
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 2013 – 2018

HOUSE OF ASSEMBLY

Tuesday, July 19, 2016

Pursuant to the adjournment the House of Assembly met at 10.00 a.m. on Tuesday, July 19, 2016.

PRESENT

His Honour M. A. CARRINGTON, B.A., LL.B. (Speaker)
Her Honour Mrs. M-J. M. THOMPSON, B.A., M.Sc. (Ph.Ed.) (Deputy Speaker)
Rt. Hon. O. S. ARTHUR, M.Sc. (Econ.)
Mr. G. W. PAYNE, Q.C.
Mr. G. A. CLARKE, J.P., B.Sc., Dip. Ed.
Mr. R. St.C. TOPPIN, LL.B. (Hons.)
Hon. D. St.E. KELLMAN: (Minister of Housing, Lands and Rural Development)
Hon. Miss M. A. MOTTLEY, Q.C., LL.B. (Leader of the Opposition)
Miss C. Y. FORDE, J.P., L.C.P.
Hon. R. D. JONES, J.P., B.A. (Hons.), M.A. (Ed.) (Minister of Education, Science, Technology and Innovation)
Dr. the Hon. D. C. ESTWICK, B.Sc., M.B.B.S. (Minister of Agriculture, Food, Fisheries and Water Resource Management)
Mr. D. D. MARSHALL, LL.B. (Hons.), L.E.C.
Hon. M. A. LASHLEY, LL.B. (Hons.) (Minister of Transport and Works)
Hon. R. L. SEALY, B.Sc., M.B.A. (Minister of Tourism and International Transport)
Hon. F. J. STUART, B.A., LL.M. (Prime Minister, Minister of National Security, the Public Service and Urban Development)
Hon. J. D. E. BOYCE, M.Sc., C.Eng. (Ministry of Health) (Leader of the House)
Hon. S. D. BLACKETT, (Minister of Social Care, Constituency Empowerment and Community Development)

Mr. J. D. PAUL, B.Sc. (Chairman of Committees)
Dr. the Hon. D. S. LOWE, Dip. Theology, B.A., M.Ed., Ed.D. (Minister of Environment and Drainage)
Hon. A. D. BRATHWAITE, LL.B. (Hons.) (Attorney-General and Minister of Home Affairs)
Hon. S. A. LASHLEY, B.Sc., LL.B. (Hons.), L.E.C. (Minister of Culture, Sports and Youth)
Hon. D. O'N. INNIS, Dip., B.Sc., M.B.A. (Minister of Industry, International Business, Commerce and Small Business Development)
Hon. C. P. SINCKLER, B.A., M.Sc. (Minister of Finance and Economic Affairs)
Mr. T. A. PRESCOD, B.A.
Mr. K. D. SYMMONDS, B.A., LL.B.
Lt. Col. J. D. BOSTIC, MVO, B.A. (Hons.)
Mr. E. G. HINKSON, LL.B (Hons.) L.E.C., LL.M.
Dr. M. M. AGARD, J.P., B.Sc., M.Sc., D.D.S.
Mr. D. G. SUTHERLAND, B.Sc., M.Sc., M.B.A. (Dist.)
Miss S. J. O. BRADSHAW, LL.B. (Hons.)
Prayers were taken by Father Reverend Mark Harewood.

Mr. SPEAKER: Good morning, Honourable Members, this House is now in session. The time is now 10.26 a.m.

MINUTES

Mr. SPEAKER: Honourable Members, I am not yet in receipt of any Minutes for our last meeting and I will ask for the usual motion that they be deferred.

Hon. J. D. E. BOYCE: Mr. Speaker, I beg to move that the Minutes for the Honourable the House of Assembly of its Meeting of Tuesday, July 12, 2016 be deferred.

Hon. A. D. BRATHWAITE: I beg to second that, Sir. The question that the Minutes referred to be deferred was put and resolved in the affirmative without division.

ANNOUNCEMENTS BY HIS HONOUR THE SPEAKER

Mr. SPEAKER: Honourable Members, since we last met we heard of the sad news of the passing of the mother of the Honourable Member for St. John, Mrs. Monica Giraudy. On behalf of the members, of course, we extend our deepest sympathies and wish the Honourable Member well as she struggles with this difficult time. The usually courtesies and tributes will be paid in due course, but for now we invite you stand and observe a minute's silence in her memory.

A minute's silence was recognised by the House of Assembly.

Mr. SPEAKER: At this time we also want to take the opportunity to welcome among us the legal trainees from the programme run by the Attorney General's Office. Of course, this is a learning experience for them. We wish them well and we hope they find the proceedings interesting and enlightening. Thank you.

PAPERS

Hon. J. D. E. BOYCE: Mr. Speaker, I am commanded to lay:

(1) the Central Bank of Barbados 2015 Annual Report.

ORDERS OF THE DAY

SUSPENSION OF STANDINGS ORDERS

Hon. J. D. E. BOYCE: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the remainder 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. ?: CONSTITUTION (AMENDMENT) BILL, 2016

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

Hon. F. J. STUART: Mr. Speaker, I rise to move the Second Reading of a Bill to amend the Constitution of Barbados. Notice of this Bill was given on 22nd January this year and the Bill was read for a first time on 26th January this year.

The Amendments contemplated by this Bill relate to two constitutionally established offices: The Office of the Director of Public Prosecutions and the Office of Auditor General.

Mr. SPEAKER: Just a minute Honourable Member. There are some electronic devices going off. Honourable Members know the rules. We have been very patience with this. This is happening every Tuesday now. Please silence them or take them outside. Sorry to interrupt, Honourable Member, please continue.

Hon. F. J. STUART: Thank you very much, Mr. Speaker. As I was saying the offices affected by the contemplated Amendments are the Office of the Auditor General of Barbados and the Office of the Director of Public Prosecutions.

The Office of the Director of Public Prosecutions, of course, was established by legislation around the year 1963. When Barbados was preparing for full internal self-government, a piece of legislation was actually passed establishing the Office of Director of Public Prosecutions. It had not existed in Barbados before and as part of our full self-government arrangements the Director of Public Prosecutions Act was passed in the year 1963 so that by the year 1964 when Barbados moved to full internal self-government, Governor Sir John Stow, in addressing both Houses of Parliament, announced to Parliament a number of initiatives that would certify that Barbados was moving to full internal self-government. One of the announcements he made on that occasion, the 5th day of May 1964, was that the post of Director of Public Prosecutions was being established and he was abolishing the post of Solicitor General. Amongst the other announcements he made on that occasion was that the post of Attorney-General was going to become a ministerial post instead of the civil service post it had been for all of Barbados' history up to then. He announced also that the Executive Committee was being abolished and its powers and functions were being transferred entirely to a Cabinet. He announced further that the management of Government's finances was being transferred from the Governor in Executive Committee to the Cabinet and the Minister of Finance. That was part of the outfit of the new Barbados moving to full internal self-government.

Before the establishment of the office of Director of Public Prosecutions... Of course, the Solicitor General and the Attorney-General were civil service positions. The Solicitor General was the Deputy of the Attorney-General. All of this harked back to English legal history where from the 15th Century the law officers of the Crown were established. The post of Attorney-General, of course, becoming known and established in the year 1461 and the post of Solicitor General in the year 1515; one during the reign of Henry II of York and Lancaster House and one

during the reign of Henry VIII of the House of Tudors. From then until the 20th Century the law officers of the Crown were the Attorney-General and the Solicitor General, with the Attorney-General being the head of the department and the Solicitor General being the Attorney-General's Deputy. They both represented the Crown in civil and criminal matters. They did prosecutions and represented the Crown in a wide range of matters. Mr. Speaker, because Barbados received English law and English practice at the time of its settlement in 1627, most of these practices became part of our own administrative practices here in Barbados and therefore we had both the Attorney-General and the Solicitor General as public officers, but all of this changed in the early 1960s as we moved closer to internal self-government.

The Office of Attorney-General was established by legislation now and was converted from being a civil service post to being a Cabinet position, a political position. Of course, Sir John Stow told the House way back then on the 5th of March 1964 that the Office of Director of Public Prosecutions was being established and that the position of Solicitor General was being abolished. Of course, it did not stay abolished for too long, Barbados still has a Solicitor General. The post has changed its character, it is still a civil service post but of course the position of Attorney-General has continued to be a Cabinet position, so that is the background to the Office of Director of Public Prosecutions.

As is the case in the United Kingdom, so too is the case here in Barbados and in most other Commonwealth jurisdictions, the Director of Public Prosecutions exercises a number of very critical powers. He can institute prosecutions against any individual or authority in Barbados and he does not have to seek anybody's permission to do that. Even if he does not institute criminal prosecutions against an individual or authority in Barbados and somebody else institutes those proceedings, the Director of Public Prosecutions has the power to move in and take over those prosecutions and bring them to conclusion in whatever way he chooses, and the person who instituted the proceedings has to step out of the way, and he can also discontinue criminal prosecutions as he sees fit. These are very serious powers.

Mr. Speaker, the fact that by Section 79 of the Constitution of Barbados, the Office of Director of Public Prosecutions is established and that he is appointed by His Excellency the Governor General acting on the advice of the Judicial and Legal Services Commission, this puts him beyond the pale of any political influence whatsoever. Well, that continued, of course, from 1966 when the Barbados Independence Constitution was settled until 1974 when there were some major amendments to the Constitution passed by this House in very controversial

circumstances. Those amendments had the effect of dividing the country during that period.

Mr. Speaker, so far as the Office of the Director of Public Prosecutions is concerned a new Section 79(A) was introduced into the Constitution giving the Attorney-General a discretion to give general or special directions to the Director of Public Prosecutions as to the exercise of his powers and requiring the Director to act in accordance with those directions. Those directions, of course, would have to relate to offences under the Laws of Barbados relating to piracy, or trading or otherwise dealing in slaves, or foreign enlistments, or publications calculated to interfere with the peaceful relations of Barbados with foreign states, or matters relating to high treason, treason, misprision of treason or treasury, or matters relating to sedition or seditious meetings, or matters relating to officials secrets, matters relating to mutiny or incitement to mutiny, matters relating to unlawful oaths, and any offence under an enactment relating to any right or obligation of Barbados under international law. In those specific cases, the Attorney-General has the power to give directions to the Director of Public Prosecutions and the Director of Public Prosecutions is obliged to carry out the instructions of the Attorney-General in those circumstances.

Mr. Speaker, Barbados, of course, has had some very distinguished Directors of Public Prosecutions since Independence. We have been very well-served by the Directors of Public Prosecutions we have enjoyed since Independence. Mr. Speaker, a few names come readily to mind. We had Mr. Clifford Husbands as he then was, a very distinguished Director of Public Prosecutions who went on to become a Judge of the High Court, then a Justice of Appeal, then for another 14 or 15 years became Head of State of Barbados, the Governor-General of Barbados. There was also Mr. John Husbands who went on to become a High Court Judge. There was also Mr. Garvey Husbands who also went on to become High Court Judge. There was Mr. Cecil Tulluck who served with some distinction as Office of the Director of Public Prosecutions and of course his Deputy at the time, Mr. Elliott Belgrave as he then was, went on to become High Court Judge and is today the Head of State of Barbados. Of course, then there is the incumbent Director of Public Prosecutions who has been in that post from 1997 until present, so that we have been well-served by our Directors of Public Prosecutions.

Mr. Speaker, under the Constitution which has established the position of Director of Public Prosecutions, Director of Public Prosecutions, in 1966 when the Constitution was settled, was required to retire at the age of 62. Only in very special circumstances and if the Judicial and Legal Services Commission felt moved to give him permission could the Director of Public Prosecutions go on to retire at the age of 65 rather than at age 62, but his retirement age was set at age 62, as indeed was the retirement age of the Auditor-General of Barbados.

Mr. Speaker, the Auditor-General, of course, being responsible for auditing the accounts of all Government departments, except his own, the auditing or inquiring into the accounts of the Auditor-General Office is a matter for the Ministry of Finance and Economic Affairs but every other department of Government the Auditor-General is empowered by the Constitution to audit the accounts at least one per year and to report, not to any Minister but to report to this Honourable House, to Your Honour the Speaker. Of course, which of us or who of us in this Honourable House does not know about Auditor-General Reports and the excitement that they generate by some of the audited findings that they make, the last Report not to be excepted from all of this. Of course, the Auditor-General highlights where there have been deficits or deficiencies in our financial administration and makes recommendations to Your Honour the Speaker, and inferentially to those responsible for the management of Government departments to administer corrections where those corrections can be easily administered. Of course, sometimes the Auditor-General is called upon to do special audits of particular agencies of Government and successive Government over the years have called on the Auditor-General Office to do special audits where it is thought that clarification is needed in terms of financial transactions undertaken by Statutory Boards or Government-owned companies or whatever the case may be.

