of our history. There have been honest discussions led by many individuals and organisations that were mentioned by the Honourable Member for St. Thomas.

Mr. Speaker, I cannot help but mention a few because I have spent many an afternoon and many a day having discussions with some of them. The National Organisation of Women, they continue to work very closely with the Bureau of Gender Affairs and with the Royal Barbados Police Force. Whenever cases come to their attention they are very active. The Business and Professional Women's League, Sir, I heard concern about the level of support that they receive from Government as a non-governmental organisation. I want to say that I recognised the importance of the work that they are doing and I will give any support that enables them to continue to increase the level of support that they now offer to men and women, particularly women and children in Barbados.

Women of Purpose is a group to which I have been exposed about a year or two ago. I reminded them that I am also a man of purpose, that I remain available to assist them at any time, after counselling or otherwise. You heard from the Honourable Member for St. Thomas about the significant work not only in time and effort but certainly in terms of resources that UNIFEM over the years have done. We cannot as a country and as a Parliament lose any opportunity to signal to them our profound thanks for their efforts.

Mr. Speaker, among other things we are looking at our family/gender-related legislation to see what changes we need to make, to modernise how we respond as a country, not just from a criminal justice perspective but certainly from a support perspective so that we can offer more support to the less advantaged in this country. Mr. Speaker, that is what we are supposed to do as parliamentarians, that is what we are supposed to do as a country, to ensure that where the more vulnerable is exposed and we can assist them, that we have to.

Of course, as a man I could not sit without mentioning MESA who we know they also have a role to play, because we know that domestic violence does not see male or female but that it impacts all of us, both male and female. I know I will probably forget some organisations. The Church, across Barbados over the last couple of years, day and night, I have been exposed to presentations by church leaders or the church have asked us to come in and

make presentation because the church themselves recognised that there were issues.

Mr. Speaker, there was a time when if a brother or sister in the church were having an issue, they would have been told to go home and put their marriage first, et cetera. Our church leaders have now accepted that is wrong, that notwithstanding the importance of the family in keeping the family together it was more important to ensure that they offer protection to whomever was the victim. Sir, I believe that the formation of the Family Conflict Unit in 2013 has also made significant difference and an approach to domestic violence in this country over the last couple of years. They started in July 2013, over the last two years they have been making a significant difference in terms of the education of police officers. As I said before, one of the issues that we have with the 1992 legislation is not so much that the legislation was defective, but it was the approach of the Royal Barbados Police Force in terms of how they responded to calls of domestic violence. That has changed significantly over the last couple of years. With the support not only of the Office of the Attorney General but the support of our international partners, we have spent a considerable amount of time, effort and money in training individuals, because our mantra is that if you have a call from Crab Hill in St. Lucy to District "C" in St. Philip, or Oistins in Christ Church, whenever there is a call of a domestic violence-related nature, the level of response will be the same. It is not by accident that we have incorporated that into the legislation, because we want to make clear the seriousness with which these issues will be treated by the Royal Barbados Police Force and by us as a people.

Sir, we will not be able to save everyone. That is a reality, but what we are noticing in terms of the statistics is that in fact over the last couple of years there has been a decline in the number of domestic violence-related deaths. The reason why I say that we will not be able to save everyone is, if memory serves me correctly, in 2013 there were nine domestic violence-related deaths, in 2014 there were five, and last year there was one. If you dive down into the statistics, however, what you need to extrapolate, if you can, is how many of these individuals had come into contact with the Royal Barbados Police Force before. In other words, were there cases that were known to the Royal Barbados Police Force? Did they intervene? Could anything else have been done to assist the relationship to prevent the unfortunate death, usually, of the female? Certainly, these are questions that I normally would ask. The last death last year was particularly unfortunate, and maybe I can use this opportunity to ask more of our people to take ownership and get onboard.

I went to Western Union and I was shown a video allegedly of the last victim and alleged perpetrator fighting - fighting badly -- and there was someone who would have taken this video with their cellphone. Sir, the video also

showed a couple of individuals looking on. My understanding is this: Was that incident, as bad as it was when I saw it, reported to the Royal Barbados Police Force? Therefore, we have to get some ownership in terms of communities, and our brothers and sisters -- not in the biological way but in the neighbourly way -- who see cases where individuals are being brutalised, whether it be male-on-female or female-on-male, must in fact make it our business to report to the authorities because it is our business. As the Honourable Member for St. Thomas correctly said, where there is a victim there are normally two victims and other victims. Let us assume that you lose the mother; you also lose the father who ends up before the courts, and of course then the children have to find their way through the system and usually end up in children's homes or with other families, et cetera. The Member for St. Thomas is right that, in fact, in all of these cases we are not just losing a mother or an aunt, et cetera, but it impacts the whole family dynamic, and that is why it becomes the responsibility of all of us.

We have come a long way, but this legislation which we will hopefully pass today is not the beginning and the end. Let us not lose sight of the ball. Education is the key. Education is what has made the difference in the last couple of years. Education is what will make a difference in the future. You cannot legislate bad behaviour. I say that continuously. You have to change the cycle of violence. You have to change the psyche. You have to be able to convince more of our men and women that there is a better way. Sir, I have this saying that I am less inclined to have confrontations because I have my car keys. In other words, you can walk away and live as opposed to reacting violently.

Asides.

Hon. A.D. BRATHWAITE: Mr. Speaker, I beg you to save me from the Member from St. Michael South. We as men are not as supportive of each other as we should be. When things are down, we find the most cruel things to say to each other, and I say again that there is nothing wrong with a man learning to cry and taking his licks and living another day. We really need, in all seriousness, as men, to give each other more support when things are down, but it does not happen. We go into rum shops, we sometimes even come into Cabinet, and when things are down you might be given a lash jovially or otherwise, but the point is, in all seriousness, Mr. Speaker, that we really need to give each other more support so that men would be less inclined to respond violently when they are having challenges within their households.

For those organisations which I mentioned, while I thank you for your past support, the journey has not ended. I read recently one of the organisations' heads saying "let us get this legislation off whoever Minister's desk it is on"

and that the country needs the legislation, et cetera. That is why I make the point that it is not the legislation; it is the education that we need to spend more time on. We have come a long way over the last couple of years. We are seeing a reduction in the number of cases. We are seeing an increase in the number of domestic Protection Orders. That is significant from the point of view that more persons are willing to come before the court and admit that they are having challenges and need protection. As you know, Sir, we have had a tradition of people suffering in silence. No more; because of education. That is a good thing that in fact more individuals, more men and women, are able to come out and say, "We are having challenges. We do not believe that we can address these challenges by ourselves. Give us some support. If we need counselling or otherwise, give us some support so we do not escalate to violence in our relationship."

I fully support this Bill before the House. As I said, there are a couple of things that I will address when we get into Committee. Hopefully, the Honourable Member for St. Joseph will be available. I have a first-year law course to give him because he does not seem to understand basic law. Mr. Speaker, when we get into Committee, we will spend a bit of time on that, but I thought I would use these few minutes really to paint the picture of where we were and where we are now and - I emphasise this yet again before I take my seat -- the importance of continual community involvement, the importance of continual education of our men, women and children, and moreover, the importance of addressing the issue of violence in our communities. Violence breeds violence. I am convinced about it. I am convinced we need to spend more time, more money and more resources training our people that there is a better way to address conflict other than violent reactions. I am obliged.

Mr. SPEAKER: Yes, Honourable Member.

SUSPENSION OF SITTING

Hon. J.D.E. BOYCE: Mr. Speaker, I beg to move that this Sitting be now suspended for lunch until 2.30 p.m.

Hon. A.D. BRATHWAITE: I beg to second that, Sir.

The question that the Sitting be now suspended until 2.30 p.m. was put and was resolved in the affirmative without division, and MR. SPEAKER suspended the House accordingly.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed When the Suspension was taken, we were on Government Business Order No. 22 and with that we shall continue. The Honourable Member for St. John.

Honour Mrs. M-J. M. THOMPSON: Mr. Speaker, thank you for allowing me to have some of your time. I rise in support of the effort to form the domestic violence Protection Order Act, 1992. I do so as a representative and I will take the opportunity to express my appreciation to the people of St. John for keeping me to represent their concerns. I wish to contribute to this debate because it is what I consider to be a vital piece of legislation and the tweeting of this legislation clearly is necessary and something which I would certainly wish to be a part. Sir, that is because the legislation strikes at the very fabric of our society largely because it affects family, and as we know, strong families build strong nations and domestic violence has a detrimental effect on families because it affects the person who is being abused and unfortunately it can then have far-reaching effects on the offspring of that family. Sir, I once witnessed a child saying to her mother that she had better hush up before her Daddy put another lash in her. I actually heard her say that and that really spell trouble for that family, in my view because I could see that it was a situation where the woman was being abused but she also now has a child who has lost all respect for that mother.

Mr. Speaker, this is a piece of historic legislation which seeks to tweet the legislation that was introduced by the Democratic Labour Party some time ago and I would want congratulate this great Party for continuing to pay attention to the role that this plays in improving the social standards and the quality of life of the people of this country.

Mr. Speaker, this Democratic Labour Party is on record for implementing equal pay for equal work in the Government service, for introducing maternity leave and sickness benefits under the National Insurance Scheme in 1967, for passing the Succession Act, making parents and children of common law relationships to inherit property and for passing the Sexual Offences Act. Sir, those are just a few but there really more but I thought I would research and include that information in an effort to capture the political DNA of this Party and the commitment to the social engineering within this country and the upliftment of the people of this country in that way.

Mr. Speaker, this legislation has come at a time when we have witnessed horrifying newspaper reports, front page stories, thanks to our freedom of reporting that really brought me pain. Sir, let me pause to acknowledge the work of some of the various non-governmental organisations and State agencies that find themselves in the front line of this effort. We have the National Organisation of Women, YWCA, the Barbados Professional Women Club and the SAFE Foundation, to name a few. However, the substance of my contribution is not to focus on newspaper reports but to report that the acts perpetrated by the offenders are often displays of power associated with

gender relations, just establishing power and establishing control. This power relationship is not just a Barbadian phenomenon, it happens worldwide and the last survey done in Barbados in 2009 showed that approximately 30 per cent of Barbadian households were affected by domestic violence. Sir, according to global statistics at least one in every three women around the world experiences domestic violence while up to ten million children witness it annually.

Mr. Speaker, while reading up for this debate, I came across an article which I had read a couple of years ago, which spoke to concerns raised by the chairperson of SAFE Foundation and that can be found online in the Nations News. It is dated March 8, 2013, which spoke of a number of calls made by the head of that organisation and I quote from the chairperson of the SAFE Foundation, Lisa Daisley:

“Last year, the organisation received roughly 1 825 to 2 555 calls on its hotline reporting incidences of domestic violence. Some calls were from victims and other were from family members and friend. While it was difficult to provide empirical data of how many of those callers were teenagers, some of the victims of abuse were as young as 14 years. More and more young women are falling to domestic violence”.

Mr. Speaker, this data begs the question. What this organisation viewed as the place where there is a higher level of trust as a first responder and how many of these callers then turn around and call the police. Mr. Speaker, of all the recommendations made here today, I want to pull out the section which establishes the duties and power of the members of the police force in relation to allegations of domestic violence including the power to issue Emergency Protection Orders and, I am really happy to see this.

Mr. Speaker, I support the idea of eradication and just as we have the goal of poverty eradication I do not see why we should not be able to have the goal of eradicating this scourge called domestic violence. It speaks of poverty of the mind and in my view, no one has the right to strike and it is something that is perpetrated against persons of all age groups and really should not be part of the future of any civilised society. I am reminded of our own Prime Minister's utterances earlier this year where he said that we ought to, in this 50th year of being an independent nation, reflect on what aspects of Barbadian life can be discarded. He said a lot more than that but that is what I choose to use for this purpose. Domestic violence is certainly one of those that we would want to discard but if I want to stay with my point with this discourse of the role of law enforcement in tackling the issue. I do not have data in my possession that reviews how many calls are received and how quick responses are. That really do elude my presentation but I would like to know what the statistics are

like in that regard because I sense or we can see that there is this problem of trust where people feel that calling the law enforcement agencies does not help them or they do not work. It is my view that with this change or this tweaking of the legislation but that really should assist in covering that area in that the police can and will respond more effectively with this legislation in place.

Mr. Speaker, after all the legislation that we put in place before this Chamber it will all simply gather dust unless we truly find a way to ensure that the justice system is seen as trust worthy and that people can change from calling the NGO hotlines and calling the police hotline. I noted with interest that the police must keep a domestic violence register that they can make reports available and they can also ensure medical attention and retrieving personal property where necessary. I am happy and glad that we are seeking to ensure a strengthening of laws with regard to this matter.

I want to share another simple quote from our party leader and Prime Minister the Right Honourable Freundel Stuart and remind the Chamber. I read this in a comment he made on September 5, 2014 while he was delivering in Samoa and I quote, “If we do not shape our future it will impose on us ways that are fundamentally of variants with our interests.” I took note of the comments made back then and realised that our country cannot surrender or be at variants with our interests. Our interests as a small society must and should seek to restore where it is missing trust in all our institutions. I would really like to see our first line of support being our law enforcement arm and gradually as a society we eradicate this poverty of the mind. I think it is important that any victim should have trust in picking up the phone and calling the Police Hotline and be satisfied the report made is acted upon promptly because any delay can cause the loss of life. Our society must not adopt a new normal nor can we surrender our future. Today I appeal to all of your listening to me within this Chamber to let us rebuild trust in all our institutions and trust on the part of the public. That trust must come from the public.

I think with those words, I shall take my seat, thank you.

Mr. SPEAKER: The Honourable Member for Christ Church West Central.

Hon. S. A. LASHLEY: Thank you very much, Mr. Speaker. I too would wish to associate myself with the amendment to the Domestic Violence Protection Act and to say at the outset that I believe that this is certainly a continuation of the efforts of this Democratic Labour Party (DLP) Government to be proactive and purposeful in crafting legislation that is designed to address pertinent issues of the day. I believe the Chamber would recall that they original legislation was enacted under a Democratic

Labour Party (DLP) Government, and that legislation was brought to the House similarly amidst a number of concerns in relation to the rise in domestic violence and indeed at the time, we had to certainly the Democratic Labour Party (DLP) Government at the time, cross a number of bridges in terms of gaining the support of the Opposition, Barbados Labour Party (BLP).