Mr. Speaker, there is a special relationship between the Auditor-General and the Public Accounts Committee because that Committee is empowered to inquire into the financial dealings of departments as long as those inquiries relate to the audited accounts of the particular department by the Auditor-General of Barbados, but both the Auditor-General and the Director of Public Prosecutions were required and are required by the Independence Constitution to retire at the age of 62.

When the Independence Constitution was settled, it was also the law under the Pensions Act that public servants, officers in the general public service, were required to retire at the age of 60, but could opt to retire at the age of 55 if they so desired, so the retirement age was 60 for other public officers and the optional age of retirement was age 55. Mr. Speaker, one could easily see that both the Auditor-General and the Director of Public

Prosecutions were enjoying something of an advantage over other public officers, in that they were entitled to retire at a date later than the average public officer was entitled to retire.

Mr. Speaker, in 1985, when around the time that, I believe, Prime Minister "Tom" Adams was around, there was passed in this Parliament a piece of legislation called the Pensions (Miscellaneous) (Provisions) Act. Even if it was not passed under Prime Minister Adams, the discussions were certainly initiated under him and it may have been passed under Prime Minister St. John. I am not sure because Prime Minister Adams passed from this life in the month of March, 1985.

Mr. Speaker, the Pensions (Provisions) (Miscellaneous) Act, 1985, enacted that the retirement ages of public officers should be the pensionable age under the National Insurance and Social Security Scheme was age 65, and what the Pensions Miscellaneous Provisions Act was saying was that in the same way that under the National Insurance and Social Security Scheme persons became entitled to a pension only at age 65, public officers' entitlement to pension should be harmonised with that reality. Therefore, the retirement age was going to be moved from age 60 to age 65 and the optional retirement age was going to be moved from age 55 to age 60. Mr. Speaker, this would only apply to persons who began to work or were appointed in the Public Service after the 15th day of July, 1985. Persons who were employed before July 15, 1985 and who were appointed before that date would not be touched by the legislation.

More recently, in the year 2004 when the distinguished Right Honourable Member for St. Peter was Minister of Finance, there were a number of issues, including Government's expenditure on pensions, the fact that social security schemes were showing some signs of pressure, not only here in Barbados but in other parts of the western world, and our fertility rates were not keeping harmony with our mortality rates. In fact, because people were living longer, more pressure was being put on the Social Security Scheme. A Pension Fund review committee was put in place to look at all of this and to advise the Cabinet of the day, and that committee came to the conclusion -- and I thought it was a wise and sensible conclusion given all the realities that existed at that time and, of course, still exist, quite frankly -- that there should be a harmonisation between the Social Security Scheme and the pensionable age under the Social Security Scheme and public officers' entitlements.

Again, it was the same thing that had happened in 1985, but what was happening now was that after very patient and very meticulous actuarial investigation, the recommendation was made that the retirement age of public officers should be increased graduatedly up to the

age of 67 by January 1, 2018. As I speak, Mr. Speaker, public officers can now retire at the age of 66-and-a-half years, because this process of graduation began once the recommendations were made to the previous Administration, the Government, and the requisite legislation was passed: the Pensions Miscellaneous Provisions Act of 2004. What that legislation said was that any public officer in employment at the time or appointed to the Public Service after January 1, 2005, would have to fall in line with this new process of graduation toward an eventual retirement age of 67 by January 1, 2018. Similar changes, I am aware, were introduced in countries like France, and led to people going onto the streets and protesting at the extension of the retirement age. I have to confess that the issue was handled very maturely here in Barbados, and we did not face any such ferment or any such turbulence. The recommendations of the committee were very smoothly introduced, and public officers have fallen in line with that. Of course, quite a few have been taking full advantage of it. The next stage of graduation will be January 1, 2018 when public officers in Barbados will be entitled to retire at the age of 67.

Mr. Speaker, here is why the Amendments to the Constitution are now required. In 1966 when the Auditor General and the Director of Public Prosecutions were able to retire at age 62, while everybody else had to retire at age 60, they were enjoying a benefit; an advantage. As a result of the changes in 1985 and again in 2004, we now have a situation which was not contemplated at the time, I am sure; well it was contemplated, I think, when the last set of Amendments were done. It was noted that the Director of Public Prosecutions and the Auditor General would be affected but that all of that would be put right in a new Constitution which was being drafted. In 1985, it was noted that these two offices and offices of Permanent Secretaries and a few other people at the top of the Public Service would be affected, but that would have to be dealt with eventually by Constitutional Amendment, but the Amendments never happened. We therefore have the situation now that whereas the holders of those two offices, the Director of Public Prosecutions and the Auditor General, enjoyed an advantage in 1966, they now have to retire before everybody else in the Public Service. What was an advantage has now become a disadvantage. The Auditor General of Barbados, as of now given the present state of the law, has to retire at age 62, while every other public officer can go on to age 67; and the Director of Public Prosecutions too has to retire at age 62 while others can go on to age 67. These are public officers who are members of the committee of Permanent Secretaries and persons of related grades. They attend these meetings, and they are public officers for all practical purposes in spite of the fact that, given the specificity of their functions, their posts and offices have been established by the Constitution of Barbados.

Mr. Speaker, they have both raised the issue that they used to enjoy an advantage by being able to retire later than every other public officer, but as a result of changes that have taken place in the legislation under the Pensions Act - and their interests are not covered by the Pensions Act but by the Constitution - they now find themselves in a position where they are disadvantaged because they now have to retire earlier than all other public officers. Mr. Speaker, the Opposition has no difficulty with this particular amendment, but I do believe it needs to be put in a perspective in respect of the position we have shared with Members on the other side with respect to this particular debate. As this Chamber is well aware, this Constitution amendment will require a two-third majority of both sides in order to pass. We would have been given notice on June 23, 2016, by the Leader of the Opposition Business with respect to the Government's intention to debate this particular amendment. The Leader of the Barbados Labour Party Opposition would have responded to the Leader of Government Business on June 27, 2016, indicating that we would not be in a position to cooperate with respect to supporting the amendment on the basis we felt that, first of all there had been no discussion formally with Members of the Opposition with respect to the amendment. An amendment of this nature we felt was sufficient to have required some at least preliminary discussion. Further, there had been no sharing of the views of the Solicitor General in respect of the amendment as well, and again we felt that a Constitution amendment of this nature would have required some soliciting of opinions and view, even if the Government wish to proceed on the amendment, we felt that an initial discussion was in fact necessary.

Mr. Speaker, we also felt that given the BIDC matter which is before the court and which I do not intend to speak to, apart from mentioning the fact that I believe to proceed on this matter sends the wrong message to employees of public statutory corporations, because on the one hand those persons are unsure as to their age of retirement, but on the other hand Government is seeking to make this Constitutional amendment to allow those employees of Government the ability to have the extension of their retirement age. So while we in principle agree with it, in the same token we do believe that it should be followed with a supporting comment by this administration with respect to addressing those issues.

Government could have intervened at the outset and stated a clear policy position on this issue, so as not to throw employees in the public statutory corporation of the BIDC into total confusion. That is a state of affairs that currently has obtained in this country.

Therefore, while it is an amendment that in principle the Barbados Labour Party would support, we would have hoped that there would have been some discussion on this matter, and more importantly that the Government of this

country would certainly, certainly the learned Prime Minister, would have taken this opportunity to address these issues to give some comfort to the workers who, as I remember in this Chamber we were debating, I believe, the Employment Act and workers were at the time striking outside of the BIDC. They, as many Barbadians, were thrust into a situation where their futures were uncertain. So we are here making arrangements for two important offices in the country to have the retirement age extended, but at the same time I do believe that Government could also take the opportunity to state a position as it relates to those persons within the public statutory corporations.

It is easy for us to say, this is a situation where we are making a minor amendment to the Constitution as the learned Prime Minister would have set out to allow us to regularise the current situation, that we agree with, but we do feel given the current climate it is indeed important that a clear position is made by this Government as it stands, to affect the uncertainty which pervades in this country as it relates to employees employed in the statutory corporations of this country, and certainly I believe at this juncture the Government needs to be able to give some assurance to individuals that they too will have the benefit of an administration stating a clear position, as it relates to the age of requirement. Those persons have had to incur significant costs to go before the law courts to find out what the position is in relation to retirement. They do not to have the luxury of a Government coming to this Chamber to make these changes to legislation to enable these changes to be made overnight. Therefore, I do believe that an administration that has touted itself so much as being in favour of the workers, owe it, Mr. Speaker, to this country and certainly to the workers of this country to state their position.

Therefore, Sir, I do not intend to delay this Chamber on this matter. I believe the Leader of the Barbados Labour Party will also speak on this matter, but I do feel that is our position. The Government is well aware of our position, and they will indeed require the cooperation of the Barbados Labour Party in order to push through the amendment. Therefore, with those few words I thank you.

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

Hon. J.D.E. BOYCE: Mr. Speaker, when I rose to second the motion and reserve my right to speak I did not realise I would have to intervene so early, but I certainly want to associate myself with others things that you have to do as a Parliamentarian, and you need to listen a little bit sometimes.

Sir, the fact is, the Right Honourable Prime Minister delivered unto this Chamber a full commentary on the situation as it relates to not two important offices as such,

but two constitutional offices of this country Barbados. That is the Office of the Director of Public Prosecution and, of course, the Auditor General. The Right Honourable Prime Minister took us through a journey in history to try to locate the very clear reasons for the amendment being sought today, and indeed as the Honourable Member who just sat said, the request for the cooperation of Her Majesty's Loyal Opposition.

I am drawn into the discussion too as Leader of Government Business, because of the reference to notice by letter of this position to the Leader of the Opposition

With respect of the timing of this debate. Those who would have had the opportunity to run Government Business either in the House of Assembly or as part of the Cabinet, et cetera, and to try to communicate with the Opposition in a timely manner recognise challenges. We operate on the basis, yes, that Government has to get ahead with its agenda. The cooperation of the Opposition is certainly sought on matters especially that we would require Constitution amendment because of the rules of the Chamber.

Sir, in respect to the notice of Bills in this Chamber, I think all Members are very aware that we are not so much guided by what the Government indicates here after Cabinet on a Thursday, or over the weekend after Parliamentary meetings, it is its intention to act on the Tuesday or the meeting date following. It is more guided by the Order Paper which is shared with all Members in a very timely manner. Indeed, the Right Honourable Prime Minister again makes the point that the notice of this amendment was given as far back as the January 22, 2016. So the question of the opportunity for discussion either among themselves or among the Members of the Opposition, really technically does not arise, and certainly in this Parliamentary group, that is the Government Parliamentary group, we take the position that once a Bill or a Resolution has been added to the Order Paper of this Parliament, it is on the agenda for the Parliamentary group discussion and it is discussed. Those who lead the debate to identify and support speakers are put in place for whenever that debates occurs. There are items that sit on the Order Paper for very long periods, but the point is, the important thing I think for any Parliamentary group whether Government or Opposition, a very important rule of order that should be ordered is one that recognizes that once an item is placed on the Order Paper you get to the point of placing it on your Parliamentary group agenda discussing and identifying strategy. These things can change and events can occur which will force a Parliamentary group to change its strategy, but those are the broad issues.

As far as the question of broader discussion between Parties is concerned, of course, that is left largely to the leaders of the two political organisations, or may be more.

There have been occasions when there have been three political organisations representing in this Honourable Chamber.

Mr. SPEAKER: Honourable Member, just a moment please. I want to remind you and I permitted you to respond in a sense, because the matter was raised by the Honourable Member for St. Michael South East. I wish to remind you though of the rules of relevance. The whole matter of whether it was raised, or whether it was given notice and so on, in my view, that is a matter of discussion for the two sides and so on, or if you wish let us bring a substantive motion about the Standing Orders or something like that. I am saying essentially the ambit of the matter on discussion that has been set is fairly narrow and I do not intend to permit either a discussion or a debate as to who says who to what, or who says what to who, nor of to the entire employment situation of the various cases and so on, outstanding in Barbados at this time.

Please be guided accordingly.

Hon. J.D.E. BOYCE: Very much, Mr. Speaker. I have never been so well guided by your Honour and I really appreciate the intervention because it gets me back to the point.

The Right Honourable Prime Minister spoke to what continues to inform the decisions in terms of retirement age for the general population and for specific employees. Of course, in the case of the two offices being considered this morning, it is one in which the Constitution as constructed and passed in 1966, sought to distinguish these two offices from other public offices in the Government service. Over the years as we have responded to -- the Right Honourable Prime Minister referred to it as the fertility rate, but I want to modify that to one of the birth rate in Barbados and, of course, the associated fact that we are living longer. We are living healthier. We are able to contribute to work for a much longer period of our lifetime than we may have been say in a society in Barbados 40 or 50 years ago. This is an excellent commentary and where we have gone with our development in spite of the fact that we are afflicted today by what is referred to as a scourge in non-communicable diseases. The management of these diseases, these illnesses, in the population albeit at high costs, the management of these diseases in our population has allowed the general workforce to be skewed to a much older grouping, than may have been the kind of profile that would have existed long ago.