In terms of the legislation that was brought the record does show that the attitude in relation to domestic violence at the time was one that required a certain amount of education and that there was a need to ensure, through the kind of advocacy, the I believe the Government of the day to ensure that there was a sufficient basis upon which domestic violence legislation should be brought so I want to first of all complement the Minister and indeed the Government for again leading in a very important area of social engineering. Mr. Speaker, there is no doubt that the legislation which speaks to domestic violence and indeed the amendment to the Domestic Violence Act would always be grounded in differences of opinion, the issues that impact on families particularly as it relates to violence and of course we know which predominantly impact on women, has always been one in which there has been a divide therefore when this legislation was originally crafted in 1991, the Democratic Labour Party (DLP) Government felt they should lead the debate, it should take a purposeful approach. Indeed, the records would show that particular Bill when to a Joint Select Committee of both the House of Assembly and The Senate and was certainly scrutinised and had the benefit of tremendous public input. At the end of the day, I think, the wisdom of the Democratic Labour Party (DLP) Government in moving our legislative framework towards ensuring that we cd have gotten a purposeful and progressive approach to domestic violence won out at that time and I believe it was similarly win out at this time where, of course, as we scrutinise these proposed amendments there are still some questions being raised by the Opposition as it relates to matters such as whether or not the amendments are not going to far, specifically to the powers of the police. I did hear in the debate the issue being raised about whether some provisions are not boarding on being unconstitutional and, of course, the debate, I believe, Mr. Speaker, even after we have considered this amendment will rage on and it falls then again to the Democratic Labour Party (DLP) Government to adopt a purposeful approach which is based not on any whims or fancies but when I recall the introduction made by the Minister with responsibility for this matter, much of what we are doing today is grounded in statistical evidence which is, not only based on police records, but based on actually information that is known in our society that domestic violence remains an issue, therefore it has always been the case that in dealing proactively with matters of this kind, we always had to adopt an approach of being preventative.

Mr. Speaker, I do not believe that the issue of domestic violence is one of those activities that we have to wait to get evidence of persons killing each other to adopt a preventative approach. I believe that when you look at the present legislation you would recognise that within the present Act, even before we amend it, we had to deal with issues in relation to ensuring that certain matters within the domestic domain had to be addressed purposefully. It meant that the approach taken legislatively may be classified as being revolutionary or could be classified as being perhaps an aggressive legislative approach, but nevertheless it was an approach that required a fairly concise approach.

Mr. Speaker, before I get into some of the other observations I want to make on the legislation, I want to say that I believe that there are certain pertinent issues in our society today including domestic violence that require even a more proactive partnership between Government and the non-governmental organisations. I am happy to see that in this particular instance we would have had very significant input. We had tremendous lobbying and proactive thinking from the relevant non-governmental organisations, and long may that continue to happen particularly when we are dealing with legislation of a social nature. In fact, the Government cannot, and it has never been our practice within the Democratic Labour Party, to draft legislation that have deep social consequences and do it alone. We have always partnered with and always listened to the non-governmental organisations. I do believe, particularly in relation to many of our prevailing social challenges, that we are going to need a very robust and responsive and certainly equipped non-governmental organisational structure that is capable of meeting the Government halfway in assisting us in relation to some of these issues, so I am very happy about that.

There is an additional area that I would like to see more proactive non-governmental organisations action on and which certainly continues to be an issue in our communities, that is, the area of persons who are affected by fire who become homeless. I do not believe that our current system is as responsive as it ought to be. We still have in our communities many persons who are affected by fire who for any reason are unable to find alternative housing immediately, and I stress immediately, and therefore I would like to see perhaps the development coming on stream of a non-governmental agency that would be responsive in collaboration with the Government to fill in that particular void.

I am particularly impressed, Mr. Speaker, that this Bill before the House essentially takes the current legislation and provides a more comprehensive approach in enhancing what we currently have in several respects and in a sense may have modernized several elements of the

current Bill, and I believe that that is a move in the right direction.

Mr. Speaker, when we look at the issue of domestic violence in 2016, certainly many of the issues that were pertinent in 2009 have now been further elaborated. There have been many changes, and I point in particular to the issue of harassment. In the original debate in 1991 harassment was also an issue which became the centre of attention. The definition of harassment in actuality is one of the biggest issues which persons who are victims of violence in society and at the level of domestic violence complained about.

The present Act does have a very refined definition of harassment. The current Bill before the House thus take into account a number of modern practices which people use very aggressively to harass people, and therefore I believe the definition of harassment, which is extended under the current Bill, is a clear attempt and the correct approach at ensuring that we could capture some of these modern means. It speaks to harassment by email, electronic means, telephone, text messages, publishing matters on the Internet and so on.

Mr. Speaker, I believe that it is important to look at what happens in reality in society. It has been a concern, certainly not only to me, that we need to ensure that we could address in a proactive way some of the systematic means used by persons to commit offences against persons under the shield of social media. I believe perhaps we have to go even further than we are currently going where it is clear that persons are bent on tarnishing the reputations of persons by using blog sites, some of them operate extraterritorially in other jurisdictions, to tarnish the reputations of persons and to practically put on them offensive material. I believe the time has come where we have to adopt some very serious legislative approaches to these persons who I call cowards who operate seemingly in their estimation above and beyond the law in any particular territory expecting that the reach of the law would not get them. I want to say though that there are international conventions and treaty networks that can be resorted to ensure that these persons do not literally get away with what I consider to be literal espionage and electronic criminal activity, that is how I describe it.

I believe that the drafters of this legislation in seeking to bring under the ambit of the Domestic Violence legislation issues such as publishing on the Internet matters without the victim's consent, keeping the victim's communication under surveillance without the victim's knowledge or consent, text messages and so on, all constitute harassment which can be very painful and certainly very disturbing and embarrassing, and do have a social cost because of the nature of many of these activities, so I believe that has been a purposeful approach.

Mr. Speaker, there is the issue of child abuse. I recall the Honourable Minister having to spend inordinate time in recent times to address disclosure of child abuse. In fact, I believe he would have made a very good intervention by having a live broadcast of the efforts being made by the Child Care Board to address issues of child abuse.

Mr. Speaker, I am happy to know that the amendment before this Honourable House does bring within the parameters of domestic violence the very important critical issue of child abuse, there is now a definition of child abuse. Of course, the Bill is expansive in that we recognised in today's society we are not only addressing traditional relationships in terms of persons who might either be married and living in a household but the Bill speaks to domestic relationships of varying nature. Of course, the issue of visiting relationships is now being brought within the domain of the Domestic Violence Act.

I believe, Mr. Speaker, that I am also impressed by the fact that we are not just bringing to this Honourable House amendments to tighten up on what we currently have, we are not only giving some to the police some additional powers to make interventions in domestic disputes that if left unchecked could result in serious harm to persons, I believe the Bill has taken the precaution of while giving to the police additional powers, it does include some very important safeguards to ensure that those powers are not exercisable without any kind of check or means by which of course persons who might feel as though they are offended or their rights infringed, they do have recourse under the Bill.

Mr. Speaker, I believe that one of the things that has been missing, particularly in relation to reports of domestic abuse, has been whether or not the police would have been required mandatory by law to make a precise report each time in writing about the nature of those reports of domestic violence, before there was never a need to actually record aspects or details of the report of domestic violence. We have taken the precaution of ensuring that each occasion a police officer required to visit a household to investigate an incident of domestic violence that there is need to prepare a report. In this Bill, Mr. Speaker, we have not only said to prepare a report but in the Schedule to the Bill the police officer is now required to follow a particular Form by which that report should be done.

Mr. Speaker, I think that is not only important in relation to the gathering of evidence which is critical but it is important in relation to being able to see accurately what are the nature of reports being made to the police, particularly in relation to the kind of statistical information that is required upon which we can continue to review and certainly to look at how this issue of domestic abuse is being checked.

Mr. Speaker, I believe - and I believe other speakers in this debate have made the point - that putting in place legislation to address matters of domestic violence in and of itself really will not cause domestic violence to go away, I believe that it will place a significant check on the incidents of domestic violence. I also believe that one of the things that we have got to do as a society, and certainly the agencies that are responsible for this particular matter, is that even as we make these changes to the legislation we have also got to be mindful to put in place systems that are designed to ensure that we can continuously review how these changes to the legislation are working. Therefore, I believe that we are going to have systems by which we could actually review the incidents of domestic violence and of course the circumstances that would cause particular types of domestic to occur.

Mr. Speaker, I believe that the amendments before the Honourable House is going to require a very purposeful approach not only by the Royal Barbados Police Force but by the supporting agencies that are required to work with the Royal Barbados Police Force in ensuring that domestic violence can be curbed and curtailed. I am certainly in favour of a situation where complaints that are brought before the courts relating to domestic violence, in fact, in relation to any family-related matters, that those matters being heard in camera. I believe that certainly it must be the intent as legislators to ensure that what we are seeking to do is not to plaster or to put out in the public domain the intimate details of family disputes. I do not believe that is the intention of this Honourable House.

Mr. Speaker, what we want to do is to have a situation where disputes as they occur within the homes can be resolved and that complainants, whether male or female, can feel sufficiently surefooted, they do not feel embarrassed because of the opened nature of how many of our matters are dealt with in our court system but that they feel a sense of confidentiality that matters occurring in the homes are addressed in a confidential nature. I hope that we would get to the stage where once we have matters before the court in relation to domestic violence that complainants can be assured that their next-door neighbours or persons who they know would not have the opportunity of going and sitting in a court and hearing all the intimate details that would inform the complaint. I think that certainly has got to be one of the things that we do. I do not necessarily believe that it needs to be a part of the legislation but I think certainly the practice of the court can evolve to the point where we have a practice which actually determines that these matters are held in camera.

I also believe that how we present the evidence of putting domestic violence in the court system can also benefit from some of the innovations that we have seen evolving not only within our current jurisdiction but certainly internationally, in terms of how evidence has been

gathered. I believe I can agree that certainly once the Government would have heard all of the arguments being put forward for changes to the domestic violence legislation... In fact, those submissions were very fervent and consistent. I believe the groups that have spent quite a lot of time lobbying Government to look at this legislation should feel a sense of accomplishment, in that we spent quite a lot of time listening to the areas of concerns, we went through a number of iterations of reviewing the legislation, it would have gone before the various sections of the relevant ministries, the proposed changes came before the Governance Committee of the Cabinet and we sat and looked at them very copiously with the relevant officers, to ensure that where we were going was based on solid evidence and statistical data.

Mr. Speaker, I want to stress that because I recall in my research, certainly looking back at the debate in this Honourable House of 1991, the lead spokesperson of the Barbados Labour Party made the point that the Government of the day, meaning the Democratic Labour Party, was creating an error in that it was seeking to put in place domestic legislation that was unnecessary because it was not founded on any statistical data. He made the point, I recall, that any time that you are embarking on legislation that has deep social consequences, a Government should not pursue a change, in the absence of statistical information.

Asides.

Hon. S. A. LASHLEY: Indeed, the lead advocate then for the Barbados Labour Party made the point that there was no room for criminal law in solving issues related to the family pertaining to domestic violence, and that there was no need to criminalise, or use the criminal law to deal with, issues of domestic violence. I believe since 1991 and the year 2016 after quite a lot of time was spent in the deliberations and in a Joint Committee of Parliament on these matters, there were two reports in fact submitted. There was a report submitted by the Joint Select Committee, the findings of all the consultations at that time, and there was also a Minority Report in which the reservations of the Barbados Labour Party were inserted. I think history and the evidence have shown from 1991 to 2016 that in fact the Democratic Labour Party was correct in using legislative means to deal with what was in fact becoming a very serious problem. I would say that the Domestic Violence (Protection Orders) Act as enacted in 1991, had it not been put into law, we would have had an even greater problem on our hands today, given the history. In fact, I believe we were correct in moving in that respect. I believe we are equally correct now in listening to the voices of stakeholders and also taking the very mature decision that you do not have to wait for the crime statistics, the murder rates, to escalate beyond all reasonable proportions to understand that you have to take

preventative action. That is largely what the Amendments before the House are designed to do. They are not only bringing us further into the 21st Century as it relates to modern practices but we are adopting a very preventative stance. We are saying that we will not wait for things to get worse, and that we are going to create an environment in which these matters can be dealt with proactively.

I believe back in 1991 -- and I think that this particular provision is still in the current Act -- there was always controversy over whether or not it was right or wrong to make a determination by court order in relation to a domestic matter, whether one of the parties who owned the real estate should be asked to leave the household or not. That was very controversial. Indeed, what came out of that Debate at the time was that you had a situation where you were balancing the rights of the parties. You were balancing the rights of the parties because it was inserted in the legislation that while you could have a court order asking one of the complainants to leave the home, it was necessary to make it very clear that that did not impact on their legal rights to ownership of the real estate which they were being asked to leave. In fact, there was always recourse to even revisit that order if circumstances had changed.

Therefore, Mr. Speaker, I believe that the important aspect of this Debate occurring in 2016, several years after we had determined in 1991 that there was a need for a legislative solution to domestic violence, is that we are at a stage now where we have got to engage all of our partners within the wider society. As the legislation and these Amendments are contemplated, I believe we have got to get to that place where we recognise that in tackling this issue of domestic violence, while the Government by legislation and by these Amendments have signalled that there is need for urgency and intervention, there is a wider societal obligation. There is a wider responsibility on the part of the society and non-governmental organisations working in partnership with the Government at all levels of society to ensure that this issue can be abated and can be further controlled. That is why I believe that, in certainly hailing the advocacy of non-governmental organisations, particularly on this issue, there is need for a greater degree of collaboration and a sense of understanding that this issue has got to be tackled at all levels of our society. Therefore, I make that call today fully conscious of the fact and being proud that we have signalled as a Government that we are not afraid to take decisions of this kind, particularly when we know that those decisions are in the best interest of our society.

I believe that there are wider issues of a societal nature that we have to address. We are currently planning a national consultation on the society, because I believe the Right Honourable Prime Minister has given a very clear mandate that we have to pause as a society and examine

some of the deeper issues that continue to impact Barbados and that have a social cost. We are engaged in planning that national consultation on the society, and I believe that issues such as this, how we tackle matters that are sensitive, Barbadians will have a chance to come and give their view on them. Therefore, Mr. Speaker, let me again indicate my support for these Amendments.

I do not believe that Barbadians have anything to fear in relation to some of the concerns being raised by the Opposition about whether some provisions are unconstitutional or not. I believe that within the context of the existing powers of the police, the current Act, by the way, does allow a police officer to arrest on reasonable suspicion. In fact, when that Bill was debated, there were similar concerns. I do not believe that the police have abused their powers. Nothing has happened to create any alarm that the police have abused those powers. It is important, and I heard the Honourable Attorney General making the point, that certainly in terms of the training being made available to the members of the Royal Barbados Police Force that we are now even more sensitive today of the need to have trained officers who make those interventions in the home. I think that is also a key point to make, in that the issues of domestic violence require intervention by trained persons, whether they are police officers or social workers; but trained persons have got to be at the forefront of dealing with these very sensitive family issues.

I also believe that within the framework of the Amendments, we are now called on to even examine other means of how we will shape the values and reinforce some of the values that we have cherished in our society. In the face of how our young people are being perceived, I think that we are sending a signal that those family values remain very important to us and we are very keen on protecting them, even if it means using legislation for that purpose. So, Mr. Speaker, with those remarks, I restate my support for the Amendments and I believe that, certainly, one of the ways that we can give further ethos to the overall objectives of the legislation is to ensure that we can continue to monitor and make the necessary interventions as time continues. With those remarks, Mr. Speaker, I am obliged.