As a matter of fact, it is interesting information that in a recent lecture by Sir George Alleyne, a reknowned Barbadian Professor, and a stalwart in the business of world health and his continued contribution to world health, rule as Chancellor of the University at age 81, continues to carry out a very active role in that capacity,

along with his eminence in the area of the World Health Organisation and in his continued contribution in that organization. Sir George referred to the fact that we need to move towards a society, which understands more than once a person is alive, of course but active and able to contribute, we need to try to make sure that this contribution is appreciated and can be made use of. Other than that we are losing very important resources, at a time when they are very capable of continuing to contribute in a very meaningful way.

On the other side of the argument, Sir, is the younger population. The Prime Minister made the fact that although the passage of these amendments over the years be it 1964, 1966, 1974, 1985, 1996 and 2004, all the amendments which would have been passed in this Honourable House, although they were in large measure except probably for the amendments in 1974, but they were associated with many, many other issues. They have passed generally with full cooperation without significant incident, not so throughout the world, and he referred to the protest in France, in particular, when certain amendments in respect of retirement age would have been considered and passed by that Parliament.

One can understand the arguments because the younger population would rightly have the voice, to say that they are being deprived of opportunities to join the workforce at a much earlier date if we are retaining these persons beyond the traditional retirement age to which we have become accustomed.

Sir, Government certainly wants to urge that as we consider this amendment today, we do so in a climate where we are seeking merely to satisfy the fact that these two constitutional offices have been disadvantaged over a period of a number of amendment changes especially in respect of the retirement age, or ordinary members of the public service, viz a viz these two special offices, offices which were created specifically under the rubric of the Constitution of Barbados.

Again, we have sought by letter -- again on Friday I wrote to the Honourable Leader of the Opposition that is subsequent to a brief discussion between the Honourable Leader of the Opposition, the Right Honourable Prime Minister and myself, last Tuesday. I referred to that discussion because we are in receipt of the Honourable Leader's response to earlier communication to around June 26th or 27th, something like that as indicated. So we wrote again subsequent to that brief discussion here and we were assured that there would be further discussion with the Parliamentary Group of the Barbados Labour Party, and that matter would be shared with us at an appropriate time.

Sir, we have noted so far the comments of the Opposition. I want to take this opportunity to urge that

even at this stage, the Opposition will be so minded as to join with the Government to make sure that the rights of these two very important offices do not continue to be trampled, and their request for a correcting of this anomaly, this disadvantage, that the correction of this disadvantage take place and that other matters which were referred to by the Opposition by their letter of 27th June, other matters are being worked out in Barbados. As a matter of fact, even last Friday, I believe, we saw the results of the fact that consultation has made progress so that there is really every reason why the Opposition would want now to make sure that this amendment is not held back by the considerations which they have raised with the Government and that we are able to move forward therefore, Mr. Speaker, given the importance of this amendment, given the fact that it does not seek to trample on anyone's rights whatsoever but merely to correct the situation that evolved with respect to the retirement age of public servants, vis-à-vis, the Director of Public Prosecutions and the Auditor General, I want to associate myself with the presentation of the Right Honourable Prime Minister and I fully support this amendment which we are dealing with today.

I am obliged to you.

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

Hon. Miss M. A. MOTTLEY: Thank you very much, Mr. Speaker. I rise to participate in this debate which is fundamentally a debate about the state of governance in our country. I do so against the background that I will speak, not long, but with absolute clarity, I hope on these issues. This matter which is before the Honourable Chamber seeks to extend the retirement age of the Director of Public Prosecutions and the Auditor General through an amendment to the Constitution as is the only way it can be done. The Prime Minister spoke to the history in relation to the situation with public employees of Central Government. When the Leader of Government Business wrote us on 23rd June which was received on the evening of 24th and which I saw in my mail folder on 26th I responded to him on the Sunday, ...

Mr. SPEAKER: Honourable Member, I have already said ...

Hon. Miss M. A. MOTTLEY: I am getting to the substance of our position which was made clear, Sir.

Mr. SPEAKER: I am not, in my view, this is not a debate of any communication between yourself and the Leader of the House and I am not going to entertain any debate on it because, in my view, it is not relevant to the matter under discussion.

Hon. Miss M. A. MOTTLEY: I am obliged to you, Sir. I want to quote from the letter on the substance of our position and that is why I referred to it, Sir.

Firstly, the Opposition Barbados Labour Party (BLP) is of the firm opinion that any matter which seeks to amend the Constitution ought to be the subject of full consultation between the two parties and the two leaders and that full consultation ought to require us to sit down to discuss what is the matter that relates to the amendment of the Constitution and that the Opposition be apprised of all of the facts supporting the amendment. This morning I heard for the first time that there was an opinion from the Solicitor General. I do not believe, Sir, that we should be ambushed by the facts supporting any such opinion from an officer as esteemed as the Solicitor General.

Secondly, I believe that opinion ought to be shared with the Opposition if you expected us to be apprised of all of the facts.

Thirdly, it is natural and normal in Westminster systems for explanatory memoranda to be attached to Bills that come before this House. The purpose of those explanatory memoranda is to give Members of the Chamber a full understanding of the policy positions supporting the Bill before the Chamber. In this instance, the Bill is a short Bill and the Opposition is aware of the process undertaken in 2004 in relation to the reform of retirement ages in Barbados so that while we do not need that and while some of us participating in the extension of that retirement age.

It brings me to the second point, in addition to the Solicitor General's opinion being shared the more substantive issue for us in this matter is that governments in our system must be coherent and that we must not send mixed messages to our employees. Indeed, the Constitution of Barbados speaks to the prohibition of discrimination on the basis of age and we accept that but employees of statutory boards are also public employees whose employer is an agency of the Crown and indeed may I remind Members and carry Members to Chapter 384 of the Laws of Barbados, the Statutory Boards Pensions Act, which in the same 2004 -- and indeed the Prime Minister's speech was noticeable for his absolute failure to mention the status of the Employees of statutory boards in this country. What are we talking about? Employees from ...

Hon. F. J. STUART: On a point of order, Mr. Speaker.

Mr. SPEAKER: Once the Honourable Member is willing to give way.

Hon. Miss M. A. MOTTLEY: Yes.

Mr. SPEAKER: Alright, fine.

Hon. F. J. STUART: I did not mention statutory boards because the relationship between a statutory authority and an employee is based on contract and the relationship between a Central Government employee and the Crown is based on status. Once is based on contract and the other is based on status. Statutory boards cannot come into a debate like this because the relationship between employees in a statutory board and the employer is based on contract. The relationship between the Crown and its employees is based on status.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, I regret that the discussion that ought to have taken place before this Bill was debated did not take place because had it taken place I would have referred the Prime Minister to the same 2004 amendments, made yes, by a Barbados Labour Party (BLP) Government, told the Statutory Boards Pensions Act which have an impact on the very same statutory board employees that he tries now to exclude from the debate as having only a contractual relationship with Crown entities when, in truth and in fact, this House of Assembly in 2004 passed Section 8(A) of the Statutory Boards Pensions Act. I would advise the Honourable Member for St. Michael South to take time and review what was done because on that occasion, Sir, without prejudice to Section 8 of that Act, ... Let me go back and make it clear who we are talking about for absolute clarity. We are talking about thousands of employees, not the two here in this Bill alone, but thousands of employees at a number of statutory boards ranging, Sir, from the National Housing Corporation (NHC), Barbados Accreditation Council, Barbados Agricultural and Development Marketing Corporation (BADMC), the Barbados Investment and Development Corporation (BIDC), to which there has been reference already, the Barbados Tourism Management Inc., the Barbados Vocational Training Board, the Child Care Board, Central Bank of Barbados, Harrison's Cave, the National Conservation Commission (NCC) the Fair Trading Commission; the National Assistance Board; the National Cultural Foundation; the National Council on Substance Abuse; the National Petroleum Corporation; the National Productivity Council; the National Sports Council; the Rural Development Commission; the Sanitation Services Authority; the Students' Revolving Loan Fund Management Committee; the TVET Council; and the Rural Development Commission. Thousands of employees in this country retirement age is governed not by contract but by statute. I want to repeat myself. In the same way that the Auditor General and the Director of Public Prosecutions retirement age is governed by statute albeit the Constitution, theirs is governed too by statute.

Mr. Speaker, let me read what was the initial Amendment in 1982 and then come to the 2004 Amendments because these words are not being made up

by me, these are laws made by this Chamber. At Section 8, a Board may require an officer in its service to retire at any time after he attains the age of 60 years old. Mr. Speaker, it is not compulsory, it is simply that it is within the powers of the Board, if it so determines on reasonable criteria, to retire any officer at the age of 60. Retirement at Section 2, however, shall be compulsory for every officer to whom this Act applies on obtaining the age of 65 years old. Prior to the Amendments in 1984 this House of Assembly in 1982 made it absolutely clear that employees of statutory boards had to retire at the age of 65 which was a more advantageous position than that of public servants employed by the Crown.

Mr. Speaker, Sir, it goes on to say that notwithstanding subsections 1 and 2 retirement shall be compulsory for every officer who elected to have his pension, gratuity or other allowance completed as if the Parochial Employees Pension Act, 1944 had not been repealed on the age of attaining 70 years old. Mr. Speaker, it deals at subsection 3 with that small category of employees that would have been subject to the Parochial Employees Pension Act, 1944.

Notwithstanding Section 2, it says at subsection 4, any person who after December 1990 is appointed to the service of the Board to the office of General Manager by whatever named called shall retire on obtaining the age of 60 years old. In spite of the 1982 amendments which sought to settle the age at 65, in 1990 the Democratic Labour Party Government sought to pass an amendment to cause all General Managers to have to retire at 60 years old. These are the facts in this legislation, and it is open to all 30 Honourable Members of the House of Assembly to read it.

In 2003, however, an amendment was brought at Section 8(a), and I want to read it very carefully for all because for the Prime Minister's contention that the retirement age is governed by contract, he as a lawyer would know...

Mr. SPEAKER: Yes, Honourable Member.

Hon. F. J. STUART: On a point of order. The Honourable Member is misleading the House. I said that the relationship between an employee and a statutory board as an employer is based on contract. I did not say anything about any retirement age. I said the relationship between a statutory board and an employee is based on contract.

Mr. SPEAKER: Very well, let the Honourable Member stand corrected. Go ahead.

Hon. Miss M. A. MOTTLEY: Mr. Speaker, Sir, I therefore thank the Prime Minister for his further elucidation because he is now speaking to a red herring and

an irrelevant consideration because I am not talking about the contract, I am talking about the retirement age as the only basis to which my comments can have relevance to this debate. The point of relevance is the retirement age of statutory boards employees, the retirement age of civil servants and the retirement age of the Auditor General and the Director of Public Prosecutions.

This is what the amendments in 2004 laid by a Barbados Labour Party Government said. Notwithstanding Section 8, retirement shall be compulsory for a person - shall is mandatory - (a) for a person who holds an office in the service of a board including the office of General Manager on the 1st of January 2005 and (2), (b) who is appointed to the service of the board after the 1st of January 2005. Mr. Speaker, let me pause there.

This particular amendment which I am going to read applies not retroactively but appropriately so, prospectively, and it applies to persons who would either be in the employ of these statutory boards on the 1st of January 2005 or alternatively who are appointed to the service of the boards after the 1st of January 2005. What happens to those two sets of employees is that where that person attains the age corresponding with the time set in the Third Schedule retirement shall be compulsory. What is the age in the Third Schedule? The age in the Third Schedule to which the Barbados Labour Party committed - and this is where this debate fundamentally comes to governance and equity - is that persons should have a legitimate expectation to be the outer limit of the age to which they could work were the ages that were synchronised for the public service employees which the Honourable Prime Minister referred to in his speech today. Sir, those ages are 65 and half years as being the age if you retire between January 2006 and December 2009; 66 years old if you retire between January 2010 and December 2013; 66 and a half years old, which is the current retirement age, if you retire between December 2014 and the 31st of December 2017; and the 67 years old, to which the Honourable Prime Minister referred, if you retire from January 2018.

What is the point here, Mr. Speaker? The simple point is that we sought to extend the compulsory retirement age for employees of statutory boards in the same way that we did for public servants. We sought to do it because we believe in equity and fairness between the class of public servants as well as the class of statutory board employees. It was done in the same way the Barbados Labour Party in an initiative introduced by the Honourable Member for St. Peter sought to remove the category of casual employees from the dictionary of the Barbados public service because we recognised that having disparity between those officers and public servants was not the kind of Barbados that we wanted to live in particularly given the fact that the same 1966 Constitution says that we should not seek to

discriminate against. Mr. Speaker, while age is not there, we have learnt from the Caribbean Court of Justice judgment in the Boyce and Joseph case that the declaration section in the Constitution which seek to remove discrimination, even if not justiciable, ought to be adhered to by the Government. Sir, that is how the first case of the Caribbean Court of Justice went down, not on the basis of the justiciable sections of the Constitution but it held the Government to a standard of behaviour because it is the Government.

Mr. Speaker, what do we find instead to be the history of performance of this Government? Let us be very clear. Mr. Speaker, 12 months ago exactly this country was almost brought to its knees in a union disagreement with the Government of Barbados, specifically with the Barbados Investment and Development Corporation because of a decision taken to force a number of employees, 11 or 12 of them, into compulsory retirement.

Mr. Speaker, I just read the law that applies to them, I cannot go into the merits of the Barbados Investment and Development Corporation case because the Government of Barbados, in its wisdom, in spite of resolving the ambiguity that they claimed existed but does not exist for any of the rest of us when we read the legislation, including the Statutory Board employees, including the unions, but the Government said that the sections are ambiguous and rather than coming to this Honourable Chamber and clarifying the ambiguity as they are now doing for the select two posts of Auditor-General and Director of Public Prosecutions this Government forced to the law court...

Mr. SPEAKER: Honourable Member, just let me check on a matter here, I will give you back your time. I was just checking on the matter to which you referred. As I understand it, that matter is still sub judice. I am just issuing the warning at this time but please be careful how you refer to the case.

Hon. Miss M. A. MOTTLEY: Yes, Sir, I am deeply aware and I am not going into the substance of that matter, I am simply commenting on the facts that I would have welcomed the opportunity had the Government had any ambiguity on the Statutory Boards Pensions Act to be before this Honourable Chamber to ensure that there would be a uniformed approach to ensuring that there would be equity between the status of statutory boards employees and public servants, as we are doing now today between the Auditor-General, the Director of Public Prosecutions and public servants. I say, Sir, that that equity and that position of the Government, had they taken that position to amend the Statutory Boards Pensions Act, would have been consistent with the 2004 amendments which sought to bring in line the retirement age for thousands of statutory boards employees with the position taken with the reform

and the changes in the retirement age of central government employees.

Mr. Speaker, I would have welcomed the position to share these views in a substantive meeting. The reality is that I committed to going back to our Parliamentary Party to discuss the issue of this amendment subsequent to my letter. Mr. Speaker, I was the most shocked person that without being able to communicate back to the Government what our position would be that this Government started this debate today. Now, if that is the position of the Government then it must know all of the considerations that it wants to know, it must be able to complete all of the things that it wants to complete, but what it cannot do is to alter the position of the Barbados Labour Party that we do not live in a Barbados and must never live in a Barbados where we do not offer the coherence or equity to those persons who find themselves in the employ of the public service, either directly or through statutory corporations.

Mr. Speaker, our position is that this amendment to the Constitution will of necessity have to be done for that equity but we ask the Government formally on the Floor of this Honourable Chamber to use the Cabinet of Barbados, which is the instrument of policymaking in our country pursuant to the same Constitution, to offer the assurance to thousands of employees of statutory boards that they will not have to be put to the expense of going to the law courts to assert their rights in relation to retirement granted to them through multiple amendments to the Statutory Boards Pensions Act and that in the same way the Director of Public Prosecutions and the Auditor-General have not had to spent money to go to court to assert their rights, that the thousands of employees of the Statutory Boards can receive the same treatment and protection from this Government who often asserts itself to be the protector of the many but has been found by the country to be the protector of the few, and to allow the many to have to paddle their own canoe through the law courts.

Mr. Speaker, what is it that the law courts will do? The law court seeks to clarify legislation. What is it that the Parliament does? The Parliament makes legislation. What is it that the Cabinet does? The Cabinet settles the policy that informs the legislation. Who, therefore, Mr. Speaker, wrote to the Leader of Government Business to indicate as far back as 27th June that we would have difficulty seeking to pass this amendment, not forever but at this time, given that 12 months ago this country was not only brought to its knees in the context of an industrial unrest, but the Right Honourable Prime Minister delivered some of the most aggressive and muscular language we have ever heard him delivered, to be able to put down the leadership of the two unions because of their intention to stand up for public statutory boards employees and their retirement age.

Mr. Speaker, this is an issue that is alive and well in Barbados, this is an issue that has caused the Right Honourable Prime Minister to go back and refer to WW1 and to use the language of the criminal law to describe the behaviour of the two union leaders. This is the language that evoked extreme emotion. This is an issue that almost on the eve of Cropover threatened to isolate this country from the rest of the world because of the failure of the unions and the Government to agree on the policy as it relates to the retirement age of employees of statutory boards but in this particular instance, the Barbados Investment and Development Corporation. These are the same employees who have gotten neither pension nor salary since January 1st of this year, at the same time that the Government wants to seek to give itself back a 10 per cent rise through the restoration of the 10 per cent of its salaries that it gave up.

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

Hon. Miss M.A. MOTTLEY: Thank you, Sir. This is the same Government that now wants to beat its chest because of a decision of the Employment Rights Tribunal on Friday that leaves those employees with only 52 weeks of pay, potentially, two years after they have been dismissed. In other words, they were dismissed 104 weeks ago but will only get 52 weeks, but more importantly, they have been deprived of a right to get a pension. Many of them were sent home after six years, seven years, eight years and nine years, and in some instances people who had a basic pension were deprived of being able to get a higher pension. Why were they deprived? Not because the Government had to send home people from the National Conservation Commission (NCC) but because the Minister sought to intervene in a process through multiple directives to the General Manager. It was not the Prime Minister. Not the Prime Minister. I am not blaming you. The Minister of Environment sought to send down instructions to the General Manager of the NCC as to who should be the persons who should go home. We had a situation, Sir, where there were employees with two and three years who were chosen to remain in the employment of the NCC, and people who had legitimately worked there for six, seven, eight, ten and 12 years.... It was in absolute defiance of a commitment given by this Prime Minister that the rules to follow with layoffs, and hence ability to earn pensions, would be as follows: It would be a last-in, first-out. However, you have the Minister's two brothers and his sister still in the employment of the NCC even though they had less time than people who had eight and ten years. I can carry you to Jackson now. I can carry you all about St. Michael and show you people who have been sent home. It was a form of political assassination, only to be exceeded by political genocide.

Sir, 52 weeks coming 104 weeks later cannot be a balm for those persons who have been deprived of a right to earn a pension. These people were not laid off because of bad behaviour. These people were not laid off because they did something wrong. These people were laid off because they were not enjoying the favour of the Minister of the Environment, and no Employment Rights Tribunal decision can take away from the fact that these people have been deprived of a right to pension in this country, Barbados. I go further, Sir. For the Tribunal to suggest that reinstatement is not a viable option, because of the relationship of trust between employer and employee, is almost farcical in my view. These are general workers. These are rangers. What relationship of trust exists in a Government Public Service and statutory board other than the normal ones to be honest, to be punctual and to be courteous; the implied rights, Sir? Sir, I could understand if this was a case of a guidance counsellor and an employer, but there can be no harm done by forcing the Government to go back 'ab initio', from the start, and follow the dictate that the Prime Minister gave the people of Barbados in September 2013 that it would be last-in, first-out and that nobody who was a single breadwinner in a household.... When the Prime Minister said that, I agreed with the Prime Minister because his instincts were right, his utterances were right, but his lack of courage -- I cannot say so -- his failure to intervene, Sir, and to require of his Ministers to do the right thing by the employees of statutory boards under their supervision, is reprehensible.

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

Hon. Miss M.A. MOTTLEY: It is similarly reprehensible, Sir, in relation to the BIDC (Barbados Investment Development Corporation). Cabinet is the highest policymaking body in this country. Cabinet's policy sets the directives of Ministers to direct their statutory boards on matters of general, and in some instances, specific policy. Retirement age is a fundamental issue of policy.

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

Hon. Miss M.A. MOTTLEY: I am obliged to you, Sir.

MR. SPEAKER: Yes, the Right Honourable Member for St. Peter.

Rt. Hon. O.S. ARTHUR: Mr. Speaker, Sir, I rise to give my wholehearted support to the Government for this Amendment to the Constitution. Sir, I have been in this Parliament now for over 30 years and it is not often that Parliament meets to amend the Constitution of the country. The Constitution of the country is the supreme law of the

land, and any Amendment to the Constitution has to be entered into seriously and judiciously, and must be judged on its merit because we are changing the supreme law of the land. In judging it on its merit, we cannot seek to intrude on that discussion matters that we may think can give us some political support or may be politically interesting but have no bearing on the matter that is before the Parliament of the land changing the supreme law of the land. Sir, this matter, really, requires me to support the Government because it is asking Parliament to make an Amendment to the Constitution to enable posts defined in the Constitution to have their terms of engagement made consistent with what I regard as perhaps one of the most important accomplishments that the Barbados Labour Party Government ever made: to change the retirement age to the age of 67.

Sir, if the Amendment was intended to do something that was inconsistent with that provision, which I regard as one of the most important accomplishments of the Barbados Labour Party Government that I led; if the Democratic Labour Party had been seeking to offend that, then as an Independent Member I would be speaking stoutly against what is here today proposed. However, this is a simple Amendment to make sure that two posts, recognised by the Constitution as being worthy in the Constitution, and not in a piece of legislation pertaining to a statutory board -- because that is the significance of what we are dealing with here -- are treated in accordance with the enlightened policies that a Barbados Labour Party Government introduced. Sir, it is on those compelling grounds that I have to support the position to let us change the Constitution, and that is all that is being required; to allow those two posts to be so regularised. If it is now the Barbados Labour Party's position that legislation in relation to statutory boards, which is not a constitutional matter, should be changed to make it so consistent, then let that also be done and they will get my support for that as well. However, to come here and to get involved in a constitutional debate and to conflict it with extraneous matters is, I believe, Sir, to become involved in a juvenile and a jejune exercise unworthy of a Parliament that is being asked to change its Constitution.

Mr. Speaker, we do not come here often to change the Constitution. When we come here, let us be serious about what we are doing. Therefore, Sir, I must tell you that it is juvenile and jejune. Sir, this is just ridiculous now. The House is being asked to agree to change the terms of engagement of two entities defined in the Constitution. We cannot do it otherwise.

We can change the terms of age of retirement of statutory boards either than being engaged in a constitutional debate. Sir, us now to seek to conflict the two together is unworthy of this Parliament.

Mr. Speaker, the matter is simple. This now must now be allowed to become a debate about the state of the governance of the Barbados Labour Party because that is what this debate is heading towards. Sir, why do I say that? Sir, perhaps I need to say this for the records. I am where I am because the Barbados Labour Party seems not to understand that it has a legacy but it wants always to be destroying its legacy. I came to this House once to support the creation of the Barbados Revenue Authority and in supporting the Barbados Revenue Authority on the grounds that as a Prime Minister and Minister of Finance in the Barbados Labour Party Government I was the person who conceived of it and therefore felt duty bound to support it when the matter came to this House but for that reason charges were being developed against me at the Barbados Labour Party National Council for not supporting their immediate policy as a Barbados Labour Party to oppose that which we conceived.

Asides.

Miss M.A. MOTTLEY: Mr. Speaker, on a point of order. I do not rise to deal with the attacks of the Honourable Member for St. Peter on me but I will defend the Barbados Labour Party. It is an untruth, I do not know whether deliberate but it is an untruth...

Mr. SPEAKER: Honourable Member, just a minute please, do not go there, do not make these asides to suggest that it is deliberate.

Miss M.A. MOTTLEY: Sir, I take that back.

Mr. SPEAKER: Secondly, Honourable Member, I am not in a position to deal with anything coming out of the Barbados Labour Party and so, so if that is something you are raising...

Miss M.A. MOTTLEY: Mr. Speaker, Sir it is a matter that reflects on the rights and privileges of members on this side. It is an untruth to suggest that the Honourable Member for St. Peter face any charges whatsoever ...

Mr. SPEAKER: Honourable Member, no point of order found. I really cannot rule on that one. Honourable Member, please continue.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir I hope that motions of censors will not be brought against the Leader of the Barbados Labour Party by her National Council because he would be shocked to hear that there was not a meeting of the Barbados Labour Party at which charges were being led against me in the same way that they were being read out against the Honourable Member for Christ Church West.

Mr. SPEAKER: Honourable Member, you have risen essentially to make the same point. I have already said I am not in a position to rule on those matters and the last submission is ruled out of order and struck from the record. Honourable Member, please continue.

Certain remarks made by the Honourable Member for St. Michael North East were ordered to be expunged from the record by MR. SPEAKER.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, Sir, the notion that you now to come this Parliament and that you oppose things that you fundamentally ...

Mr. SPEAKER: Let me hear the Honourable Member, please. Yes, Honourable Member.