Mr. SPEAKER vacated the Chair and MADAM DEPUTY SPEAKER assumed the Chair.

Madam DEPUTY SPEAKER: The Honourable Member for St. Philip North.

Hon. M.A. LASHLEY: Thank you, Madam Deputy Speaker. First I rise to enter very briefly but let me congratulate the Honourable Minister for bringing these amendments to this House. I must say that these amendments are timely and indeed I also want to

congratulate those non-governmental organisations, the SAFE Foundation and MESA and all other organisation who championed the cause and were strong advocates against domestic violence.

Madam Deputy Speaker, I also want to state that these amendments further concretise our commitment to women folk and other social issues that touch and concern the women folk of this country. In fact, also, it again highlights the commitment of the Democratic Labour Party to family and our women folk as you go through the history of the legislation that we have passed that really touched issues relating to women of this country.

Madam Deputy Speaker, let me say that when the Act was passed in 1991, in fact, I must also say that have practical experience being an Attorney-at-Law at the time, I did a number of cases under the 1991 Act for the respondent but also sometimes for the complainant and, indeed, when we look at 1991, although the Act was passed, and when we look at the debate and the Barbados Labour Party response to this issue, the lead spokesman for the Barbados Labour Party asked in that debate why were we bringing this specialized law on domestic violence when there already exist the criminal law and then he actually went into the famous Wolfenden Committee Report that gave the definition and also the purpose of the criminal law and the fact that the purpose of the criminal law is not to delve into the private lives of citizens but really to protect the welfare of the Government. Madam, certainly, my view is that the specialized law that was passed, I do not believe that we can give an exact definition and say that domestic violence is part of the criminal law, it is complementary to the criminal law. The reason why I say it is complimentary to the criminal is because the 1991 Act stated that once a complainant brings a complain under the 1991 legislation that all he has to do is prove on a balance of probabilities, which is a lesser standard than the criminal law, which is prove beyond reasonable doubt. Sir, it is really complimentary to the criminal law. It was set up that way to ensure easy access to person who are affected by this domestic violence that was around at the time, and is still around and, in fact it gave the complainant the opportunity easy access to justice.

Mr. Speaker, why do I say that? Madam, once the complainant believes or reasonably believes that he/she has been affected or suffered injury, you do not have to go to the police it, you go to the Magistrate's Court, you get the document from the court, you go on oath in the same Magistrate's Court and then you get a date and the matter is heard within a couple of day, and the matter is served on the respondent. Madam, it is set up in that way to give that easy access to justice and it is a protective measure because the existing criminal justice system with its delay and with the fact that you have to go through so many challenges, as we say hoops and loops, and whatever that it delays the

process. You get to court faster and easier under the Domestic Violence Act in relation to family issues.

Madam Deputy Speaker, I want to also observe that even during my experience in practising at the Bar, there were some cases that involved domestic violence and ended up in a capital charge of murder but the fact is that you had a serious problem with the law at the time because Section 4 of the 1991 Act categorised the applicants, you must be a member of the household, a former spouse, the Commissioner of Police, and it sets out a whole set of applicants but did it not capture a visiting relationship, so the persons who had access under the 1991 Act were only a limited category of persons who could apply for a Domestic Violence Protection Order under the present law. Madam, that is why I said in my opening that the Minister must be congratulated because these are timely. Sir, once you are not a member of the household, you are not living together no application could have made at the time, you had to resort to the existing criminal law. In fact, the Member who responded for the Opposition at the time in 1991, said that the legislation was not needed because you could go to the Magistrate's Court, applied for threats as common assault or battery under the Offences Against the Persons Act, all these things he said were available at the time and so there were deficiencies in the law at the time, particularly with visiting relationship because they were not captured under the present legislation.

Madam Deputy Speaker, I also want to look at the Opposition response because mention was made that we did not even look at this aspect. Madam, some scenario was raised about a boyfriend and I remember shouting across that we had expanded the applicants who could now access a Protection Order under the legislation and so, Madam Deputy Speaker, I also want to say at this moment too that this Bill is historical and the amendments are historical because from perusing the pieces of legislation that impact on our criminal justice system this is the first piece of legislation that has recognised and mentioned expressly victim's right in it. If you look clearly in the Act, Madam Deputy Speaker, rights of victims have been recognised. At the back there is a particular form that sets out the rights of victims. In fact, it places responsibility on members of the Royal Barbados Police Force to guide a person who have complained or who have actually suffered from an act of domestic violence and I must say that this is historical because I remember in Opposition mentioning that there is a need for a victim compensation scheme. The fact that in the criminal justice system -- and I know that I may get licks for saying this -- there is an imbalance because the accused ... Yes, I understand the everyone is innocent until proven guilty but, of course, the state protects the accused person and I am saying that this is historical because we as a Parliament have no put in legislation a recognition of the victim and the victim's rights and actually spelt out under the law, the rights of victims. I am saying that I must

congratulate the Honourable Member for St. Michael Central and the Minister of Social Care. I want to get to this point too, Madam Deputy Speaker. The present law as it states that once there is a proceeding under this Act, there can be no publication of the parties and hear evidence from the proceedings under the present legislation but I certainly believe that we must go further. I would respectfully submit, Madam Deputy Speaker, that we put it in the Act that proceedings under this Act must be held in camera. Do you know why I say that? I had the experience as a practitioner, I recall it was a Friday because every Friday in a certain Magistrate's Court - she has now gone on to the Bench -- you used to call it Domestic Protection Order Day. The Courtroom packed to capacity and I had on that particularly day, I was actually representing the male and he brought the Order against the female companion. The courtroom was packed and the evidence began and members of the public in the courtroom started to laugh, giggle and sneer at the man. The matter was adjourned and the man said, "I am not going back to that Court because it is an open Court and I do not feel like a man." He felt embarrassed, that is why I am saying, give the Magistrate or put it in the Act that matters, making it mandatory, "shall be heard in camera" because not only, it also ensures the victim's participation in the criminal justice. It ensures the victim's participation because the victim is an essentially and the most important component in the criminal justice system and I would say that put it, probably put it in the section Offense Act too. Also in the Domestic Violence Act and put it in the Sexual Offenses Act. Yes, under the Sexual Offenses Act for minors, evidence is taken in camera. The Magistrate could act in his jurisdiction but, of course, if you leave it this way the Magistrate has a discretion whether to do it or not to do it and that is why I respectfully submit to make it mandatory, put it in the law, Madam Deputy Speaker.

Furthermore, Madam Deputy Speaker, I want to deal with the issue of police powers and indecent police and the fact that a Member got in here and said that it is unconstitutional for the police to arrest without a warrant someone who is about to commit an offense. I have practice criminal law for a number of years and I would like to believe that I have practised it with some distinction. I have read Glanville Williams, Archbald, Blackstone, all those books, leading writers on criminal law ...

Asides.

Hon. M. A. LASHLEY: You would not know about Blackstone. I have read ... (inaudible) ... on criminal procedures, all of those, leading authorities on criminal law. I have also read the criminal law, Arrestable Offences Act Subsection IV of it, the Police Act, all of those pieces of legislation. In fact, even the Common Law, Madam Deputy Speaker, give police special powers to arrest without warrant if someone is in eminent danger or if that

person is about to commit an arrestable offence. It is really wrong for someone to get up in her, a classic impersonation of a Queen's Counsel, but a classic personation of a Queen. I am saying, Madam Deputy Speaker, there are checks and balances and safeguards built into this legislation. The Honourable Member for Christ Church West Central said it before and then repeated it. Madam Deputy Speaker, the law now provides that a police officer shall record a complaint and take ??? if you go into that station and you say to a police officer, there is a prowler at home and that my man or woman, let me say partner, ...

Asides.

Hon. M. A. LASHLEY: I did not mention the Honourable Member for St. Thomas' name. Why is she behaving so?

In circumstances, once there is a complaint it is mandatory now for the police to make a record of that complaint and you do not only stop at making a record of that complaint, they have to serve it on the complainant and to me that is a safeguard because the victim now has a right to test the accuracy of the report and it gives a proper balance to the proceedings.

Mr. Speaker, I have an issue with the present legislation, I have an issue with the 1991 piece of legislation and I have an issue now, but I believe that the learned Attorney-General and the Minister of Social Care would listen to my point. I certainly believe that absent from the 1991 legislation is a penalty for anyone making a false complaint to the court about who suffers from domestic violence. I have said from the onset that the police get involved once that person suffers an injury and they go to the police and make a complaint. Before, in fact still is, you can go straight to the court before even going to the police. Once you sign that form in the court and the clerk signs it, you go on oath in the Magistrates' Court and you say whatever is in this document I verify is true and correct, that is then served on the respondent and the matter is heard in the Magistrates' Court on a lesser standard of balance of probability, not that you have to prove guilt beyond reasonable doubt, which is a higher standard in criminal law.

Madam Deputy Speaker, the Opposition has mentioned abuse and said that these actions could be unconstitutional, but throughout the Act we have safeguards, even from the point of view of issuing the Emergency Protection Order by the police which is also conditional because certain conditions must be met before the police issue an Emergency Protection Order because of the consequences of the Emergency Protection Order issued by the police.

Madam Deputy Speaker, I am confident with the built-in safeguards of this Act that any abuse of power is a liability to the State and that the State would, of course, suffer from a civil suit. Given the fact that there are safeguards and built-in conditions, not only does the victim have rights but also the respondent, the person whom the complaint is made against also has rights.

Madam Deputy Speaker, I said I would be very short in my address to you, but I also want to touch on one more matter, that is, our criminal justice system. Madam Deputy Speaker, with respect to the process of domestic violence and the fact that we passed the Act in 1991, I want to respectfully submit that I personally would like to see all of these issues that I have raised in relation to in camera proceedings and in relation to the fact that we must also have a balance in relation to a false complaint inserted into legislation. It does not have to be this present Bill but in the future we could look at those suggestions because of course these Amendments were knocking around for some time, and it was not as a result of our fault. We had to speak to the stakeholders, we had to get their suggestions and we had to make sure that all parties were satisfied. We even had to get the participation of the non-governmental organisations in these Amendments.

Madam Deputy Speaker, I again want to support these Amendments. I once again will say to this Chamber that they are timely. I even support the expanded definitions of what constitute domestic violence, financial abuse and emotional abuse. Of course, it might mean that if one suggests or seeks to go to the court and rely on emotional abuse they would have to get scientific or expert evidence to support their case, so it might become a little costly or more expensive.

Asides.

Hon. M. A. LASHLEY: The Attorney-General interjected, but it takes me back to a particular case for the Caribbean Court of Justice, that if a party needs to get facilities to ensure that there is a fair trial or a fair process if I believe that I am affected by emotional abuse, the other party can afford expert evidence to contradict my evidence, but then I do not have the means... I know that there is a Legal Aid Certificate for domestic violence in some instances. I cannot remember if it is in the Schedule to the Community Legal Services Act but I know that if you go to court seeking to raise the issue of emotional abuse it must be grounded on scientific or expert evidence. I do not believe that any judicial officer would hold up a matter or would give credence or any credibility to any matter raised under the Domestic Violence Act, particularly emotional abuse, without supporting scientific and expert evidence, that is my respectful submission.

Madam Deputy Speaker, again I want to congratulate the Honourable Member for St. Michael Central, the Honourable Minister of Social Care. The Honourable Member has made a further mark on the programme of this Government. He has sought Amendments in this House to give the law more power, to give police officers more power and to give persons who are affected or basically persons who have an interest in social issues, particularly domestic violence, an opportunity to say that they have made a contribution to the programme of the Democratic Labour Party. Thank you, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: The Honourable Member for Christ Church East Central.

Hon. R. D. JONES: Thank you very much, Madam Deputy Speaker. I want to join my voice to those who have so far spoken on this very important piece of social legislation. The nature and notion of domestic violence is one which is known across every human civilisation, it is not unique to this small 166 square mile lot, but because we are such a small society it is felt more and seen more by the citizens of the country.

Madam Deputy Speaker, there have been times when silence had enveloped the nation because persons felt as though this was a family affair, that this was something which should operate in the shadows and not brought to light and as a result of that particular posture so many persons have been harmed, some irreparably; persons have been driven to the Psychiatric Hospital; some have been known to die as a result of abuse, both male and female. We tend to make sometimes very rigid distinctions between the sexes because it is felt that men somehow should stand tall and suck it up. In other words, you can take the abuse by whomever, it is within the domestic environment.

Madam Deputy Speaker, here I do not want to make artificial distinctions, I live in a modern Barbados where there are contemporary realities which might not necessarily conform to historical viewpoints. I am not going to open the door too widely, I am just giving a little peephole, but I want persons in this country to understand that it is no longer a situation of domestic abuse of female on female, female on male, or where children caught up in the whole melee, but today with contemporary lifestyles it might very well be female on female and male on male. This country lives with a certain level of hypocrisy so now that we are pulling out of the shadows domestic violence within our heterosexual relationships, we need to pull out of the shadows as well the violence, domestic as it is. I do not hold back on these things, I expect to see my God some day.

Asides.

Hon. R. D. JONES: Madam Deputy Speaker, we have heard too many stories and have seen some evidence of some persons being catspraddled by two-by-threes across their shoulder and ending up in the Casualty of our hospital. We have seen other men being chopped by other men, or they use whatever tool they have to inflict what pain they want, so I am not pulling out or describing any particular instrument, what I am speaking about is that the shadows must disappear with these relationships that exist. When a society hides itself and say no, these things do not exist, we are opening another door for domestic violence. We know in our country that there are persons who now live together who share resources, who have sexual intercourse or 'outercourse' or whatever course, we know that. I am asking the question, would they have the same response, would they enjoy the coverage of what we call the historical heterosexual kinds of relationship out of which domestic violence can be generated? Would that same coverage exist? Madam Deputy Speaker, I am not opening doors, I am just creating peepholes, others can open the door wider but we cannot hide from contemporary reality. I leave it for those who are better versed in these things to speak to them. I do not like shadows: dark shadows, white shadows, shadows in high places, shadows in low places, shadows in districts where the 'localites' live or shadows in the district where people are still emerging from the tenantry system, I just want to see greater light.

Madam Deputy Speaker, the Honourable Member for St. Philip South spoke this morning about the whole notion of what we would call the sociology of domestic violence. Where did this all begin? One could argue that the nature of man is so complex that it might very well be embedded in some men and in some women, the nature of violence. As the Honourable Member for St. Philip North has said, domestic violence is a subset of the wider notion of violence because there are certain premises on which domestic violence stands, and I cannot get into the legal aspect, I am not a lawyer, I leave that for the lawyers in this Honourable House to speak to.