Rt. Hon. O. S. ARTHUR: Sir, the notion that you come to this Parliament and you oppose things that you fundamentally believe in is a direction that this Parliament is being asked to take that I do not believe augurs well ...

Miss M.A. MOTTLEY: Mr. Speaker, on a point of order. The Honourable Member is yet misleading the House again.

Mr. SPEAKER: Let me hear the point of order.

Miss M.A. MOTTLEY: Not being able to support is not the same thing as opposing and the Barbados Labour Party's position ...

Mr. SPEAKER: Honourable Members, please, please.

Mr. SPEAKER: No point of order found.

Miss M.A. MOTTLEY: We abstain in this matter.

Mr. SPEAKER: Honourable Member, please take your seat.

Certain remarks made by the Honourable Member for St. Michael North East were ordered to be expunged from the record by MR. SPEAKER.

Mr. SPEAKER: Honourable Member, I will not and I am inclined to be very patient. I will not continuance you ignoring the Chair, not today or at any time. You are a member like other members who all observe the rulings of the Chair and the direction. Honourable Member for St. Peter, please continue.

Rt. Hon. O. S. ARTHUR: Mr. Speaker, will you kindly assure me that my time has been restored.

Mr. SPEAKER: You should proceed Honourable Member.

Rt. Hon. O. S. ARTHUR: I am grateful to you, sir. I make the point, Sir, that I believe that people coming to this Parliament should understand how important it is to explicitly support things that you believe to be sound, true and that you have supported in the past. Sir, as I have said, I led a Barbados Labour Party Government and I want to proclaim that one of the great achievements of the Barbados Labour Party Government that I led was to recognise that we had a duty because of the changing demographics of this country to change a retirement year. I said that if we had to do it for the people, the posts reference in the Constitution, if we have to do it by changes in statute law to reflect that enlightened policy, let it be done but we are dealing today with the change in the Constitution and if there is a need for other changes in statutory law, bring those but a Party cannot appear to be diffident and confused on something as important as one of its most enlightened policy. Sir, that is why it disappoints me greatly to hear that there can be any circumstance where a matter could come to this Parliament, one of the most aggressive policies of the Barbados Labour Party... I am hearing not only that you may oppose because that is what was said originally but that you might abstain.

Mr. Speaker, this is a sound amendment to the Constitution giving effect to sound policy that was conceived of and put in place by a sound Government. I am pleased that this Government has recognised the soundness of the policy and in seeking to change the Constitution to make the status of two persons reference in the Constitution consistent with that policy. It is a need, as I have said, for there to be other changes to make other persons employed by the Government without reference in the Constitution the beneficiaries of the policies of the Barbados Labour Party Government that I led, then I say to bring it on because I will support that too. Sir, I must say on the question of consultation that I was written a letter by the Leader of Government Business in the House referencing the fact that the Government was interested in having this matter discussed, underscoring the need for there to be a two-third majority and asking for my support in the matter. I have to say that if he did not discuss the matter with the Opposition as has been reference in this debate, and that would have to be true because persons cannot lie to the House. I can attest that there was a letter written to me bringing the constitutional debate to my attention and underscoring the necessity for members to be in their place so that the two-thirds majority can be secured so that the Leader of the House if he did for me but did not do it for the Opposition it would need to be censured.

Asides.

Right Honourable O. S. ARTHUR: Mr. Speaker, this is not a laughing matter. I am urging Parliament to be serious. I have been in this House for 32 years and you do not get the opportunity often to change a Constitution. An amendment to the Constitution is the most serious matter about which a House can be engaged and to think that we are demoting and devaluing the House, even if you seek to have an amendment to the Constitution to deal with an amendment that only an amendment to the Constitution can deal with, Sir, treated in this matter. To drag into it matters about the statutory boards and whatever else, Sir, is to ask the House to be embraced in its discussion of this Constitution matter the politics of the new Barbados Labour Party (BLP). I am asking Parliament to separate the two. If the Labour Party wants to carry on issues in respect to the status of employees of statutory boards, there is a legitimate but political issue, there is space for it in this House by way of an amendment to statute law but certainly not to be a matter that a person like myself and others should be taking into account when they are asked to do that which is the most important function that a Parliament can exercise, which is to change the Constitution of the land. That is why I said, Sir, that the arguments advanced by the Leader of the Opposition and the Leader of the Opposition Business in this House appear, to me, to be both juvenile and day dreamy and unworthy of presentation on the behalf of a serious institution. What are we coming to when we can take a Parliament that is supposed to be dealing with changing the supreme law of the land and making that change to the supreme law the subject of discussion about matters totally extraneous to it? We are either going to take ourselves seriously or we are not going to and if we do not, Sir, we would, I think, justify ...

I hear mutterings from the head of a side, Sir, that I would rather ignore. This is a serious matter, Sir, and the notion about political assassinations and all those other things drawn into this debate are not worthy of the occasion. Let us focus on what is before this House. Will it be a sound position of this House to amend the Constitution of the land to make the status of two officers defined in the Constitution and that is the point I am making, Sir. If these officers were like the employees of statutory boards, persons whose status was defined, not in statue law but in the Constitution of the country then part of the discussion that we are having would be relevant but they are not and that is what, I think, is so sad about this occasion.

Again the despot seeks to corral persons unwillingly. I have not yet referred to who the despot was but if the despot wants to jump up and acknowledge the despot, that person is entitled to do so.

Asides.

Right Honourable O. S. ARTHUR: That is the kind of behaviour, Sir, that explains why I am here and not over there. It happened and the Labour Party has one position but I was to come to this Parliament and take a position mainly because a leader says that is the new position.

Perhaps, I want to make the points that needs to be made, Sir. Barbados can be proud that, unlike other jurisdictions, we have responded to the fact that we have an aging society and we have made changes to our Social Security legislation to bring in variable retirement ages that enables us to contemplate a future of safety and security for persons who are pensioners in this land. There are other jurisdictions of powerful countries that have not been able to amend or adjust their citizens' rights to pension but the other matter, Mr. Speaker, is more profound. There are countries where nothing can be done because of gridlock. We see countries where the state of governance has been reduced because even on simple matters where there is no need for conflict nor controversy people for foolish petty, juvenile, day dream, political reasons feel that they have to invent controversy. We have had the benefit of good governance of our independent state because we have manage to be able to avoid gridlock. I have served in an opposition party too but the notion that you have to oppose just for the sake of opposition is something that certainly in my time as a member of an opposition party was not something that we felt compelled to follow as a guiding pre-set. Things are judge on their own merits even if sometimes we have had to qualify, but the notion now, because I heard it from the first speech of the Opposition, the notion now that you cannot grant the Government a two-thirds majority on a simple matter that is properly before the House as an amendment to the constitution that reflects policies that both parties agreed to. If we cannot in Barbados now find a sensible consensus on a matter like this, the matter is simple, can only be done by a Constitution amendment, the policy is sound, both sides agreed to it but yet we are going to have a difficulty in agreeing to a matter like this, then I believe that Barbados is in dangerous, dangerous trouble and we are likely to go the way of those countries where nothing sensible or productive can be done because gridlock, for its own sake, becomes one of the chief weapons by which progress is held up.

Asides.

Right Honourable O. S. ARTHUR: I am not getting into ambition. This is a serious matter. I want the Government to hear this. If the Government brings to this House any measure that negatively affects the rights of any Barbadian or a matter that reflects unsound policy do not ask me to support it because I will not, but if the Government brings to the House a matter that reflects sound policy, can only be dealt with within the context of the procedure that the Government is following, in this

instance, changing the Constitution and certainly, Mr. Speaker, that reflects my perspective as to how the country should be govern then I am duty bound to support it. Sir, this is why I am speaking in this debate because I have been in this House on some occasions when the Constitution has to be changed and the change to the Constitution has to be a debate to change the Constitution has to be conducted with a measure of dignity and seriousness and relevance that bears a relationship to the endeavour on which the Parliament is embarked: Changing the supreme law of the land.

Sir, as I said, if there are other statutes of law that the Parliament needs to see to reflect the sound policies in respect to the age of retirements, bring those too, and a serious Parliament would look at them on their merits too and do what a serious Parliament should do.

Sir, I am so disappointed to be in a Parliament when a matter that a Barbados Labour Party Government regarded as fundamental is now being tested by way of a constitutional amendment to hear even an iota of opposition to it being embodied in the constitutional amendment. I am really disappointed.

Sir, perhaps I cannot offer advice anymore because it has gone past that stage but there are many, many things that the Barbados Labour Party can be quarrelling about legitimately in this country that they would enjoy the support of good people on if they raise them as serious matters. I do not have to go into them. They have the voice to voice them themselves. There are many things that can be the subject of controversy and discussion and debate legitimately so that the Government would have legitimately to answer to.

Sir, it cannot stand the test of reasonableness for the Government of Barbados to change the Constitution to enable two posts referenced and embodied in the Constitution to enjoy a standing before the law that reflects the best progressive policies that this country has introduced, and it is for all those very important reasons, Sir, that at a time when my vote is required on this occasion when the supreme law of the land is being changed and requires a two-thirds majority that I am here to say to Parliament that without equivocation I will support the Amendment to the Constitution to do justice to these two posts recognised in the Constitution for the very same reason that justice also has to be done to persons not referenced in the Constitution but whose status could be addressed by statute of law.

Mr. Speaker, I am obliged to this Parliament for the opportunity to deliver myself of these matters.

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

SUSPENSION

Hon. J. D. E. BOYCE: Mr. Speaker, I beg to move that this Sitting be suspended until 2.00 p.m. today.

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

The question that the Sitting do now suspend until 2.00 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. 16 and with that we shall continue. The Honourable Member for St. Lucy.

Hon. D. St.E. KELLMAN: Mr. Speaker, we are here today to deal with a very simple matter, one that needs the attention of both sides of this Honourable House. Sir, as you know we are here dealing with a constitutional matter to stop it from being unconstitutional. As you would have heard previously, these two honourable gentlemen had an entitlement but when the change was made in 2005, what happened was that they found themselves in a position that was worse off than those who previously had a better position. Mr. Speaker, basically what this Government is here doing today is what the previous Government should have done after making that amendment to the Act, so that today we are actually correcting something that was corrected by the Barbados Labour Party and so I find it rather strange that today they would now seek not to vote for it, when they have started the process and therefore all they had to do, seeing that the two matters are different, was to make the constitutional change so that these two gentlemen would be able to enjoy the privilege they previously had.

Mr. Speaker, I was in this Honourable House during the 1990s when a constitutional motion was moved which sought to ensure that we do not interfere with the rights of public servants, et cetera. Mr. Speaker, I find it rather strange that a Government at the time, now Opposition, would now seek to oppose a matter like this. We have to understand that we are here to protect the interest and the rights of all. I also found it rather strange that the Leader of the Opposition would lead a case, then to give the public the impression what the Barbados Investment and Development Corporation did was illegal, then for the Honourable Member to come to this Parliament and tell this Honourable House that what we should do is to move in a change to this amendment, so that the Barbados Investment and Development Corporation workers or all statutory boards workers could benefit from that change.

Mr. Speaker, if it is legal then there would be no need to move it, so I found it rather strange with that argument. Mr. Speaker, on top of that, we cannot move in a normal change in a constitutional matter, what we would have to do, as the Right Honourable Member for St. Peter said, is that we would have to bring a separate motion to the House to deal with that.

Mr. Speaker, I want to congratulate the Right Honourable Member for St. Peter for being consistent on this matter, considering that it was his Government that brought it and had intentions of bringing the Constitutional change, but that the Honourable Attorney-General at the time did not bring it, so that we are now finding ourselves, now that these two gentlemen have met that particular age, where we are now forced to bring the constitutional change. Sir, I find it rather surprising that the person who should have done that constitutional change at the time would now seek to block these two honourable persons, especially when they would have voted in 1995 for that constitutional change which said that it should not interfere with anybody's entitlement.

Mr. Speaker, we have to be consistent in these matters. I think that those persons who were in this Honourable House prior to 2005 would be doing themselves a disservice if they do not vote for this matter. I think they would question their own integrity for not voting for this matter when one considers that they had always intended to bring the constitutional Motion to correct this matter. Mr. Speaker, if it does not occur, then it tells me that the only person who shared that view in 2005 was the Right Honourable Member for St. Peter and that all others who were there at the time gave the impression that they were going to do it, but they had never meant to do so.

Sir, that is a very serious matter that we are dealing with here, this is nothing new, this is something that we are continuing that should have been corrected a long time ago, but it so happens that they are now at that age and we have to do it. Sir, therefore, the Opposition must tell the public of Barbados whether they are going to support the constitutional amendment that they made in 1995 or whether they are now going to play lip service on matters such as these. They must also tell the public whether they can trust their own word when they say one thing but do something that is quite different. Sir, they are now moving away from what they came here and fought for in 1995.

Mr. Speaker, everybody knows that during 2004-2005 that we had an argument in here and that at that time I did not hear any one of them arguing that they wanted to correct a situation that if you allow too many civil servants to continue longer in service that you are depriving young people. Sir, had that been the argument of the Opposition, they might have encouraged me to listen to them, because I have always made the point that we have to look at the

balance, that whereas sometimes we want to protect the interest of those persons with the experience but that we have to be very careful that if we keep too many of them we might deprive the same thousands of young people of an opportunity. Sir, I did not hear that argument. Had I heard that argument I might have been able to listen to them but for them to come here to give the impression that having a constitutional change for two persons would create that same effect, I cannot buy it, Mr. Speaker.

Mr. Speaker, what I would say is that we need to understand that we need to stop playing politics with the country Barbados, we need to get serious, that the world is now in a position where we need to send a signal. We have to understand that we need not behave like other people elsewhere who we are watching and believing that we should oppose for the sake of opposing and say things that sound beautiful and good, but when these things are checked they are found to be not workable.

Mr. Speaker, I support this amendment to this Bill and would want to say that those who do not support this constitutional amendment are people who would support those things that are unconstitutional. I thank you, Sir.

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

Hon. S. A. LASHLEY: Mr. Speaker, I too would want to make a contribution to this debate and for the purposes of the amendment before this Honourable House my contribution is really going to be very brief. Mr. Speaker, I would only say that the Right Honourable Prime Minister has given the Honourable House the benefit of a very well-structured and detailed explanation in relation to why the Government has brought this matter before this Honourable House. Mr. Speaker, from what the Right Honourable Prime Minister has said, there is no need to really repeat what has been a well-articulated and well-grounded explanation, that it is really the intent of the Government to respond to what we consider to be a legitimate request to ensure that two individuals whose offices are protected under the Constitution, that nothing is done that creates an anomaly, constitutionally wise, as it relates to age of retirement.

Mr. Speaker, I think that the purpose of the amendment before the Honourable House ought to be one that should really enjoy the support of both sides of this Honourable House. Mr. Speaker, even before I would have entered these Honourable Chambers, I am aware that there has always been perhaps an unwritten custom that usually matters of this kind should not decline into the realms of partisan politics.

I am aware that there has always been perhaps an unwritten custom that usually matters of this kind should

not decline into the realm of partisan politics. Certainly, a Debate in relation to regularising a particular feature of the terms and conditions under which the Auditor General and the Director of Public Prosecutions operate ought not to be the subject of partisan politics. In fact, I expected that once the Right Honourable Prime Minister made his introductory remarks that there would be a very brief reflection or introduction from the Opposition agreeing with the fact that this is a matter before the House that requires its immediate attention but free of the usual partisan debate, Mr. Speaker. In fact, when I heard the Leader of the Opposition this morning trying to raise issues that certainly ought to be raised separately within the context of parliamentary debate, I felt that we were in danger of tainting the substantive matter before the House with matters which, though in their own right are important and worthy of discussion, I believe it is the duty of the Opposition to raise separately and not bring within the domain of a matter before the House that ought not to be affected or afflicted by that level of discourse.

Mr. Speaker, of course we heard from the Opposition questions in relation to governance and equity, but that is precisely why the Government has brought this particular Amendment before the House. It really bothered me a little bit, and my contribution, Mr. Speaker, was really not meant to go into that level of debate. It is unfortunate, but I believe it has crept into this Debate before the House, and I think that the contribution of the Right Honourable Member for St. Peter was very poignant in terms of pointing that out to the House. I believe there is a time and place for everything, and therefore this is not meant in any way to remove the right of the Opposition if they so believe that they want to do what they normally do. I certainly agree that once there is a matter before the House relating to the Amendment of the Constitution, it requires a very forthright approach and it requires the attention of every Member of the House, but it also requires, in my view, Mr. Speaker, a certain approach in relation to whether or not the constitutional amendment is reasonably required to address the particular matter before the House.

Mr. Speaker, after listening to the presentation of the Right Honourable Prime Minister who would have led off the Debate, and after having studied the evolution of this matter, I believe that the Government is acting responsibly. In fact, the Government is doing something that I believe the Opposition, when it itself would have brought before the House legislation to amend the pension entitlements of persons in statutory corporations and, by extension, those persons within the public sector, perhaps it ought to have occurred to somebody at the time that you would have had to look within the Constitution to see whether or not you were creating challenges. Fortunately, Mr. Speaker, this matter has been brought before the Government, and the Government, in its wisdom and acting on the advice of the Solicitor General, without undue delay, has brought this

proposed legislation before the House to correct what really is a matter that requires prompt correction.

Mr. Speaker, interestingly enough, oftentimes in relation to such matters, the Opposition calls on the Government to be proactive. The Opposition usually would appeal to the Government that we should not get ourselves embroiled in unnecessary controversy. Mr. Speaker, this is a case where the Government is being very proactive. It is not waiting for this matter to be embroiled in controversy. It has moved very quickly to bring the matter before the House, and a very simple Amendment is required to extend the age of retirement for both of these constitutional functionaries from the age of 62 to the age of 67. Mr. Speaker, it is to bring them in line with what currently exists within the law as it relates to persons within statutory corporations as well as public officers who now enjoy that right. I listened very carefully, Mr. Speaker, because this is much more than just correcting an anomaly. The Prime Minister made the point that both functionaries are indeed heads of their various departments, and they operate within the Permanent Secretaries' organisation which is now a particular grouping recognised within the Public Service Act which was amended. Therefore, it is proper and fitting that this matter be sorted, Mr. Speaker. In my view, Mr. Speaker, it does not create any constitutional issues. What it does is create a situation where we are now bringing this particular issue within the confines of normalising their constitutional reality.

Mr. Speaker, it is also important because within the body of the Constitution itself, there is an absolute requirement, and the reason why this absolute requirement is there is because these two functionaries' tenure is protected under the Constitution. In fact, it is protected at the very highest level of entrenchment in terms of the entrenched provisions of the Constitution, and the reason why it requires a two-thirds majority is to signal the importance of their functions, Mr. Speaker. The function of the Auditor General and the function of the Director of Public Prosecutions are entrenched under the highest level of protection under the Constitution, Mr. Speaker, because of the very important nature of the public functions that they carry out. Mr. Speaker, both of them function independently of the executive and of Parliament in the execution of their precise duties. Indeed, there is only one exception made in the Amendment in relation to certain specified areas in which the Attorney General, under that previous Amendment, can give certain directions to the Director of Public Prosecutions.

Mr. Speaker, it means that we have an obligation as Members of the House that where there are issues requiring us to ensure that there is conformity with the provisions of the Constitution, we must ensure that is done. In fact, I do not think that we had any other choice, Mr. Speaker, because the Constitution itself binds the Government and

all parties that nothing should be done to make the terms and conditions of these functionaries less favourable than they were in relation to when they were initially established. Therefore, anything that is done, whether now or in the future, must not in any way detract from the levels of enjoyment of

I must say that, Mr. Speaker, that I am frankly disappointed by what I have heard so far coming from the benches of the Opposition. The Leader of the Opposition I expected would have delivered to the House a speak befitting of the office that she holds and to do so I am way that reflects the maturity that this occasion warrants and I must say I was frankly disappointed. What disat me was the fact that you have a debate which gives an opportunity for members on both side of the House to rise to the occasion I am way that perhaps the House is not often called upon to do. Sir, any debate on the Constitution of Barbados, to my mind, requires a certain response and that response, to my mind is not about Party. It is not about Party and it is not about one-upmanship. It is about how we can so make our contributions that we place in a paramount position the importance of protecting the Constitution of Barbados. Sir, I think that this will also go down in history as being profound. I have been in this House for many years even although not being a Member of Parliament because I was in this House as a reporter for many years and I had the opportunity of covering many of the contributions of the leaders of this House. I had the opportunity of hearing many debates in this House, some of them in relation to the amendments to the Constitution of Barbados. There was always a statesman-like approach to debates relating to the Constitution of Barbados and, in fact I would daresay that what I have heard in relation to governance and equity... The Honourable Member for St. Peter classified the contribution as being juvenile. I do not think he did it because he wanted to shame the Leader of the Opposition but I think that it was said to really underscore the fact that when we are dealing with serious matters of this kind, there is no place for frivolous behaviour and there is no place for grandstanding. Mr. Speaker, there is an old saying in Barbados. "The higher the monkey climb the more he shows his tail". The antics of the Leader of the Opposition demonstrates and gives Barbadians a glimpse of where that member is seeking to go in her leadership of the Barbados Labour Party. We have in this House before us an opportune occasion to debate an amendment to the Constitution and the Leader of the Opposition has sought to decline into a one-woman fight with herself and with those members of her side who clearly are not in agreement with the way in which she conducts her stewardship as Leader of the Opposition.

Mr. Speaker, it is patently clear to me that given the things I heard coming from the Leader of the Opposition... Sir, you cannot pick and choose when you want to speak about governance and equity. You cannot pick and choose

Governance and equity and certainly when I heard the words governance and equity, I made a note and I ask myself what exactly does the Leader of the Opposition mean by governance and equity. Is she projecting that the Barbados Labour Party holds up governance and equity as being sacrosanct that they would defend at all cost the Constitution of Barbados by their action or inaction. Sir, that is why I say it gives us a glimpse of certain leadership qualities or lack thereof in relation to debating the big issues in relation to confronting the critical issues when they have to be confronted.

Mr. Speaker, Barbadians are listening. It is not those that keep the most noise that would be able to persuade anybody about the wisdom of the content of what you are saying but here in this House, I think we have had a wonderful opportunity based on what I have heard to debate really because I would think that in a debate on constitutional amendment that there are so many areas, for example. We are now celebrating our 50th Anniversary of Independence, a very important landmark in the history of Barbados. In fact, we have had debate on a number of potential constitutional matters before the country and I believe that this is a great occasion that if you want to raise them that you can raise them. We have had, for example, debates on whether or not Barbados should be moving towards being a republic and what that means, that would require constitutional change and if those issues were raised perhaps I would understand it but what we had was a swiping. Sir, when we are talking about governance and equity, I saw in this House a determination by the Leader of the Opposition not to adhere to the rules of this House. Sir, in other words, when she is speaking whether the Speaker says to keep quiet or not, she is determined to rant and rave and not be amenable to the Speaker's directions but yet still projecting herself as being somebody who people place in position and given directions that when I meet so and so, tell them I am the next Prime Minister of Barbados. Sir, I have seen that. In fact, there are members of the Opposition who are so drunk with potential power that they are walking about Barbados telling people who they will be when the public of Barbados has not spoken in any election, who will be the Minister of this and who will be the Minister of that and introducing people as the potential of this and the Prime Minister of Barbados. Sir, all kinds of things are going on in the country under the guise of governance of the Barbados Labour Party. Sir, really, this is what is happening.

Mr. Speaker, they come in here clad very well, some dressed up in white and some dressed up in black but the essence of the heart and soul of the Barbados Labour Party shines through each time particularly in relation to this particular matter before the House. It shines through and it is almost like you dress up a doll or a mannequin to look as pretty as you want them to look but then when you cut the cloth, you see the real devils. Sir, I have listened carefully

and I must say I was impressed with the very clear articulation of the Prime Minister. I think that the Prime Minister was very clear in articulating why we are here and then I had to listen to the Leader of the Opposition. Sir, first of all, the leader of the Opposition business had the script a bit wrong. She clearly had instructions as to what to say, talking about the Barbados Investment Development Corporation and that it is not sorted out. It was almost a threat to the House. We do not have any problem with this amendment but you know there are some matters that we have that unless you all deal with them we will support this amendment to the Constitution. That is the level to which the Opposition has reached. They have dabbled in the highest level of ignorance and irrelevance but it is not inspiring the country. I do not believe that it inspires themselves and led by someone who is totally fascinated with her own shadow then what you have is an empty set of persons coming to the House and given very empty guidance. While on this matter, one would expect that we would have a sensible debate. We have the Auditor General whose reports are laid in this House. In fact, I have quoted many times, Mr. Speaker, from the reports of the Auditor General and I think that the Auditor General carries a very significant role. It does not matter which Government is in Office but the functions of the Auditor General are so critical to ensuring that we function at a high level in terms of the administration of this country that is why he is protected under the Constitution. Mr. Speaker, I can have no fault with an amendment that seeks to ensure that his terms and conditions are not derogated, are not lowered to his disadvantage and then we have the Director of Public Prosecutions. Mr. Speaker, you could not want for a functionary such as the Director of Public Prosecutions to function in a manner in which clearly based on the evolution of amendments to inferior law because as you know, the Constitution of Barbados is the supreme law of the land, all other law is inferior. We would have had amendments, Mr. Speaker, overtime to either the Pensions Miscellaneous Act that relates to statutory corporations that justifiably within the context of what has happened in relation to, not only the fact that we are living longer, but certainly in relation to the administration of pensions that we have had a graduated system by which persons may opt to delay their retirement. If that has been affected by other legislation are we saying that the Constitution by which the tenure of these functionaries are protected and guaranteed ought not to be amended to bring it within conformity with other law? In fact, it ought to have been done before. It ought to have been spotted before and correction before but it was not therefore we are seeing it fit because we have been pilloried and criticised each time that the Government seeks to follow a particular path. It is known that the Opposition find ways and means of finding fault with it. That is what they consider their role to be. I think the debate so far from This Side of the House has sought to remind the Opposition that their role is not only to be a stumbling block to progressive national policy but they are

call within the context of our system of governance, our Westminster style of governance, which as you know, Mr. Speaker, has been informed over the years by many norms and practices. There is a higher level and calling for Her Majesty's loyal Opposition, therefore, while they may not know it, it is required from time-to-time to remind them that their role is not only about seeking power at all costs and that there is a time that the Opposition is called upon in this House to act in defence of the Constitution of Barbados and no matter what they may say, somebody has got to tell them and if it is my role to tell them, fine, I will tell them. I will tell them that this particular debate does not require that. Do that in your rubbing of shoulders, you have time for that but this is big time now. Mr. Speaker, this requires a mature approach. I believe that the reasoning provided by the House by the Right Honourable Prime Minister are very cogent therefore I have no difficulty in supporting this amendment. In saying that, Mr. Speaker, I want to underscore it by saying that the issues raised by the Opposition are not issues to be trivialised and it is not my contribution to say that I have dismissed what the Opposition is saying in relation to matters pertaining to the BDC in relation to if there are matters that require clarity within the law as it relates to pension that those matter ought not to be corrected. I am saying though that this particular amendment before the House ought not to be entangled with other matters and that it requires a certain level of maturity that I hope can come from the Members of the Opposition.