Madam Deputy Speaker, I would want, though, to hypothesise that the nature of plantation societies by their very nature of control - and we are still a plantation society, we are now seeking to move into light. This legislation, in its amended format, helps to move us into greater light - had built into them extreme levels violence. I therefore contend that some of the violence that one sees now, domestic and general violence, must have had its genesis in that particular economic, social and cultural environment. There was a time in the interplay in plantation societies that the black male was denied the opportunity to cohabit with the lady with whom he had found comfort, because many of them were plucked from the periphery of the plantation and taken into the beds of their owners, supervisors or whatever names they were called and a certain anger was being built up among several of those strong strapping men

who had no avenue for the display of their manhood because they were being ripped asunder in that situation and had to suffocate on the pain of death the hurt and the pain they felt when their partners were removed from them, either on the same place or sold to somewhere else across the country, or to some other country. The way the mind works, the way it constructs anger -- because the mind constructs anger - and then the extremities that you carry in your hand or some other implement that is brought to bear, you use it. Much of that is demonstrated now. I do not have hours to go into all the details based on my own understanding and appreciation of the whole sociological circumstances, but I hope you get the simple germ of what I am trying to say.

Today, domestic violence is a stain on the character of a nation. It is a stain on the character of our society, and the damage is not only done at the level of the victim, Madam Deputy Speaker. In this case if it is a man-woman relationship, it would be a man inflicting the domestic violence on a woman, but if there are children around, there is the harm that is done to those children. Out of some of those children, if they are not able to break the cycle, one gets a continuation of the violence. In fact, out of that violence sometimes in our societies, sociopaths are developed, psychopaths are developed, and sadistic tendencies are brought to bear. You can start seeing some of these traits quite early in our children; very early in our children, responding and reacting to the presence of the pain, the hurt, the denial and the abuse in their environment. It could be seen in the bullies in our schools, so that you deprive somebody of what is theirs, the girls who gang up on a girl, the boys who gang up on boys, the boys who gang up on girls and all of that; that is part of the cycle of what they experience, what they see, what they hear, what confronts them every day of their lives. As they grow and mature, somebody is going to feel the blow, somebody is going to feel the neglect, somebody is going to feel the pain, somebody is going to feel the emotional abuse. That is the general nature of human life and of human existence, and it takes hard, hard work to get persons off that track, off that trampouline, off that journey. It is hard work. There is no simple answer, no flick of the wrist, no magic wand that you wave, because if there were in fact magic wands to be waved, we would not be in here discussing domestic violence today. The Honourable Member for St. Michael Central would not be bringing this legislation under his portfolio as Minister. We would not need that.

As human beings we always have to be in a struggle because of the challenges and problems that we present all the time. All of it is interwoven into the fabric of our society. The young man who kills, who feels no pain or hurt, no guilt as a result of the death caused; one could well understand the genesis of all of that behaviour. One would have seen, read or heard of persons who would have

suffered - male and female -- that abuse for years without giving a response. It leads to battered women's syndrome, battered men's syndrome where they almost give in to the abuse.

As representatives of the people, we are in some interesting positions. People do not only come to constituency clinics to demand or ask for assistance with getting a job or getting a house or getting help with something. It is amazing that they seek help in matters such as this. They seek help through you, and you have to refer to the agencies of the country. You have to instruct. If it is a woman, "do not let the man know you came to talk to me about what he is doing to you". Men hardly come, because somebody teaches them that they should not cry because of pain, that they should not go to the police and report because somebody will laugh at them and say "he is a he-she". That is the nature of our country. "He is a he-she. Man, go back home and take care of the woman, do!" And you are dying on the inside. There is also some wickedness in this thing too. Do not let us pretend, and that is why the point made by the Honourable Member for St. Philip North is important. I have heard several persons say, "I would go and lay a complaint for you. I would lay two or three complaints for you". Let us know our country and not the hypocrisy and the pretence. That is real. "I am going to lay a complaint for you, and they will believe me too". Yes, they tell me so. "I would give myself a lash in my own face and go and show them that I got blood." That might be in the minority but it is all so real because it will affect somebody.

Therefore, let us, as we amend the legislation, be conscious of other realities as well. I know we do not like talking about this because we do not like to offend, which is good. I support that, but it is known through research, sociological and psychological research, that some of the greatest abusers in any society are persons who are in the coercive forces: military, police, prison, any one of those. That is not me. I do not know anything about that. That is the research, and that is because of the nature of their jobs. Sometimes their training can bring out this kind of thing because you are into power and subordinate relationships. You are trained not to tolerate disrespect for power, so "how dare you answer me back? Take that". That is the nature of the training in their professions and all of that. There is a plethora of research on these things, so one could well understand sympathetic responses or do not turn up. I remember some years ago, a lady came to me. She said she had this chap - we can all tell the stories - and every weekend he used to go and beat her. He had two children from her and no longer lived with her. Not me. I am repeating a story. A lovely-looking lady, well-shaped and formed and intelligent, but in fear.

Madam Deputy Speaker, only recently ... because the former man turns up and tells her that you cannot stop

me from coming here. Sir, all of those persons need to be put away, to protect the victim and to protect themselves. They do not need a little touch upon the hand and say, thou good and faithful person of God come and rest. In fact, some of them should have eternal rest because the abuse is too much for female or male. We know of the severe embarrassment of men who may be having a discussion with their male friends, male bonding and the woman turns up and tells him, "Come, we are going home". Madam, that is also a level of abuse, very overt vicious abuse on a man. I know the Honourable Member for St. Philip South says it does not happen to him but all of these things are true and we have seen them happen in our country.

Asides.

Hon. R.D. JONES: No, it would not happen to me because I have never in my whole life and in my own family circumstances seen that level of behaviour. Sir, I can guarantee you one thing...

Asides.

Hon. R.D. JONES: Walk away, or run, you might run something into somebody because that is the natural response for those who do not want to see something like that happen. We need more persons with strong voices in relationship to this whole notion of domestic abuse. Madam, people have been beaten in Bridgetown unmerciful. This happened right in the capital of our country and people just step back and form a circle. Madam, that is what we do because we no longer intervene and say not, it should not happen. Therefore, legislation is a prescription. Madam, that is all it is but you now have to have dynamic action. We have to have the verbalisation and the actualisation and the given direct responses to all of this abuse that takes place in our society. Madam, the legislation in its definitions are quite, it tells you exactly what they are, emotional abuse, financial abuse and domestic relationship. Madam, they turn up at your workplace and you pass the check to the female because she is in control. They may be some genesis to this, so I do not want us to divide this thing strictly into male/female kind of thing because it affects everything but because men themselves relate more to physical violence one sees the instant recognition of that physical violence on the partner.

Madam Deputy Speaker, I think we are on a good path but we have to ensure that all of these female agencies and male agencies are all supplied with the right level of resources to ensure that necessary protection, necessary education and necessary advice is given to those who find themselves in these circumstances. Madam, this legislation starting from 1991, leads us out of the shadows into the light and we must not allow ourselves to be drawn back into the shadows or back into the darkness. We have to protect all of our citizens in all of their relationships and to

ensure that is meant and genuinely meant by this legislation and can be carried out without fear or without favour and, therefore, Madam Deputy Speaker, I am 110 per cent support this Domestic Violence Protection Orders Bill 2016.

Madam DEPUTY SPEAKER: The Honourable Member for Christ Church East.

Hon. Dr. D. LOWE: Thank you very much, Madam Deputy Speaker. I rise to lend my voice to this debate. I consider it to be seminal conversation in this Parliament on matters relating to the kind of society that we are trying to construct. Of course, Madam Deputy Speaker, you would recall that the leader of this Government in this country established four critical pillars of sustainable development that should drive the country's thinking, the country's consciousness and the country's efforts. Madam, one of those pillars is what the Right Honourable Prime Minister describes as the development of a socially balanced society and what I understand by that is the creation of a society that is strictly based on opportunity and effort and reflecting on the words of the founding father, that any man or any woman born out of this society once or she applies themselves and exert the effort required that person should be able to strive and succeed at the highest level in the society, that vision was drawn out of respect of a society where relationships were based on power and ownership and wealth, where relationships were not equal in this society and where the planter class, the owner class dominated the centre of relationship and unfortunately, that kind of thinking and that legacy has pervaded our societal realities over the years. Why I find this piece of legislation intriguing is because it seeks to bring our attention to the reality of relationships in this society. I query the attorneys as to whether the relationship should be restricted to romantic relationships or relationships defined by some sort of romantic situation. I was advised that there could be some flexibility in the interpretation of the word "relationship". I do not profess to be a student of the law and therefore, like my colleague here from St. Philip West, we are going to stay on the outskirts of the law for the purposes of making our contribution to this debate.

Madam Deputy Speaker, before I go further, let me congratulate these wonderful champions of the cause of women and other types of relationships who have given their service and time to ensure that the country stays in tune with the issues affecting our citizens and that it should always be in the forefront of our consciousness that there are persons in our society who are still suffering from the remnants of toxic relationships and that part of the toxicity is imbedded in the thinking of persons who believe that as long as they are the source, whether it be the source of finances or whether it be the source of anything required in the relationship that they should have the right to behave in a way that they choose to behave.

I applaud these women here and the gentlemen if they so associate themselves with this cause and the other non-governmental agencies in our society that continue to do an outstanding job in helping us as lawmakers understand what the driving remit of the society is at this time and to understand that we can no longer cuddle those attitudes and those beliefs that anyone of us was vested with any right to own and by extension to abuse. I am very, very happy about the stance of this Government in addressing some of these issues. I want the society that I want to have to be led by someone who embraces these principles, my kind of society and the society that I wish to pass on to my own, has to be a society that is interpreted and guided by someone who understands the rudiments of saving the society from those violent practices of the past because part of our slave history is one that teaches us that he who has the power has the voice and rules and has the whip. We have been socialised in that kind of context. It is a dysfunctional kind of socialisation that persons today in our society seek to continue to embrace and to perpetuate as the scripture would call them "progenitors of the viral". I speak from a position of someone who takes very seriously, that which we choose to pass on, that which we choose to say to the next generation, this is what we are leaving you. We are bequeathing you a society, a society that has been corrected in its form and in its practices and I believe that is why you honourable women work to ensure that those things that were one normative in our society are now things that are rejected because it is not the kind of context that you wish to propagate your message of equality.

MADAM DEPUTY SPEAKER: Honourable Member, address the Chair please.

Dr. the Hon. D. S. LOWE: I am very sorry. For some reason I thought you had switched to this end.

Asides.

Dr. the Hon. D. S. LOWE: Thanks for reminding me that I should stay and focus in this direction, Madam Deputy Speaker.

Here we are today, engaging in a discourse where the Government is putting its case. I asked myself what is it that we are trying to remedy with this amendment and the answer that I have gotten is that we are trying to remedy a thinking in our society that it is okay to be abusive without consequence and that the kind of consequences that are brought to bear on those who would be handing out abuse and be saying everywhere in this society. It is no longer pervasive, it is everywhere in our society as we expand our traditions, as we move beyond what was once considered, the traditional, perhaps, especially in the context of relationships. Once upon a time, Madam Deputy Speaker, we would not have to contend with issues of male on male and female on female relationship, I mean frontally in our

society. Those were things, commodities, social psychological commodities that existed in the dark rooms as my friend, the Honourable Member for Christ Church East Central has said. There were reserved for there. Not one of us believed that all of a sudden these things have become real in our society. These things have always been there. What troubles me, however, is that these practices have now been escalated almost to the front burner and they are those who want them to become the issues of the day. I am saying, I am not sure that is the society that we want to have. For me I am sure it is not the society I want to have. Here we are talking about abuse. Abuse is imbedded in the psyche of our social systems. It has always been allowed, it has always been a part of human relationships we say and we also note that abuse is one of the instruments of power imbalances and it is an instrument within the context of relations and as one of the Honourable Members said earlier, that relationships whether they are platonic or whether they are male and male or female and female, male and female, whatever, all human beings involved in relationships can, at some point in time be exposed to abuse. It is a reality. Do you know the reality is? The reality is not that a man wants to beat up a woman or a woman wants to beat up a man or a woman beat up a woman or a man beat up a man. That is not the reality you know. The reality is that we have been brought up in a society that when these kinds of things begin to show evidence our first response has been a hush-hush response. That is why, in recent times, the church has become subject to serious scrutiny about relationships and abusive relationships where we have had the crowning symbol of leadership in churches being accused, assessed and some found guilty of abusing children, boys, girls, et cetera. In other parts of the globe where the law has been applied in its strictest and strongest sense, I made the point, when you commit an act of abuse it is a serious social surge and what some societies have done, Madam Deputy Speaker, is that if you have been convicted of an act of abuse against a child, or some act of molestation you are flagged and any receiving community will be told that you are coming and will determine whether or not they want you among them. We are fooling around with this thing. We got some predators out there, both men and women, wreaking havoc on the innocence of some people in our society and they could still march around and walk about and they can still purport themselves to want to lead a whole country, and it cannot be allowed to happen.

We have to imbed in our consciousness, in our culture, a respect for the dignity of every individual. No one has the right to be abused, that is the fundamental position that we take. When you find that there is a perception of privilege, notions of rights, false perceptions of self importance, notions of privilege, notions of pedigree or the right to own, what we are basically doing is fully embracing the slave legacy, because that is what it was. We do not talk much about 'Uncle Toms' anymore. These are

persons who feel that they have risen, and they have only risen on air, and these are people who carry on that legacy and then we have to make sure that institutions that are supposed to protect us do not fail us any longer.

Madam Deputy Speaker, that is why I fully embrace the Amendments because very often we hear of cases where the police is called; but the police comes and when it is a domestic issue they say look, I really do not want to get involved in that. That cannot be the case. Whenever a citizen, male or female, is in distress, we expect those who have been designated to protect and to serve to serve and to protect. Madam Deputy Speaker, that is why this is a very important Amendment. Of course, we have to equip them to do that. You cannot call a police station and the police tell you they would like to come urgently but right now all of their vehicles are out, we cannot come. There is now ready surveillance data at the police's disposal even in his or her vehicle to be able to flag you or your house. I have been there ten times before. This is a serious situation. Those are things that we have to do.

There is also a culture of abuse that is pervasive. Abuse flourishes where silence prevails. When people stay silent about abuse, it flourishes. What drives silence is a feeling of fear or a feeling of powerlessness or a notion of known helplessness when you have been told so very often that you are weak and you are no good and you cannot make anything of yourself and you have to stay here because nobody would hire you, nobody would love you or nobody would want you and you begin to internalise that, that becomes what is psychologically labelled as notions of learned helplessness.

What also drives that culture of abuse is where the victim becomes the enabler, when a woman becomes so afraid that rather than standing up and taking a position, the man cries I will never do it again please, I am not going to do it again, but you know I only wanted the \$5, man you know I do not like this or this should not happen, anyhow I know you have to go and buy..., you go ahead, here is the five dollars, you go ahead, that is an enabling dynamic that continues to perpetuate the undesired behaviour.