Mr. Speaker, with those remarks, I again, would like to say that I am happy to support this. I think that it is basically a corrective action. It is taking a corrective action to bring into Constitutional equilibrium a matter that has been left abegging for quite a while and I am happy to be a part of a Government that has done that and that is seeking to do that before the House. I think that the Members of the Opposition should really be complimenting the Government for being very proactive in relation to the things that they say that they are concerned about, governance and equity. This is about governance and equity and I think it would be a tragedy if the Opposition does not, in its words and deeds, does not match its words with its deeds, therefore, that is the dilemma in which they find themselves. There are time when you can talk as pretty as you want, you could pretend to be all the pretty Opposition but this requires you to come to the House and match your words with your deeds.

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

Hon. S. A. LASHLEY: With those remarks, I again restate my support for this matter before the House. I am obliged.

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

Mr. D. D. MARSHALL: Mr. Speaker, I am sure the Members on the Government Side will be delighted to hear that I do not intend to be long.

The Honourable Member for St. Peter quite rightly put Constitutional amendments under the rubric of being matters of great importance almost like marriage, not to be entered into lightly and I believe that sentiment has been echoed by several Members on the Government Benches. In fact, the Member who just spoke talked about this being one of the big issues, one of the critical issues he said, Sir. I agree, Mr. Speaker, that Constitutional amendments are matters of significance. and I believe that Constitutional amendments should set the tone for an Administration even if they come half way during this Administration's current term. I believe that a constitutional amendment, Mr. Speaker, should make clear to the public what the priorities of an Administration would be.

This Amendment is an amendment of one clause of our Constitution and seeks to extend the compulsory retirement age of two public offices not officers, but it is an Amendment that comes at a time certainly when my constituents are undergoing a level of depravation in their personal circumstances hitherto unseen in this country at least in post-Independence Barbados. It is an Amendment that comes, Mr. Speaker, in the context of operating tables collapsing at the Queen Elizabeth Hospital and people having to run down to pharmacies to buy medication. Some days the hospital does not even have toilet paper.

It is an Amendment, Mr. Speaker, that is coming at a time when our societal fabric is falling apart and when there is virtual mayhem on our streets, but the Honourable Member wants to say, in fact, the entire Government want to say, that this is a big issue. Mr. Speaker, all of us were sent into Parliament to represent the interest of our constituents, and I want to say, Mr. Speaker, that if in the context of the Honourable Member who just spoke as far as his constituents were concerned that this is a big issue, for the members in my constituency it is not.

The decision delivered last week by the Employment Rights Tribunal affects some of my constituents. They feel no better off, they do not know still how they would pay their bills and to be told that they would get a year's pay is barely a little dressing on the sore that they have been festering with for the last two years. For my constituents, Mr. Speaker, this is not a big issue at all.

Mr. Speaker, if it is a big issue for the Government and if it is a high matter on the Government's agenda, then I want to put that in the context that before Parliament are 13 Bills and eight Resolutions, and of these 13 Bills two of

them are constitutional amendments. There was a Constitutional Amendment Bill, 2014 which was first read on the 7th of November 2014 but not debated yet and there was another Constitutional Amendment Bill dealing with the Electoral and Boundaries Commission which was first read on the 10th of February 2015, but not debated yet, but we have a constitutional amendment laid in this Chamber mere weeks ago and we are told that it is a big issue. If constitutional amendments are such big issues, then the Government should explain to the people of this country why it is that we have two constitutional amendments laid in this Chamber as far back as 2014 and in 2015 that are festering like Carbuncles not receiving the attention of this Parliament.

Mr. Speaker, we do not get to set Government's agenda, the Cabinet of Barbados sets it, but I was not sent to Parliament to come in here and say yes to whatever the Government wants to do whenever they want to do it without regard for the interest of the people whose interest I have been sent here to serve. I want to say, Mr. Speaker, that if I were asked today what are the priorities of my constituents, the priorities of my friends or the priorities of my neighbours and their friends and family, whether they come from Checker Hall or Silver Sands, I do not think that not one of them would even breathe a word about extending the retirement age of two public offices in Barbados, I do not think so.

Mr. Speaker, I believe that no one in this Chamber would even remotely argue against that Latin maxim, *Vox Populi, Vox Dei*, the voice of the people is the voice of God. It tells us, Mr. Speaker, that as we discharge our responsibilities as parliamentarians we should listen to the people who sent us to serve.

Mr. Speaker, while this Cabinet determines what its priorities are, this Opposition prefers to focus on the priorities of the people. There are times, Mr. Speaker, never mind the fact that the Government may object to our stance, that we have to take a stance for what is right. Mr. Speaker, we have always maintained that it is not right that this Administration should spend millions and millions of dollars on a 50th Independence Anniversary with fireworks and all kinds of feting and pampalan at a time when there are people in this country who are starving and when we know what the university problem is. We all have constituents who cannot pay to go to university whose hopes are being dashed. My constituents still cannot get water and I am supposed to go and tell somebody that the reward for my day's labour in Parliament is the extending of the retirement age for two public offices. If that is the priority of the Administration that currently runs this country, good for them, but it is not and will not be the priority of this Barbados Labour Party. Our priority, Sir, and they know that theirs should be too, the Government knows that their priority should be standing alongside the

workers of this country when they said just three years ago that there will be no dismissals, nobody would get sent home, in fact, it was supposed to be the Honourable Member for St. Peter and two other Barbados Labour Party people who were going to be looking to send home 10 000 persons.

Mr. Speaker, how does the retirement age of two public offices rank in priority when standing alongside the 3 000-plus Barbadian public servants who will not get the benefit of any retirement age because they have been sent home? They are not getting any retirement age, Mr. Speaker. They will not get the benefit of being able to serve this country faithfully until they reach age 65 because they have been sent home in their 20s, 30s and 40s and some 50s without any knowledge of where the next dollar is coming from. Mr. Speaker, that is wrong and if nobody else wants to say so, the Barbados Labour Party is prepared to say so.

Sir, I want that when as parliamentarians we stand in here and defend our legislative history that we ought to be able to say that we have left a legacy that does not reflect us coming in here and tinkering with four numbers in a Constitution but that reflects that we are dealing with the lives and livelihoods of Barbadians. Mr. Speaker, our Constitution needs more amendments than in that single clause.

Mr. Speaker, we have so many things around us that are collapsing: the Caribbean Single Market, and Economy on and on and on. We have had a Constitutional Review Commission. There is a raft of issues that we could well be debating in this Honourable Chamber, but instead it is to be the retirement age.

I am happy, Sir, that this Administration is focussed on things relating to issues coming near the end because Mr. Speaker, their turn is soon coming to an end. Sir, there is nobody on the Government side who should speak in anyway negatively about a stance of anybody in the Barbados Labour Party in relation to legislation. I well-remember towards the end of 2007 when the then Democratic Labour Party Parliamentarians stormed out of this constitutional edifice and said that they were not coming back. At that time I did not hear about any critical issues, in fact, we were about to do a debate on the new Public Service Bill. Now, that is a big issue, that was a critical issue. Sir, it stands largely unamended, but that Honourable Chamber did not have the benefit of any Democratic Labour Party voices commenting on it. At least, Mr. Speaker, we are here and we continue, as we have always done, to stand in the breach for the real masses.

Mr. Speaker, this Parliament is here to affect the lives and fortunes of two offices held by two Bajan men.

Sir, I do not reflect on any of them, I have had the benefit of working closely perhaps with both of them. Mr. Speaker, it is not about the individuals in those offices, but the Public Service was deprived of the benefit of the employment of 3 000 Barbadians and at that time all we had were some crocodile tears of the Minister with that responsibility at the Sherbourne Conference Centre, who said that he was willing to give up his salary if it would have helped. Sir, I heard the cry. Is that is the extent of the goodwill that this Administration holds towards Barbadians?

Sir, a Government of the people, by the people and for the people does not mean coming in here and dealing with the posts of two individuals. Mr. Speaker, I have more than two people in St. Joseph who are starving; I have more than two people in St. Joseph who are homeless; I have more than two people in St. Joseph who cannot go to the University of the West Indies and I dare this Administration to use viable parliamentary time to deal with those issues. I am sure that the opportunity will come when perhaps a Parliament, differently composed, may smile on that suggestion. I am sure that the time will come when the office holders may well get their due but I want to say, Sir, that we have to set the priorities for the people and that the people of Barbados could care less about what we are in here debating today.

Mr. Speaker, I do not know who came up with the phrase “man up” but we have a sense of what it means. It means, Sir, gird your loins and let us deal with the fundamental issues that are eating away at the foundations of our society, let us come here and deal with that, Sir. Let us deal with a court system that is grinding to a halt; let us deal with a Police Force that is now saying what they do not have; let us deal with a nursing service that has no leadership; let us deal with a hospital that is in chaos; let us deal with a Child Care Board that is functioning but is under par, let us deal with those things. Mr. Speaker, when this Administration should choose to confront the people’s priorities, then they can demand the support of the Barbados Labour Party, but until that happens, Mr. Speaker, the Barbados Labour Party will withhold its support, even if only in protest, at the wrongheaded perspectives that this Cabinet has set for itself. I am obliged to you, Sir.

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

Hon. D.O’N INNISS: Mr. Speaker, I rise to give support to this matter before us today. Sir, I do not want to say that it is a simple matter because I believe that anything that relates to the Constitution of Barbados is a serious matter, even though this matter really and fundamentally addresses the disparity in the Civil Service that affects two

office holders in particular, that of the Director of Public Prosecutions and that of the Auditor-General.

Mr. Speaker, the Honourable Member for St. Joseph who just took his seat indicated that the Honourable Member feels duty-bound to follow his outgoing Leader by making the point that while he, really and truly, has no objection to this Bill before us, that the Honourable Member would want to deal with other substantive matters before this is dealt with. Sir, that is always a rather cheap ploy because there are always others issues with which we can deal. Sir, by 11.30 a.m. or by 12:00 when the Right Honourable Member for St. Peter spoke, we could have simply gone to the vote, we could have gotten the support of the Opposition Benches on this matter and we could have been on to one of the most substantive matters that the Honourable Member for St. Joseph is clamouring for to be debated. Mr. Speaker, rather than doing that, you get a situation where Opposition Members wish to have this debate dragged on, therefore negating the time to debate substantive matters.

Mr. Speaker, simply put, this matter before this Honourable House today is merely to say hitherto before these two office holders retire at the age of 62, while other members of the Civil Service retire at the age of 60, then thanks to the efforts of the then Leader of the Government, the Right Honourable Member for St. Peter, they took into consideration the changing demographics, the reports of the actuaries in terms of the impact upon the National Insurance Scheme system and the pension fund position of Barbados, the fact that we are becoming more of an ageing population, the fact that the birth rate was falling. In all of this, Mr. Speaker, we said that if we are not to compromise the future of this country and workers, generally-speaking, we have to raise the retirement age of civil servants, generally-speaking.