Madam Deputy Speaker, that is why I agree very much with both the learned Attorney-General and the Honourable Member for St. Philip North when they both said, and others said it too, that this legislation here that we are now contemplating is really not a remedy, it is an instrument to allow us to be able to fight from the back-end of the situation of abuse. What we really want to do is to raise the awareness of our society, and that is why I have chosen this position, that even before the abuse begins that you could identify those signs that tell you that there is trouble on the horizon and that you could be proactive in responding to the situation and not be reactive.

There is also another area in the culture of the abuse that we have to take note of, that is, the area of failing institutions of protection. Part of a socially balanced society has to be that regardless of where you are located on this island that you have access to those protective services whatever they are. Wherever you are, whether you are on the hills of St. Andrew or the hills of Fort George, you must have access, and it must be an access that works, to those protective services and that is why it behoves the culture of law enforcement in this country to expose their officers and workers as far as possible to the techniques and the tools that are required to keep them on top of their game, it is important.

Madam Deputy Speaker, I simply applaud the learned Attorney-General for the work that he is doing and is seeking to do to enhance the existing powers and abilities of the Royal Barbados Police Force to do its job. One of the things that the Force has to face is that there has been a passing out of some outstanding veteran officers who have now retired and there is a whole passing in of a number of new, young, enthusiastic officers, so please give them all of the support, the approaches and the training that is required to help them to do their job, that is important.

I know that sometimes we like to steer away from the church, but it is my opinion that very often the church if it does not get its message right, can contribute to the culture of slavery enslaving people to views of subjection that sometimes teased them into believing that they should allow certain things to happen and turn the other cheek. I am not disavowing the scriptures, what I am doing though is that I am trying to stimulate or to titillate the thinking of those who might be apt to believe that when wrong is being done that for the sake of their faith and commitment to God, they should allow that wrong to continue, and if you allow that wrong to continue you will be very wrong to do that, that is the point I am making. My theological understanding is that a man or woman always have an obligation to have a first response to protect themselves, for even among those that are of a lower class than us, I am talking of course about the animals of that other tier, they first response is to try to fight back. There is something in psychology called the fight or flight response and anytime your first response is the flight, you are a coward, you are frightened for your skin, you should be somewhere hiding in a corner, avoiding significant contact with other human beings.

Asides.

Dr. the Hon. D. S. LOWE: I do not know the flight we are experiencing in here on this debate is about but I will say this, the country must take note that on a significant debate like this that really cuts at the heart of what the modern society should look like, that really penetrates the cord of silence and brings to the fore an

understanding and an opportunity to delve into the rudiments of protecting our women, our men and our children, it deserves to have the voice of anyone who seeks to lead this society. I have no doubt that the Right Honorable Prime Minister is going to lend his voice to this debate, and he leads us from in front.

Madam Deputy Speaker, there is a culture of abuse, then there is a cycle of violence and again if it is about educating and bringing our society along so that they may understand what to look for, what to avoid or feel to avoid, because we have a dangerous trend now going on, especially among school-aged children where they are fancying themselves to be more comfortable in associating with these images that are not commensurate with the kind of forward-looking and forward-thinking approach to life that we should seek to embrace, but look out for the tension-building situations, abuse start to get angry and abuse may begin, there is a breakdown of communication, victims feel the need to keep the abuser calm.

Have you ever seen those situations? We see them in public all the time, somebody begins to misbehave and somebody is pleading with their lives, please, calm it down, let us wait until we get home to do this, not here, not in the public, it is embarrassing. I am sure you have seen that. By the way, the real trouble starts by the time they get home, the tension becomes too much and the victim feels like they are walking on egg shells, they do not want to walk too hard for their bones to crack in the house because it may agitate.

Madam Deputy Speaker, another area of the cycle is the make-up, abuser may apologise for the abuse, the abuser may promise it will never happen again, the abuser may blame the victim for causing the abuse, the abuser may deny the abuse took place or such. This is what the police have to go in now and assess and determine whether there is an imminent danger and then exercise the power under the Act.

Madam Deputy Speaker, I am not getting into the logistics as to whether or not the police have too much power, it is my view every life that we can save deserved to be saved. I rather run the risk of arresting you because I thought a crime was going to occur, than not arresting you and then have to go back with a body bag that is the way I see it. I do not speak from any position of legal knowledge.

Madam Deputy Speaker, there is then the calm period where the abuser acts like the abuse had never happened, that physical abuse may not be taking place and promises are made during the make-up. Madam Deputy Speaker, too many women allow abusive men to use the power of sex as the primary make-up tool (underscored) and find themselves completely sedated in the context of

that toxic situation, to the extent where once the moment is over the memory has gone.

Do you know how many women die as a result of that approach? I am quite sure that it may have happened to men too, where they became sedated by the tool, I am talking about the instrument, they forgot about the abuse, that is the make-up time and the make-up place and then it is over. This is what the society needs to be educated about, twinned with the legislation must be an aggressive social education programme that helps our people to understand.

Madam Deputy Speaker, I came across an interesting bit of research when I started to look at this matter, I was trying to answer the question what is the typical profile of an abuser. In other words, what should I look for? What are the psychological, sociological, psycho emotional traits that could possibly help me to run away from certain persons? The research says that abusers are not easy to be spotted. Do not forget what I said earlier, they are usually cloaked in status symbols, they are masked persons trying to conceal feeling of inadequacy, especially with males; envy, especially with females where they hate...

This is what Sigmund Freud said, he said that women become extremely dangerous when they suffer from a psychological displacement called penis envy. I do not know what you would call the man's syndrome, I am still trying to find that, penis envy where a female is unhappy with her genitalia designation. I know some people will say that is old psychology, but if you would listen to me, go to the toy stores and ask yourself why they are buying so many false genitals. Ask them that. I am just reflecting on the research which notes that these persons suffer from what is called delusional dominating personality disorder.

Madam Deputy Speaker, I love strong women, I must tell you the truth, that is why I do not suffer from any syndrome if I am interested in somebody who is taller than I am. My mother raised me helping me to understand that if you are going to be successful in life you should link yourself with a strong woman, a woman who is not afraid to express her views, a woman who holds her man in the highest regard but when he misbehaves or missteps she is also not afraid to confront him.

Asides.

MADAM DEPUTY SPEAKER: The Honourable Member has five minutes left in which to conclude.

Dr. the Hon. D. S. LOWE: Madam Deputy Speaker, delusional dominating personal disorder, colloquially referred to as macho personality disorder. A Canadian psychologist by the name of Paula Chaplin and a Canadian sociologist by the name of Margaret Inkler believe that

there is a view among some women and some men that women like to suffer and be ordered around. This is now giving the anatomy of the disorder, and you should sit quietly and ask yourself who am I. Do that, just sit quietly and ask, "Who am I?" They go on to say that physical force is the best way to solve problems, and you should ask yourself, "Who am I?" These persons believe in deviant, manipulative, divisive, dishonest behaviours and they prefer to never yield to another person's way. I have five more minutes now, I understand, so let me say this from that perspective. I could care less of who does who.

Asides.

Dr. Hon. D.S. LOWE: However, when it comes to my having an opportunity, whether it be in a non-governmental organisation or a governmental organisation, to propagate a value system and a value structure that ensures that every citizen in this country is able to rise to the top of their ambitions without interference or hindrance, I am sitting on the side with that person. There are a lot of people out there who may not have a chance because they got caught up in the whirlwind of persons' ambitions driven by deviance and manipulation and divisiveness and dishonesty, and God help us, I do declare, God help us all in this country if we ever surrender the future of this country to anybody who believes that that practice is a preferred style. God help us all, because there are those out there who are innocent, who are only searching for the best way forward. They are not so much interested in being labelled as this or that, but they are vulnerable, and there are predators out there, predators who will destroy the unwitting should they not be awakened.

I am saying that this legislation brings us to the full front of these issues, and the fact that there are things which we need to adhere to. There is no typical environment where such abusive behaviours occur. They can be found in the church, among professionals like lawyers and doctors and teachers and plumbers, et cetera. In public, they appear friendly and loving, and their partner and their families retire every day and every night. They do not only abuse behind closed doors. They abuse in public too. There are threats. Why cannot all of us in the Chamber, all of us who have been sent here by the people of this country, be part of this?

I have noted with some curiosity that in the first Debate, the current Leader of the Opposition was absent. This is now the second Debate on this issue and the Honourable Member is absent again. I believe that a provision should be made by the Leader of Government Business that when that Honourable Member returns that you should use some special rule and allow her to speak. I know she has something to say that we will learn from. Think about it. I believe it is important enough. It was in 1991 that the initial Debate was held in the Senate. The

Honourable Member did not speak. I am curious, and I want to leave my feet with a question behind. Is it not enough that this country be treated to the voice of our Opposition Leader on critical matters like this? I think, Madam Deputy Chair, that it is important. I am not questioning her absence at all. All I am saying is that she should be given the opportunity to lend her voice to this Debate, because this Debate is about charting the way forward on human relationships, and what should and should not obtain. I know where I stand, and I hope that by the end of this Debate, everybody knows where this Government stands on these issues. I am much obliged to you.

Mr. SPEAKER: Yes, Honourable Member for Christ Church South.

Hon. J.D.E. BOYCE: Mr. Speaker, I want to enter this very important debate on the Domestic Violence (Amendment) Bill, 2016, and I probably should start by assuring the Honourable Member who just sat that I will certainly have that conversation with the Clerk of Parliament, and see if there is in truth anything that can be done with respect to the wishes which the Honourable Member expressed. You, Sir, may even be in a position, either before I am finished or when I am finished, to answer.

Mr. SPEAKER: Only if you suspend further consideration. Once it is passed, it is passed.

Hon. J.D.E. BOYCE: Fair enough, Mr. Speaker. You have already hinted. They say a word to the wise should be sufficient. Mr. Speaker, I think that like so many other Honourable Members who spoke on both Sides, really, whether in full or partial support of this Amendment, I am duty-bound to start by commending the work of the Honourable Member for St. Michael Central, the Minister of Social Care, who would have piloted this Bill during its introduction at our last Sitting on January 26. Sir, we are duty-bound, I am sure, as indicated in part of the introduction, to congratulate the members of the Barbadian community, especially those who are represented in the Chamber here today, and who were indeed represented in the Chamber last time when we started this Debate, who would have worked in consort with the Ministry of Social Care and with the Ministry of the Attorney General's Chambers to bring this Amendment to this stage. I think that the Honourable Members on this Side who have spoken have certainly spoken eloquently to the need for Barbados as a growing nation, Barbados as a leading nation in the world, Barbados as a nation celebrating 50 years of Independence in this Year of Our Lord 2016, why Barbados needs to modernise its legislation not only terms of legislation, but in relation to business. This morning we moved a piece of legislation which would have modernise and update any opportunities in terms of companies in

Barbados and so this afternoon, we are considering consideration of a very important piece of social legislation which keeps this country in line with the very high international standards expected of it.

Mr. Speaker, the Honourable Member who just sat really spoke to the interconnect between the legislation as we are reading it here today and we are speaking to it and the actual society that we live in. I am not as competent to speak about the details as I am, Sir to speak to the experience of persons who have been given the responsibility a portion of our communities in this Chamber and, certainly, those experience have told me that this legislation is important.

Mr. Speaker, there has been some comments as to the powers of the police, for instance, in the execution of this legislation. I think that the Honourable Attorney-General has made it very clear that the first amendment to the Domestic Violence Protection Orders Act was in 1991 and ever since then, the experience in Barbados has been one which has told us that we have to approach the management of this legislation with a maturity and an honesty which speaks to the maturity of this country. I believe that he is also committed to the fact that even as we introduced this amendment in 2016, there is obviously a need to recognise that we will have to train and retrain those who are put in position to execute the details of this legislation so that those who depend on it for Resolution of the differences would be assured of the very best practices. Madam, I am clear not only in the reading of the legislation but in listening to the presentation of so many members on both sides that provision is there not only for the Protection Orders themselves to be executed but the defence of the accused and the case of the victim can be fairly put and that they can be justice at the end of the process. This is a confidence which our society must go away that the Bill that we pass today in this House of Assembly is that makes sure that the rights of all those concerns, the victim, yes, but also the accused, those rights are properly in the legislation contemplated. Sir, I am satisfied that is the case.

Mr. Speaker, I think that members have been careful to refer to areas of the legislation which seeks to expand the reach to make sure that victims or persons who may have been victims of domestic violence before but because of their particular situation they are not necessarily embraced by the 1991 legislation. The definition which form part of Section 2 of the amendment certainly speaks to the broadening of the whole question of abuse. It speaks to the question of what is a domestic relationship recognising in particular that a relationship which is not necessarily bound up with being in the same house, or under the same roof for five years or seven years, or by way of wedlock, they can be other relationships especially in relation to visiting relationship. Sir, this is important because many of us in the modern Barbadian society and,

indeed in the old Barbadian society would have grown hearing of visiting or cohabitational relationships and, which I probably do not have to point out but not being and expert in the law, I am satisfied that definition seeks to embrace that very important cadre of people in our society. It is a sign of maturity again, a maturity which I referred to at the beginning in this our 50th Anniversary of our Independence. It goes hand in hand with everything we seek as a nation to present to the world and that is why we can hold our heads high internationally and remain one of the most exciting little countries in the world to visit, it remains one of the best societies in which to spend time and to seek to live. Mr. Speaker, Sir, I am confident about this. It is an experience which I share and whenever I have the opportunity to meet and share with visitors or when I visit other jurisdictions in this world.

Mr. Speaker, I have looked very carefully at the definition of harassment again in Section 2 and in speaking to harassment it says that harassment include intimidation of a victim by a perpetrator. It speaks of course, to persistent verbal abuse. It speaks to the threat of physical violence. It speaks of malicious damage to the victim's property, things that we are quite familiar with but then it also to speaks to persistently contacting the victim by any means including via email, facsimile, post, telephone or text messages or any other means. Sir, again the legislation now brings us into a period, the reality of which we experience in Barbados today where sometimes the only means of communication, especially among or younger generation is by way of text messaging, email or whatever. We know only too well how the fortune of emails may follow us throughout our lives. Sir, as a matter of fact, for those who are following the elections in the United States of America, which have just about entered into the final year, we know how much the emails associated with the former Secretary of State of the United States of America will be part of what she has to defend during this election. Indeed, as Minister or public officer, we also communicate very often by emails and both our private emails and public emails. Sir, the truth is that Barbados has not reach the sophistication which, for instance, the United States of America or other developed may be at but it is instructive and it is important that those who shape policy, the Cabinet of Barbados and those who help develop our systems need to recognise that we are to the stage where the confidential email of Ministers or Cabinet are established to an extent that they can be held with a measure of security and like the traditional file of which we are so accustomed, the e-mail can become as secure a document as that is. Sir, the acknowledgement that we need to keep up to date with technology and to include in our consideration and definition of harassment the possibility or likelihood that a victim could be harassed using the technology of the day, text messaging, facsimiles, or WhatsApp, I think that is what they call it, these kinds of communications and that is very, very important. Then, of course, we have heard the

commentary in terms of visiting relationships and those who have expressed some concern about the broadness of that definition but I think that the rate of opinion comes down on the side that yes, the definition may be broad but the mischief which it seeks to deal with is something which one find if you found yourself in a situation like that well then we would have to resort to the powers of defence to establish the case of the accused. Those are things which, I believe, are not unique to this legislation but are a part of any legislation which seeks to punish or to catch perpetrators of these injustices.

The Democratic Labour Party (DLP) as Government this even should be especially proud of this record and being a part of the moment when we recognised the need to elevate our consideration of domestic violence beyond that but would have been contemplated in 1991 but take it into the realm of what is happening today; modernity in other words. Sir, it is instructive that very often as a political party we have been accused of not being on the forefront of women's rights. I stand this evening, but of course we are accused without any examination of the real, real situation and that was clearly demonstrated by the speaker who sat a moment ago because that Honourable Member was certainly able to trace the association of the Democratic Labour Party (DLP) as Government with a slew of legislation which seeks to establish the rights of women in our society, not only talking about it, it is about acting on behalf of all members of our society. As I said, I am especially excited and happy to be a part of an organisation this evening which seeks to bring us to this very important stage in our treatment of domestic violence and our treatment of women who we know are the majority to suffer, unfortunately, in this kind of situation. We recognise, of course, the rights of every, but the statistics still come down and demonstrate that our girls, our women are still the majority of those who suffer from domestic abuse in Barbados and it is a situation which we are seeking to correct. As I said earlier, the definitions have set about to try to broaden the way in which the society looks at this question of abuse and I reflected even in the last couple of hours when the Members made their contributions at the kinds of situations you encounter as a Member of Parliament and you represent people. The clear cut connection between financial abuse and deprivation or that kind of thing within our communities and poverty and the linkages, the real linkages, the housing needs of our young women especially, our men too, who suffer at the hands of less than totally responsible parent situations where at ages and stages of their development where they are really not capable of getting out there and fending for themselves, they are forced because of the kind of situation at home to seek an almost impossible adventure into independence. Then, of course, not only is it our responsibility to have court systems or justice systems that look after this kind of victim but also as pointed out by the Honourable Member for Christ Church West Central we

need to turn to these non-government organisation, so well represented in her today and not only thank them but seek, Sir, to build even stronger relationships between Government and these organisations so that victims that are referred to can find opportunities for development and opportunities for growth, even after such difficult starts.

A couple of weeks ago in St. John, we opened a domicile facility for women. It is run by the Maria Holder Trust and it is a facility which will be seeking to house some 16 to 18 victims of drug abuse. Why do I say, what is the immediate connection between a victim of drug abuse and violence or domestic violence? The truth is that person who have reached the stage where they are abusing drugs are themselves either violent within the household environment and turned away, or turned to the vagaries of the police system if it inaudible???? or again depending on the stage of their disease can themselves be abused in the home environment so you see, Sir, the point I am trying to make, and I trust that I am getting there, is that there is that almost impossible to be separated connection between all of these societal ills that you are seeking to change and turn around in our country and in our communities and the need for us, as a Government, not only to put the enabling legislation in place as we are doing here today but also to recognise and embrace the value of the relationships that we can establish between Government and our ministries, be it health, be it social care, be it justice, be it education and these very important non-governmental organisations which are using usually supported by a cadres of volunteers, men, women and children in many cases out there working selflessly to fill those breaches which are so very essential in our society.

Abuse occurs at both ends of the scale, so to speak, Mr. Speaker. I spoke about children who are either abusers of drugs or who are abused because of their conditions but I also want to speak to some of the elderly in our community. It is often, especially in social ministries, that we encounter these kinds of situations. It is not often that in one evening though you can encounter two, three or four situations which drive home the point, the need for us to recognise how very wide this situation of abuse can be and how much even as we tidy up and expand our definitions today in Section 2 of this Amendment, we have not necessarily caught hold of every abusive situation, we have not ensnared every abuser and we certainly have not thrown a blanket over every abuse or every victim, so that we have a work to do.

I am encouraged to be associated with this Amendment this evening recognising the good work that would have been done in 1991 when this Bill would have been introduced and the intervening period of management of that legislation because even with the prediction of disaster and all kinds of miscarriages of justice, none such occurred, or if they did occur they were certainly corrected,

and that is the important thing, demonstrating as I have said before that maturity in our society which we can feel confident about especially, as I wind up, in this year of 50 years of Independence. After 50 years of growth as an independent country Barbadians can stand proud to know that within our communities in Barbados and internationally we have been doing consistently and continuously the correct things in bringing our people together and making sure that as a society not only an economy we continue to build that strength of people which will make the building of an economy even easier.

Mr. Speaker, with those few words, I want to support wholeheartedly this Amendment this evening and express my appreciation to you for allowing me to make my contribution.

SUSPENSION

Hon. J. D. E. BOYCE: Mr. Speaker, I beg to move that this Sitting be suspended until 5.45 p.m. this evening.

Hon. A. D. BRATHWAITE: I beg to second that, Sir.

The question that the Sitting do now suspend until 5.45 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the Sitting accordingly.

RESUMPTION

Mr. SPEAKER: Good afternoon, Honourable Members, this Sitting is resumed, when the Suspension was taken we were on Order No.22. With that we shall resumed. The Right Honourable Prime Minister.

Hon. F. J. STUART: Mr. Speaker, I rise to add my voice of support to the Domestic Violence (Protection Orders) (Amendment) Bill, 2016, since the contents of this Bill accord with the vision which the Government of Barbados has crafted for this country. As has been indicated, we have crafted a vision which seeks to create a Barbados which is socially balanced, economically viable, environmentally sound and characterised by good governance. It is the socially balanced pillar to which this amendment is seeking to respond because since domestic violence, for all practical purposes, is a family dysfunction or a relationship dysfunction, in the context of that kind of dysfunction you cannot have a socially balanced society if corrections are not administered, as we are trying to do today.

Mr. Speaker, some time in the 19th century, I believe about 15 years after the Emancipation Act was passed, Governor Harris of Trinidad looked back at the first 15 years of emancipation and his assessment was captured in

some very memorable words. He said, a race has been freed. He was obviously talking about the black slaves. He said, a race has been freed but no society has been formed.

On any objective evaluation of what has been happening not only here in Barbados but in other part of the Caribbean with varying degrees of intensity, we have been trying to create societies in this region. Barbados, I think, has done very well and we are trying to continue that process by creating a Barbados that is socially balanced, a Barbados in which people in households and in communities can get on with their lives because the requisite opportunities and requisite protections exist for them to realise their cherished aspirations and to make full use of their God-given talents.

Madam Deputy Speaker, there is always a peril is social discourse in this country, I have found, and the temptation always is -- and I told the Barbados Chamber of Commerce this only last Wednesday -- to treat Barbados as though it only has a present. We tend to separate the present from the past and separate the present from the future. In fact, unless there is a past there can really be no present and unless there is a present, which everybody understands, there can be no crafting of a vertebrate or sustainable future.

Mr. Speaker, it is the past that has helped to explain the present which we are discussing here today and which Honourable Members of this Honourable House had to discuss in the year 1991 when the parent piece of legislation was debated here and passed. It is not without significance, of course, that we are having this debate today at a time when Barbados is celebrating 50 years of Independence, and it is worth reflecting on that if this debate were taking place in the year 1966, 50 years ago, it would be an occasion for laughter by people in the population because just as recently as 50 years ago -- and I believe that both sides of this Honourable House agree on this -- domestic violence was meekly and complacently accepted in this society. All of us who grew up in villages can attest to this fact, women particularly were treated as the property of men and violence inflicted by men on women was supposed to be an expression of their love for them, and it used to be said by spectators who did not see anything wrong with what they were observing, and sometimes by victims, that is why the speech of the Honourable Member for Christ Church East was so instructive, he is a trained psychologist and his insights in this debate were quite interesting and informative; women themselves use to say that if he had not loved me, he would not have beaten me. I have heard that said in the village in which I grew up, so this debate could not have taken place 50 years ago because people in the community would have wondered whether we were all mad people, was it was that we are talking about, because women were seen as the property of men.

Now, that too has a history because for 200 years of our history here in Barbados and 200 years of the history of the Caribbean these societies were Slave Societies and at the heart of a slave society was a reality resulting from a belief that human beings could be property. In fact, this Parliament in which we are now sitting, Mr. Speaker, passed laws during the days of slavery which said that if a planter killed a slave he could not be charged for murder, he could only be charged for destruction of property, because black human beings were supposed to be property.

When the Emancipation Act was passed in the 1830s, 1833, planters were compensated, £20 million were paid to the planter-class by the British Government, the British Government has just had to pay another £20 million to the people in Kenya, the Mau Mau who were victims of other kinds of problems, but £20 million were paid to the planter-class as compensation for loss of property, because their slaves were property, and the reality from the point of view of examining the family is that even though men loved women, and even though women loved men, and even though men and women loved their children, what united them all, men, women and children, was that they all belong to somebody else, they belonged to the planter, and in the context of slave society, men had to live with the fact that since the women they loved were the property of the slave master, the slave master enjoyed the same rights as the men and sometimes rights superior to the men. That led to a certain view of how women were supposed to be treated, and so on. Those dysfunctions lasted for 200 years in the first instance, but even after the 200 years had passed and the Emancipation Act was passed, they continued for the next 100 years down to the 1930s.

Not much had changed socially in the Caribbean, and the slave infrastructure had not really been dismantled, and the planter class still enjoyed basically many of the same powers they had enjoyed during the slave days. In fact, those abuses continued for another 100 years. It is only since the 1930s, after the disturbances here, after the introduction and passage of the laws that would make trade unions possible, after the advent of mass political parties such as the Barbados Labour Party and then the Democratic Labour Party some years later, and after the introduction of a panoply of social legislation that we have got to this point.

However, the abuses we are discussing today are not uncaused abuses; they have a history that goes right back to how these societies were governed and how this particular society was governed for about 300 years. We have made a great leap forward, and in 1991 when the parent piece of legislation was being discussed, that was a revolutionary advance. In fact, I well recall 1991 when the parent piece of legislation was being discussed that a then Minister of the Crown, still alive, was stopped in the yard out there and asked by a man, "So wait, this thing you all discussing in

there today, what does it mean? That after you all pass that, I cannot beat my wife anymore?" That Minister is still alive, and he was asked that question out there in the yard in 1991, so we have made a great leap forward.

The parent piece of legislation kind of separated domestic violence issues from the traditional criminal law, and made it possible for abused persons to access the courts of law in a very short time; I believe it is about three days. We have seen many of those issues dealt with by magistrates. Of course, the powers of magistrates were appropriately enlarged to deal with these issues, and there has been some taming of those abuses as a result of the Domestic Violence (Protection Orders) Act. However, 20 years after the passing of that legislation and after the use of that legislation, we have been able to see where its shortcomings have been; where the lacunae are, what holes need to be plugged in order to make it not only more user-friendly but also more effective in terms of achieving the objective of eliminating the scourge of domestic violence in this society.

I agree entirely with those who have preceded me, both today and last Tuesday, that the legislation itself cannot bring an end to domestic violence. As I said, this is a scourge, a practice, a dysfunction that has a long history, and only the legislation along with proper and relevant programmes of popular education will help us to bring this matter finally under control. I have heard the whimpers, the screams, the complaints, the cries of distress in the society about the prevalence of domestic violence. It is a problem we all have to confront. It is a reflection on all of us. The primary victims are still our women. It is true that in a few cases men suffer abuses, but for the most part the primary victims are still women, and that has a lot to do with deficits in the education of our men in how they should relate to our women folk. That too has a history because even farther back, after the abolition of the slave trade, not the abolition of slavery itself, when it became unlawful for planters to import slaves anymore off the west coast of Africa, they had to start reproducing slaves on the plantations themselves and, so the historians say, there were men detailed as studs whose role on the plantation was to impregnate women so that the turnover and reproduction of slaves could take place at an appropriate rate. That had consequences for how men perceived women: as sex objects, not as objects of respect and affection, but as sex objects, as people there for use.

I think there has been a lot of rolling back of that backward approach to the man-woman relationship, but there are still remnants of it, and as a society we have to deal with that. That is why I instructed to the Minister with responsibility for Culture, Sport and Youth, to have a consultation on the society. We have had consultations on the economy, and we have had at least one consultation on the society. I believe the former Administration, I seem to

recall, under the leadership of the distinguished Right Honourable Member for St. Peter, did have a consultation some time ago on the society as well. However, as regularly as you have consultations on the economy, it is important that we look at some of the social dysfunctions that are standing in the way of the realisation of the aspirations of Barbadians and the bringing to fulfilment of the dreams of our people, the maturing of their humanity, and the putting in place of social structures that can regulate how they relate to one another.

Sir, that is the context within which legislation like the Domestic Violence Protection Orders (Amendment) Bill, 2016, has to be seen.

Mr. Speaker, no piece of legislation is perfect and no matter skilled a draftsman, a draftsman, or draftsman will be, there will be instances where the provisions of the legislation are got around. I have always said that whatever man invents, man can circumvent and we are seeing this happen in many, many cases. Sir, tax lawyers know very well that no matter how tightly you may draft a piece of tax law, the tax lawyers know how to get around it and that happens with any piece of legislation. The English courts experienced it in the early 1960s, when the famous case of *Shaw v DPP* was decided by the House of Lords, when the Sexual Offences Act, well known to lawyers, and the case is well known to lawyers as well was got around by a man called Charles Shaw, who placed a very inventive interpretation on the law as it stood, so that he could procure women for prostitutional purposes and, of course, the House of Lords had to decided that even though on a strict interpretation of the legislation, Shaw may have done nothing legally wrong that there resided in the courts of law a residual power to protect the society from moral perversion and for the kind of moral degeneracy that Charles Shaw was trying to promote, so legislation will have its weaknesses and you can be sure that after this legislation has passed this House and passed the Other Place and gains the Governor General's assent and has been proclaimed that as we seek to work it, those very elements who still believe that women are items of property and not persons and that the best way to settle inter-personal disputes is not by civilised conversation and exchange but by violence, they will still try to find their way around it and we can only hope that we should confidently expect that the courts of law will recognise that ultimately there is a residual power residing in them to protect the morals and the values of this society in which we live.

Mr. Speaker, the scope of this legislation has been significantly broaden to cover a wider number of scenarios and a wider number of possibilities and the police have been given powers which they did not have before. I know that one has to be very careful in any society how one enlarges the power of the police because anybody who

vested with the power to deprive you of your freedom even if only temporarily is a very powerful person and, therefore, you have to be always very careful that the powers with which they are vested are clearly enough set out and clearly enough circumscribed that those powers are not easily abused.

Mr. Speaker, the power given to the police to grant emergency protection orders is a significant power, even the power to ask a man, or in the case of an abuser being a woman, to ask a woman to leave a house is a significant power and, Of course, on any rational or reasonable interpretation of the legislation, it is quite clear that can only be relevant to perhaps, a week end, at the most three days or four days when access to a magistrate or a formal hearing may not be easy or convenient. It is still a dangerous power and I confident that you can count on those who have to use this power to use it sensibly and maturely and in a civilized way. When you ask a man to leave his house, and Mr. Speaker, you would know a lot about this in the practice of family law, that when a man is responsible for buying a house or it is from his salary that the mortgage is being deducted, it really maybe too strong for his personal digestion, to ask him to leave his house. In fact, to ask a man to leave in those circumstances, those are fighting words but we just hope that the number of cases in which those powers may have to be exercised would be kept down to the barest minimum and that other options can be exercised to keep these domestic violence incidences under control.

Mr. Speaker, I think there are some facts that we have to face in this society. A few years ago, as I am wont to do, I put out an almanac at the end of the year and I normally write some little epigram on it, some little bit of worldly advice and in one almanac I said, "Be kind, everyone you meet is carrying some kind of burden". I was surprised at the number of telephone calls I got on that because the truth is that there are many, many men and women walking the streets of Barbados and walking the streets of other Caribbean countries who are walking around with hidden injuries, injuries that have resulted from abuse when they were children either abuse by things done to them or by things said to them and, therefore, there is a lot of latent anger in our men and women because of these hidden injuries and when they get into relationships, it is all of this baggage that they are bringing to the relationship and if the match is not right, you can find yourself in a situation where resort to violence in the first place is seem as a solution to almost every problem.

Mr. Speaker, practice of the family law brings you face to face with it, practice of the law relating to domestic violence, and from 1992 until 2008, I was practising it and there are many, many people walking around Barbados and walking around the Caribbean with hidden injuries and these hidden injuries have shaped their personalities have

informed their value system, have determined how they view interpersonal relationships, have given them a political view of the youth of poor and all of these things are acted out in the society and acted out in their homes as well. The old definition of manhood has its own implications in that regard. You are not a man if you approach problem-solving in a particular way. You are a man if you approach it by the use of force, by the inspiration of fear and by the use of power. All of these dysfunctions we have to bear in mind when we are dealing with issues of domestic violence.

I will say this, Mr. Speaker, that is why as Western society has evolved, even the use of corporal punishment in schools or in homes has become an issue for social discussion and, of course, a decision by the Courts in some countries because the truth is, if a parent is carrying some of those hidden injuries of which I spoke, how that parent approaches the use of corporal punishment is bound to be different from how a parent who has had a quiet normal, uneventful upbringing. If a police officer is borne down by those hidden injuries of which I have just spoken, how he relates to an accused person with whom he has to deal or relate to anybody with whom he has to deal, conscious of the fact that he has a certain amount of power at his disposal, how he uses that power can have grave implications or positive implications depending on the influences that have shaped his life. It has become increasing evident that we have to do some more analyses and come to some more tenable conclusions in the context of who we give power to, and when we give power to people, how that power is to be used or how that power is to be circumscribed because there are hidden injuries stalking the Caribbean. I say the Caribbean because I live in the Caribbean but I do not doubt that in more developed countries in the world, those so-called more developed countries of which we speak that there are hidden injuries there too.

In fact, when we have learnt recently about how children in children's homes and disabled children and so on have been abused by people, by celebrities in society that tells you that there is a lot of sickness around of which we have to be wary. Domestic violence is a scourge which we have to try and eradicate from this society. It is not going to be easy because the society that we have inherited, as the Right Excellent Errol Barrow once said in 1971, the society we have inherited bears within it many social contradictions which the material advantages that we have secured cannot alone eradicate but we have to try as best we can to deal with these challenges and these amendments are yet another attempt to deal with some of these challenges. I am very pleased to hear the recycle of some of the more progressive pieces of legislation the Democratic Labour Party (DLP) was able to pass as we try to deal with a lot of these social and economic contradictions. The Honourable Member for St. John referred to some of them.

We started by recognising that men and women doing the same work are entitled to the same pay.

As recently as the early 1960s, Mr. Speaker, it was a fact in Barbados that men and women doing the same work were not entitled to the same pay and the Democratic Labour Party (DLP) in Government had to deal with that, but when you take a decision that men and women doing the same work are not entitled to the same pay you are also taking that decision based on another evaluation, that men are superior to women and we did not accept that. In fact, the Government of the day did not accept that and equalised it. We took the decision to make maternity leave with pay available to our women. That did not exist in Barbados in the 1960s, it did not come until the 1970s, maternity leave with pay. We took the decision to validate relationships as common-law between single men and single women cohabiting in relationships of permanence and we made it possible in the event of the man's death - because usual he owns the property - for the woman to be treated as though they were married and she enjoyed the same rights as if the relationship was based on all the benefits conferred by appearance before clergy. The children of that relationship who use to be called bastards because they were born out of wedlock - and I know whereof I speak, I was born out of wedlock and I belong to a large number of people in Barbados who fit into that description - that discrimination was removed and children born out of wedlock were treated in the same way for succession purposes as children born in wedlock. All of these were attempts to get rid of some of these social carbuncles on this society to get rid of these dysfunctions that stood in the way of Barbados being a more balanced society and when you reinforce all of that by easy access to education at the secondary and tertiary levels, you are on your way to creating a society that is balanced enough that we say we do not want any more balance, that is why I always quote the Poet Robert Browning who says that a man's reach should always exceed his grasp or what's a heaven for. We must always keep striving to be better. When I was a teacher at the Princess Margaret Secondary School in the days of the Honourable Member for St. Philip West, the Motto of that school was then, and still is, *Sublimiora Petamus, Let Us Seek Higher Things*. You do not stop seeking higher things in this life, there is always something else to achieve.

Mr. Speaker, even though we try to create a Barbados that is socially balanced, let us face the reality that we will never have enough social balance that we can say: Now the labourer's task is o'er, there is no need to strive anymore.

Mr. Speaker, this is an important piece of legislation. This is a historic day. This piece of legislation is giving Barbados a nudge forward. It is a piece of legislation that can make our women sleep more comfortably at night, feel

more comfortable in their homes, feel more comfortable as they leave their homes and walk around and even if they are stalked, they now know that they have the kind of redress that can bring them the kind of relief that they seek, it is very important. Mr. Speaker, we did not get there only by the efforts of the Government and we have to concede that. The Minister who piloted the Bill made that clear in his second reading speech. The Business and Professional Women's Club, SAVE Barbados, the National Organisation of Women and MESA among others have contributed to this progressive unfolding of a new vision for Barbados in which our men and our women can enjoy more balanced and more civilized and less contentious and acrimonious relationships and where our children can feel a lot more secure and can be reared in an environment that keeps down to the barest minimum the sustaining of those hidden injuries of which I spoke earlier which can distort the personality, bend out of shape the values and which could make them, rather than good and worthwhile citizens, just "perversers" of ill-directed anger for the better part of their lives, and we can do without that in this society.

I am very pleased, Mr. Speaker, to have been able to make a contribution to this discussion. I want to congratulate most fervently and most sincerely the Honourable Member for St. Michael Central for the sticktoitiveness, the tenacity and the commitment which he has shown in the pursuit of this piece of legislation and the companion piece, the Amendments to the Sexual Offences Act because that is very important too since it deals with another kind of domestic violence where again because some men feel that women are their private property and because they are married their property rights have been established. Even when there is alienation between them, there have been situations where men have still imposed themselves, and of course it can happen in the reverse too, women can impose themselves too. I know of at least one or two cases that reached the courts some time ago where a medical doctor appeared before the Holetown Magistrate's Court alleging that a woman had tried to rape him. Of course, this is not just unique to Barbados, it is true of other parts of the Commonwealth, but let us understand that according to the legislation, a husband can rape a wife and the other way around because the relationship of husband and wife does not in any way undermine or interfere with the definition of a rape which is having sexual intercourse with another without that person's consent. Where that happens that too is a form of domestic violence and can attract the sanctions of the law. Of course, these matters will not get to court unless there is somebody complaining so where there are no complaints the presumption is that there is consent in the home unless the failure to complain can be traced to the creation of an environment of fear and so on in the household.

We have to make these leaps forward in our society if we are going to create a socially balanced Barbados. Were Governor Harris of Trinidad and Tobago who spoke in 1848 still alive, he could not say the same thing now that he said in 1848, which is, that a race has been freed but no society has been formed, he would have to say that a race has been freed and to a substantial extent a society has been formed. As is said, in the Preamble to the American Constitution, the Americans committed themselves to creating a more perfect union and everything we do legislatively is designed to create a more perfect Barbados, and this piece of legislation partakes of the pursuit of that ideal, and for those reasons, Mr. Speaker, it has my wholehearted support. I am obliged to you, Mr. Speaker.

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

Hon. S. D. BLACKETT: Thank you very much, Mr. Speaker. Let me first of all thank all Honourable Members who have contributed to the debate and who gave their input either towards the process of the possible enhancement of the Amendments or offered some helpful constructive criticisms of the new legislation.

Mr. Speaker, as I said at the beginning of the debate, I consider these Amendments as watershed and will go towards the positive reshaping and reorganising of our society. I am only pleased that this Democratic Labour Party Administration has had the opportunity, both in 1992 when the Amendments were first introduced into this House and subsequently today in 2016 to be making the Amendments to that same Act and to actually introduce both pieces of legislation into this Honourable House. It certainly shows that that is part of our social agenda and certainly of the two parties we are really the social engineers in this country.

Mr. Speaker, I also want to thank all of the groups who took time out of their busy schedules over the last two Tuesdays and who have witnessed the debate over those last two Tuesday to lend solidarity to the process. These policymakers and legislators are responsible for the enactment of all legislation that comes before this Honourable House. Mr. Speaker, it is groups like those of the National Organisation of Women, the Business and Professional Women's Club, the YWCA, the SAFE Foundation and other non-governmental organisations who advocated for these changes and provided us with the grounds on which these pieces of legislation should really come to fruition.

My gratitude also, Mr. Speaker, must also be extended to the officers from the Attorney-General's Office. One officer on the first day she came, she stayed throughout that day to lend us any assistance that we had required at that time. I want to say thank you to that

particular officer. Mr. Speaker, let me also extend a sense of gratitude to the members and staff of the Bureau of Gender Affairs for initiating the process that has brought us to this juncture.

Mr. Speaker, nevertheless, I am extremely disappointed and I want to register my disappointment of not seeing any representatives of our men's organisations in Barbados. I want to enter that into the records of this Honourable House, for I believe that this subject does not impact on one gender but certainly on all genders and that it affects all genders in one way or the other. Mr. Speaker, our men's group should be here showing solidarity like the women's organisations are doing.

Mr. Speaker, let me also commend the United Nation Women for putting in place the Memorandum of Understanding. I said this at the beginning of the debate, I want to reiterate and to say that this Memorandum of Understanding is to guarantee the funding and support mechanisms for them to train our police officers and our court officers on the applications of these amendments we are discussing here today. I want to convey my gratitude to the United Nations for so doing.

Over the last two Tuesdays, Mr. Speaker, in this debate we have been exposed to several contributions, some from a very deep philosophical content but which went to the curdling of the subject matter we are discussing here today and was discussed last Tuesday. We have viewed and reviewed the amendment. We have also dissected and enlarged them. We have also examined the very core of these amendments. We have interpreted, and misinterpreted in some cases, their relevance and we have also justified their relevance, and we have made a case for their enactment here in this Honourable House.

Mr. Speaker, the space which we now inhabit in this country is occupied and cohabited by both genders and sometimes genders that are unsure of their designation. When we make the laws, Mr. Speaker, they must at all times, and I want to emphasize they must at all times contemplate equity, must contemplate evenhandedness and must serve our society, Mr. Speaker, without bias or without prejudice.

Mr. Speaker, let me disabuse anyone's mind of the notion that these amendments in anyway were created to jeopardize or disadvantage males, all of the amendments that we have discussed over the last few days are gender neutral in nature and do not advantage one sex over the other. Certainly the Act makes mention of a perpetrator, a respondent, a victim, and does not segment them into any particular gender. Mr. Speaker, but I am in complete agreement with those who proffered that the opinion of our men have to be considered and used to inform any contingency we arrive at to address, (1) domestic violence,

its causation factors and the ultimate solutions that we will arrive at to wrestle this scourge to the ground.

Mr. Speaker, I have to register my disappointment, certainly the lacklustre participation of Her Majesty's Loyal Opposition in this particular debate, this debate that is such an important piece of legislation that impacts the very tapestry of our society. Mr. Speaker, I cannot understand how a 78-year-old political party that boasts of having three senior female members of Parliament, they also have a women's arm of the same Party, they have a Party membership that consists of the majority of women, and most of all, Mr. Speaker, it is a Party that has as its head a woman, and they could not muster, Mr. Speaker, the enthusiasm to come in this Honourable House and contribute either negatively or positively to this debate over the last two Tuesdays.

Mr. Speaker, I look across the political aisle and certainly when I look there it certainly resembles a graveyard, with some empty chairs that very much resemble tomb stones, in a desolate, barren and abandoned rural burial ground. That is what this Opposition Party looks like in this House of Assembly. They look disheveled and of course disinterested. They have absolutely no interest in the social agenda of this country, they have not contributed either negatively or positively to it. They are time wasters, Mr. Speaker, so let me disabuse their minds and let me continue.

Asides.

Hon. S. D. BLACKETT: Mr. Speaker, this debate demands the participation of all members of this Honourable House because domestic violence has invaded all constituencies and it has found its lodging in every strata of our society; it knows no boundaries and is inhibited by no set of human values or cultural norms, it is pervasive.

Mr. Speaker, I have taken further particular note that we did not benefit from the wise counsel of the Leader of the Opposition. We did not have that benefit on four principles: the Honourable Member is an attorney-at-law, to start with; the Honourable Member should be an advocate for women rights in this country; the Honourable Member is also the Leader of Her Majesty's Opposition, and the Honourable Member is also a woman.

Mr. Speaker, I took a look back at the legislation and the contributions back in 1992 when this Domestic Violence Protection Order was first introduced in Barbados. There were six female Senators at that time in the Other Place, Mr. Speaker. There was Senator Mrs. M. Walcott, Senator Mrs. A. Straughn, Senator Miss Y. V. Walkes, Senator Mrs. M. Barker-Welch, Senator Mrs. V.C. Fraser and Senator Miss M. A. Mottley. I took time to take

a look at the ending of their contributions in that particular Debate back in 1992. Senator M.L. Walcott said at the end "I would like to say what a good job the Select Committee has done, and I support this Bill." That is what Senator M.L. Walcott said back then in 1992. Senator A. Straughn said, "This Bill alongside the other two which are under consideration are attempts at justice in a very sensitive area." Senator Y.V. Walkes said, "Mr. Deputy President, I will give my support to the Bill." Senator M. Barker-Welch said, "A Bill the whole island can be proud of," and Senator V.C. Fraser, and of course you know Senator V.C. Fraser would have much more to say, said, "I support this now, and as a person, I will continue to pass the word around about assistance and I want to ask my fellow Senators to do likewise, quietly. This is something we must attend to, so as to bring some peace in society." That is what Senator V.C. Fraser said. Now, Senator M.A. Mottley said in that Debate back in 1992, this is what she said, Mr. Speaker: "I wish to give limited support to the intention of this Bill, because of my inability, Sir, to support Section 5 relating to the stop-and-search power. I will be abstaining on the passage of this Bill when it arises, Sir."

Of the six female senators, the only person who could have injected any kind of negativity into the Debate was a Senator M.A. Mottley. I rest my case.

Asides.

Hon. S.D. BLACKETT: Mr. Speaker, I have taken cognisance of some matters that were raised by all of the other Honourable Members, and I shall speak to most of them as much as I can from my position as the Minister of Social Care. One of the first concerns was that of the police arresting without a warrant someone whom he has reasonable cause to suspect has committed or is about to commit an act of domestic violence. This was covered principally by most of the contributors on this side, and one of the first concerns was that of the police arresting without a warrant. From all that I have heard, Mr. Speaker, over the last few days, from legal minds in and outside of this House, is that this appears not to be an issue, based on the fact that other pieces of legislation already empower the police to execute these very same actions. If we are to consider that, Mr. Speaker, it is fundamentally clear to me as a layman that there is no breach of the perpetrator's rights.

Secondly, Mr. Speaker, another concern that was raised was that of unconstitutionality of the police arresting a suspect without a warrant. This is also pointed to be covered within the existing laws, especially the Police Act at Sections 19 and 20. It is so common that it is practised by our Police Force almost on a daily basis and through the normal course of the criminal justice system. To my mind, Mr. Speaker, it is far better for the police to apprehend a person who has aroused suspicions of a prospective violent

action and prevent, to my mind, Two Sons Funeral Home from carting off the lifeless body of a victim of domestic violence. That is my position. I have heard from several persons over the last seven days. One friend of mine, in particular, Mr. Speaker, made the point that a person who strikes his or her spouse just once in an incident could suffer the same fate as a persistent abuser. I differed with that particular argument and I have my own interpretation of the Act, and I feel that the Act only contemplates domestic violence to have taken place if it is consistent and persistent abuse of any kind over a prolonged period. I believe that a one-off incident, though reprehensible and should be scoffed at, would be violence in a domestic space rather than domestic violence in its truest and vilest forms. I have to come to this conclusion, Mr. Speaker, based on the fact that the Amendments are replete with the word “persistent”, which means, and I looked it up, “never ceasing and continually recurring”, so I believe that the Amendments and the overall Act really view domestic violence as consistent and persistent and not a one-off act. Of course, even those one-off acts should really be frowned upon.

Mr. Speaker, a question was raised about the obligation to report child abuse cases in Barbados, and all this Amendment really does is to further extend what is expected of our citizens as responsible members of society to report matters that appear to bring our children into direct harm. It is a shared responsibility, and that is my position as Minister of Social Care with responsibility for child protection in Barbados. It is a shared responsibility of the immediate family, the extended family, the community which really includes coaches, games teachers, Sunday School teachers, school teachers and guidance counsellors. It is a shared responsibility, and of course it is the responsibility of the State and of the Government. It must be so because too many of our children are referred to the Child Care Board for cases of abuse. 38.5 per cent of our children between the ages of 5 and 11 are reported as cases to the Child Care Board. Up to the age of five years, 30.3 per cent; and 29.8 per cent of our children in the adolescent years of 12 to 16 are referred to the Board. Of course, less than two per cent between the 16 and 18 are referred there. Those numbers are way too high for a society of just 270 000 Barbadians. I believe this is a responsibility of everyone, and these amendments certainly, to my mind, give me good legs to walk and have already been established in the ‘Break the Silence’ campaign that was conceptualised by UNICEF some three years ago. That ‘Break the Silence’ campaign has been practised by the Board since its introduction into Barbados.

It is everybody’s business when our children are in the crosshairs and looking down the barrel of domestic violence or any other kind of violence, and that is my position as Minister of Social Care. Generally speaking, Mr. Speaker, victims of domestic violence are now better

protected and insulated from the ravages of this scourge. The Protection Orders provide a lot of this by enforcing the action, whether or not the victim is aware that the court proceedings have commenced from the same Protection Order to be issued. We are not leaving it only up to the victim to seek protection. The Amendments now include a number of other persons who would have the best interest of the victim at heart to pursue the issuing of some Protection Orders.

I also want to join with my colleagues who highlighted the vulgar use of social media, be it on Facebook, Instagram or on Twitter. We now have persons, Mr. Speaker, who are savaging other people’s reputations; besmirching their characters and reputations, and sully their good names on that social media by publishing some of the most defamatory and nasty things about almost every single person in Barbados. Nobody is spared. Just last week, I saw even a story written about the Right Excellent Errol Walton Barrow; a most disparaging story on the same social media and on that particular site. Mr. Speaker, I am pleased that embedded in this legislation, harassment has now been expanded, as one of our speakers on this side has pointed to, and its definition now includes areas of persistently contacting the victim by means that include via email, facsimile, post, telephone or text messages. I am obliged.

The Debate then went into Committee for further consideration of the Bill.

COMMITTEE

Mr. CHAIRMAN: This Honourable House is in Committee.

Clauses 1 - 3 were called and passed.

Clause 4 was called.

Hon. S. BLACKETT: Mr. Chairman, I beg to amend Clause 4, Section 4 (1), which should read “a child care officer or welfare officer on behalf of a child or person with mental disability replacing mentally handicap.

CLERK OF PARLIAMENT: A person with or person who is mentally?

Hon. S. BLACKETT: “A person with a mental disability against whom an act of domestic violence is committed”.

CLERK OF PARLIAMENT: Mr. Chairman, Clause 4.(1) (e) is being amended to read:

“A child care officer or welfare officer on behalf of a child or person with a mental disability against whom an act of domestic violence was committed”.

Hon. S. BLACKETT: Mr. Chairman, I beg to move that Clause 4, as amended, stand part.

Clause 4, as amended, was passed.

Clause 5 - 11 were called and passed.

Clause 12 was called.

Mr. S. BLACKETT: Mr. Chairman, I beg to move an amendment to Clause 12 by inserting a section 19A.(1) which should now read:

“A person who by virtue of his profession attends to or examines a child and who is aware or has reasonable cause to suspect that a child is a victim of domestic violence shall immediately notify the Child Care Board or a member of the police force of that suspicion.”

Mr. Chairman, we are removing “or otherwise interacts and inserting “a person who by virtue of his profession attends to or examine a child”.

Also, in Clause 12, Section 19A.(2), we are removing “a person who” and substituting that with “a person referred to”, in Subsection 1.

Mr. Chairman, I beg to move that Clause 12, as amended, stand part.

Clause 12, as amended, was passed.

Clause 13 was called and passed.

The Schedule became the Schedule to the Bill.

On the motion of Hon. S.D. BLACKETT, seconded by Hon. J.D.E. BOYCE, 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 motion of Hon. S.D. BLACKETT, seconded by Hon. J.D.E. BOYCE, the Bill was read a third time and passed and cited as the Domestic Violence Protection Order (Amendment) Act, 2016.

ORDER No. 24

SEXUAL OFFENCES (AMENDMENT) BILL, 2016

Hon. S. D. BLACKETT: Mr. Speaker, of course, this Bill would have been debated along with the Domestic

Violence (Protection Orders) Bill, and I beg to move that it be read a second time.

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

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

On the motion of Hon. S. D. BLACKETT, seconded by Hon. J. D. E. BOYCE, the House resolved itself into Committee, Mr. J. D. PAUL in the Chair.

COMMITTEE

Mr. CHAIRMAN: This House is now in Committee.

Clauses 1 - 2 inclusive were called and passed.

On the motion of Hon. A. D. BRATHWAITE, seconded by Hon. J. D. E. BOYCE, Mr. CHAIRMAN reported to His Honour the SPEAKER, the passing of one Bill in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. S. D. BLACKETT, seconded by Hon. A. D. BRATHWAITE, the Bill was read a third time and passed and cited as the Sexual Offences (Amendment) Act, 2016.

Mr. SPEAKER: Yes, Honourable Member for Christ Church South.

ADJOURNMENT

Hon. J. D. E. BOYCE: Mr. Speaker, with that we have come to the end of Government Business for today, and I beg to move that this House do now adjourn until Tuesday, February 09, 2016 at 10.00 a.m.

Speaking briefly on the adjournment, Mr. Speaker, I know that some Honourable Members will be going over to our sister island Trinidad to enjoy the Carnival over the weekend and I want to wish them safe journeys and, of course, a wonderful time in Trinidad. We always recognise our sister territories celebrations, Mr. Speaker, so I beg to move that this House do now adjourn until Tuesday, February 09, 2016 at 10.00 a.m.

Hon. A. D. BRATHWAITE: I beg to second that, Sir.

The question that the House do now adjourn until Tuesday, February 09, 2016 at 10.00 a.m. was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly.

ENDS DEBATE IN THE HOUSE OF ASSEMBLY

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BRATHWAITE, Hon. A. D. (St. Philip South)

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HINKSON, Mr. E. D. (St. James North)

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LASHLEY, Hon. M. A. (St. Philip North)

LASHLEY, Hon. S. A. (Christ Church West Central)

LOWE, Dr. the Hon. D. S. (Christ Church East)

PARLIAMENT, CLERK OF

SINKLER, Hon. C. P.

STUART, Hon. F. J. (St. Michael South)

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EDITORIAL NOTES — NOT PART OF THE REPORT

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

EDITORIAL QUERIES

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

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

Q2. Order No. 22, Resumption after the luncheon suspension. The source runs the Speaker's call of 'The Honourable Member for St. John' straight on into a speech headed in the text 'Honour Mrs. M-J. M. THOMPSON:', so the whole of that Member's speech (about 690 words) is printed under the label 'Mr. SPEAKER'. Printed as in the source. Please confirm the speaker.

Q3. Order No. 26. The source records 'The question was put and was resolved in the affirmative without division' immediately after Hon. D. O'N. Inniss first moved the second reading, before Mr. E. D. Hinkson and Hon. A. D. Brathwaite spoke; Mr. Inniss moved the second reading again at the end of the debate and the question was put a second time. Printed as in the source.

Q4. Order No. 26, reply. Mr. Speaker calls 'Honourable Member for St. James North' before the reply of Hon. D. O'N. Inniss, who was earlier called as the Member for St. James South (St. James North is Mr. E. D. Hinkson's constituency). Printed as in the source.

Q5. Order No. 22, third reading. The Bill is titled 'Domestic Violence (Protection Orders) (Amendment) Bill, 2016' on the Order Paper but is cited at third reading as the 'Domestic Violence Protection Order (Amendment) Act, 2016'. Printed as in the source.

Q6. Order No. 22, Hon. M. A. Lashley's speech. The source marks a gap: 'I have read ... (inaudible) ... on criminal procedures'. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 2nd February, 2016 at 10.15 a.m., with Mr. Speaker in the Chair; prayers were taken by Reverend Mark Harewood. The Minutes of Tuesday, 26th January, 2016 were deferred. Mr. Speaker announced that Mr. Wayne Jones had been confirmed as Marshal and that Mr. Adrian Craigwell had taken up duty as Deputy Marshal. Hon. C. P. Sinkler laid Loan Contract No. 3542/CH-BA between the Government of Barbados and the Inter-American

Development Bank, the Savings Bonds (Amendment) Regulations, 2016 and the Excise Tax Regulations 2016, and Hon. A. D. Brathwaite moved the first reading of the Immigration (Amendment) Bill, 2016, the Criminal Assets (Recovery Fund) Bill, 2016 and the Trafficking in Persons (Prevention) Bill, 2016. Standing Orders were suspended on the motion of Hon. R. D. Jones.

Under Order No. 26, Hon. D. O'N. Inniss moved the second reading of the Companies (Amendment) Bill, 2016, which provides for incorporated cell companies. He noted that the first International Business Companies Act dated from 1965 and said that the Government was determined that Barbados should become the wealth management centre of choice in the Western Hemisphere. Mr. E. D. Hinkson said that the Opposition had no objection to the Bill, and spoke of the need for more foreign exchange to meet a food import bill of over \$600 million a year. Hon. A. D. Brathwaite answered commentators who said the economy was firing on one cylinder and spoke of the pressure on financial centres from the Organisation for Economic Cooperation and Development. In reply, Mr. Inniss offered to engage the Opposition outside Parliament and said he would meet the Barbados Bar Association about the Corporate Affairs and Intellectual Property Office. The Bill passed through Committee without amendment and was read a third time.

Under Order No. 22, the House resumed debate on the Domestic Violence (Protection Orders) (Amendment) Bill, 2016, which Mr. Speaker reminded Members was being debated jointly with the Sexual Offences (Amendment) Bill, 2016. Miss C. Y. Forde spoke on the myths surrounding domestic violence and said that violence against women knew no class distinctions. Hon. A. D. Brathwaite linked domestic violence with the level of violence in the region. After the luncheon suspension, the Member for St. John, Mrs. M-J. M. Thompson, quoted the SAFE Foundation's report of roughly 1 825 to 2 555 calls a year to its hotline. Hon. S. A. Lashley and Hon. M. A. Lashley recalled the passing of the original Act in 1991, the latter from his practice as an attorney-at-law, and Hon. R. D. Jones spoke on the sociology of domestic violence.

With Madam Deputy Speaker in the Chair, Dr. the Hon. D. S. Lowe argued that the amendment sought to remedy a belief that abuse could be without consequence, and spoke of a respect for the dignity of every individual. Hon. J. D. E. Boyce commended the Minister and addressed the powers of the police. After a further suspension, Hon. F. J. Stuart quoted Governor Harris of Trinidad, 'a race has been freed but no society', and spoke of a Barbados that is socially balanced, while cautioning

that the scope of the Bill and the powers given to the police had been significantly broadened.

The Minister of Social Care, Hon. S. D. Blackett, replied. He thanked the non-governmental groups who had attended over two Tuesdays, regretted that the Leader of the Opposition had not spoken, and answered concerns about arrest without warrant by reference to sections 19 and 20 of the Police Act. In Committee, Clause 4 was amended to refer to 'a person with a mental disability' and Clause 12 was amended so that a person who by virtue of

his profession attends to or examines a child and suspects domestic violence must notify the Child Care Board or the police. The Bill was read a third time and passed. The Sexual Offences (Amendment) Bill, 2016 then passed all stages without further debate.

On the motion of Hon. J. D. E. Boyce, who wished Members travelling to Trinidad for Carnival a safe journey, the House was adjourned until Tuesday, 9th February, 2016 at 10.00 a.m.