Sir, that was done, had that not been done perhaps today, almost ten years later the National Insurance Fund would have been in deep trouble. Mr. Speaker, the same National Insurance Fund that Opposition Members criticise and sometimes say that it is awashed with money today and that it should not be investing in Government’s projects and such like. Sir, that National Insurance Fund has been safeguarded, in great measure, by the actions taken by the Right Honourable Member for St. Peter who then served as Right Honourable Prime Minister and Minister of Finance.

Mr. Speaker, two individuals felt that there were being disadvantaged, while others felt that the offices were disadvantaged by that move made several years ago. Needless to say, I suspect that the former Government is now prepared to apologise for that oversight and as Leader then who has now said today, we need to accept that perhaps a small error was made back then, that we should correct it now and move on.

Mr. Speaker, there are only two persons, it is not going to make a material difference or impact on the Treasury or the National Insurance Fund. We are spending an entire time in here today debating how we could rectify a wrong by bringing the two individuals age of retirement up to the age of 67, in line with the rest of the Civil Service. Mr. Speaker, I felt duty-bound to comment on this because the Leader of the Opposition and others have reflected upon a matter which is before the court, therefore, I have to be careful what I am saying.

I will not be accused of acting *sub judice* or, as the Honourable for St. Thomas likes to say, “sub juicy”. The reality about it, Mr. Speaker, is that those who purport to be experts in law, those who have their LL.Bs, their LE.Cs or whatever, ought to know that when you are analysing and discussing a matter on points of law, you reflect upon the entire piece of legislation and not just a narrow part of it. You cannot be so erroneous as to want to get up and pontificate on points of law and just extract what is only in support of your argument, oblivious of what the entire body of law really reflects upon. Had the Honourable Leader of the Opposition, my dear friend, reflected upon the Statutory Boards Pension Act, CAP 384, the learned attorney and Member of Parliament for St. Michael North would have certainly been able to bring evidence as to the distinct difference between what applies to statutory boards and what applies to the rest of the Public Service. I noted it. I was a little intrigued because, as she spoke to the matter, I noted that the Honourable Member for St. James Central lowered his head and shook it in total disbelief that they are all attorneys-at-law. That is why I understand the disquiet and the lack of unity over there on this particular matter, because I am sure that most Members on the other side really and truly felt, like the Honourable Member for St. Joseph, that this is a small issue in terms of the grand issues we face in this country, and that we really could have just wrapped our minds around it quickly and moved on, instead of letting it be dragged on into a whole set of other matters before the House.

Mr. Speaker, the matter before us is one that I guess must also be looked at within the context of the Constitution. It is a matter of the Constitution being asked to be looked at by Members in the House, and of course there are other matters before the House that relate to the Constitution and we can all argue why they have not yet been frontally addressed. You cannot, however, treat the Constitution of Barbados with frivolity, and I have to give full support to the comments made by the Right Honourable Member for St. Peter because I thought that as a statesman, he really sought to raise the bar in terms of the quality of discussion on this substantive matter of the Amendment to the Constitution. This is not a matter that you come in here and say, “I am a ‘B’ and therefore I will oppose.” That is why I invite the Members of the Opposition - all of them are my friends - to take the

position that this is not a matter for the narrow, partisan divide. We are dealing here with the Constitution of Barbados; a body of principles or precedents according to which a state is governed. I believe that is the simplest definition of a Constitution: A body of principles or precedents upon which a state ought to be governed. In that case, the principles upon which we are reflecting here today say let us have some equity in the way we treat people who are engaged in the Civil Service in Barbados in that context. I have no difficulty with arguments being put forward about what happened at a statutory corporation for which I have responsibility for the time being versus what happened in this particular case, because this is a matter I can defend. Any decision that a Board took under my watch or that I took as Minister last year or the year before or this year, I am prepared to get up and defend. I have not been invited to court, and therefore I cannot and will not say much more on that, but what must not go forth to the country of Barbados is that we are in here seeking to raise the age of retirement for two officers in the public sector whose positions are based in the Constitution of Barbados versus that which exists in statutory boards in Barbados. The Prime Minister already spoke to it eloquently in terms of the contractual arrangement between boards and employees of statutory corporations vis-à-vis those who engage in the Civil Service.

I therefore understand all the emotional things and all the politics that will come about. You will hear that “you are taking care of two people versus thousands out there in the other sector”. Let us argue the point in terms of ensuring that people are not disadvantaged according to what they ought to be getting in this context. Mr. Speaker, I have a sneaky suspicion that in spite of all the legalese and all the pontification in here, at the root of this opposition to this matter is a personal dislike for the person who holds the Office of Director of Public Prosecutions in Barbados. To me, that is where the politics must lie as well. You cannot come in here and want to talk about equity and treating people fairly and so on, when you know that deep within your bosom it is about a personal dislike for an individual. We must be able to rise above that. We have a lot of immunity and a lot of benefits in this Chamber, and so on, that others do not have, and therefore you cannot come and treat matters like these on a personal nature and be wishy-washy. I know the two individuals who hold these Offices. I have nothing against them. I find that they are very astute gentlemen, but after all the Honourable Member for St. Joseph talks about, we are dealing with Offices and not holders of Office. The Honourable Member knows where the personal dislike lies and who is really guiding the Opposition bench on this particular matter, but does not have the intestinal fortitude to get in here and say that. That is where hypocrisy lies. That is what the people of St. Joseph also want to hear about; how politicians in here treat ordinary individuals in this society as well. I am not going to be fooled about these matters.

If we really want to move this country forward on matters like these, we must have the knowledge; the knowledge in terms of the importance to the Constitution, the Offices that these people hold, the fact that we are simply seeking to bring their age of retirement in line with the rest of the Civil Service, and the fact that before the Amendments were made by the Right Honourable Member for St. Peter, these two Office holders had the age of retirement at 62 while the others had it at 60. The others have now leapfrogged them to 67 and we are simply saying, "Let us not push it to 69 but bring everybody in line with one another." We are not hearing that. It is a simple matter. Knowledge is something that some people in here do not like to have. I occasionally take time out to read books, particularly about presidents and others, not just about finance and international business matters. Unlike the Honourable Member for St. George South or St. James North, I do not depend on my intellectual food to come from the Nation newspaper, gossip columns or the blog sites. I read intellectually stimulating books and articles.

Asides.

Hon. D.O'N. INNISS: I believe it was the fourth United States President, James Madison, who said, "Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power which knowledge gives." I did not read that on any blog site like the Honourable Member for St. George South. That is a statement, and a very profound statement, by an outstanding United States President; the fourth one, I believe it was. He was speaking about knowledge and people who wish to govern having knowledge. Therefore, as you reflect, as I said earlier, about what the Statutory Boards Pension Act, CAP 384 said, you cannot seek to impart any knowledge if you have not read the legislation in its entirety. That is where the Honourable Leader of the Opposition and I will have a difference of opinion. It is important that when you speak to these matters, you just do not call certain parts of the legislation but look at it in its totality. We come in here almost every Tuesday and seek to pass legislation, and I will tell you that is why we go through clause by clause. That is why those who pilot the Bills speak for an unlimited amount of time about all aspects of the law; what has informed it and the things which are not written on the statute but certainly which have informed the decisions and the actions of the Government of the day. When people then come later on to use that piece of legislation to build and argument, you must use it in its totality. I believe that ought to be fundamental Law 101 to those who ever went to law school and have the L.E.C., I do not, let me confess that, do not ask me to know it because I am not a lawyer.

Mr. Speaker, we must therefore must appreciate that this matter before the House is a matter that really and truly ought to engage the support of all. I understand clearly

what those members on the Opposition benches have spoken to, yes there are other issues we have to address in the country. If you feel there is a challenge among the statutory corporations in Barbados then let us engage our minds to that through legislative reforms but that should not stop us from rectifying the disparity that currently exist between these two office holders under the Constitution of Barbados and what exists in the rest of the civil service. I will certainly join the Opposition in having a robust debate on many of the issues that the Leader of the Opposition has raised in here today, on issues that the Honourable Member for St. Joseph has also raised in here today. I am not discounting them because there are serious matters. Whatever you have raised I have taken very seriously, so do not feel that the Government's side is going to pooh-pooh or dismiss your concerns about other matters but let us not tie them into this issue here of making the amendment to the Constitution to allow the holder of the Office of Director of Public Prosecution and the Auditor-General go to age 67.

Mr. Speaker, I attend the Public Accounts Committee meeting quite often and the Auditor-General and his staff are sitting there and the Leader of the Opposition, who is chair of the Public Accounts Committee would invariably remind us of the powers and the independence of the Auditor-General as based within the Constitution of Barbados, it is a constitutional office. It is above partisan politics. You do not accuse the Auditor-General of being a "D" or "B", you respect the office he holds, it is enshrined in the Constitution and we are often lectured to at the Public Accounts Committee meetings about the importance of the Office of the Auditor-General. Sir, if that is the case when it comes to the Public Accounts Committee meetings, why is it that when we come into the House of Assembly, it is a different scenario. It is the same office we are talking about. You cannot sit in the Public Accounts Committee and say that the Office of the Auditor-General is one that is embedded in the Constitution of Barbados, it is one above partisan politics, it is ever so important that the Estimates of Revenue and Expenditure for the Auditor-General Office should not be one subject to review in Parliament, that we must treat it up there but then when you come in here, you want to say he is an ordinary fellow, do not worry about that office, he is nobody of great importance, you cannot do that. Sir, that is what we tell our children is hypocrisy.

Asides.

Hon. D. O'N. INNISS: The Honourable Member for St. Thomas wants to believe that is some political poll we are all engage in but I am not getting into that. Sir, we can go through several offices in the public sector but all I am saying is let there be consistency.

Mr. Speaker, this to me is a simple matter. I am not diluting the importance of the Constitution of Barbados. It is a simple matter of saying that two office holders would now have their age retirement move from 62 to 67 in line with the rest of the civil service. Sir, for me, it does not have much of a bearing on the statutory boards of Barbados and if the Opposition feels that the mandatory age at which staff in statutory corporations can only be retired, or can only voluntarily go is 67, well then bring a Private Members Bill. Mr. Speaker, there is a fundamental issue that keeps creeping up in debates like these. The Opposition keeps saying that the Government is who bring these matters before us but we want to discuss such and such. This Parliament is the third oldest Parliament in the western side of the world has allowed for any member to get up and move a motion, to bring a Private Member's matter that would address a lot of the issue you are waiting to have debated and my simple, unsolicited, unpaid advice to the Opposition is to take your work as parliamentarians seriously and do not wait on the Government to raise all issues in Parliament, do not feel your only role is to respond or to object. If I have to give you further advice it is simply to be proactive, to read and to bring the issues here before Parliament.

Mr. Speaker, nobody is prohibiting any member of the Opposition bench from initiating discussion on any of the issues before us...

MR. E.D. HINKSON: Mr. Speaker, on a point of order. The Honourable Member is misleading this Chamber as well as himself. He very well knows after being in this Parliament for eight years and a half that this Opposition Party and certainly myself have brought Private Members Resolutions to this Parliament and questions and they have remained unanswered. There has been no debate, so it is for the Government then to say when they are to be brought to be heard before this Parliament and this Government has not brought any.

Mr. SPEAKER: No point of order, please continue, Honourable Member.

Hon. D. O'N. INNISS: Thank you, Mr. Speaker, I am not going to respond to that no point of order. Sir, Honourable Members all know as I repeat myself as I wrap-up that there is nothing prohibiting you from influencing the process or from having substantive matters raised here in the House of Assembly. Sir, they may very well not have been substantive matters for the Opposition bench before but Parliament is about engaging our minds and bringing experiences to bear and to helping really and truly transform this society, not to come in here on Tuesdays and say that if the Government brings this, I am going to oppose for the sake of opposing.

Mr. Speaker, at the end of the day and the Opposition Bench members do not support this amendment to the constitutional, you would simply have sent a message to the holders of the two offices that you do not care about them. (8:03) You simply would have sent a message that you agree with the Government that you are right, that this age limit needs to be moved to bring it in line with the Civil Service but because the Democratic Labour Party brought it, we will not support it. Sir, that is childishness and juvenile, not what is expected of mature men and women who have been elected to come into this House of Assembly. We must move beyond that, you do that childishness when you play rounders or tennis out there on the road with the fellows that if I do not get my way, the game is done. Sir, that kind of bullying tactics must not work around here. These are serious matters, we are dealing with the Constitution of Barbados.

Mr. Speaker, as I close, let me simply say that I believe that we are on the right track on this matter. I wish to close by reflecting on the historical perspective outlined by the Right Honourable Prime Minister on this matter, the fact that we have evolved over the years. We built up the Constitution not just on statements but also on precedents that there is a great history behind the creation of these posts and there is a reason why they are embodied in the Constitution.

Asides.

Hon. D. O'N. INNISS: Sir, I am not a historian but you cannot ignore the historical perspective. If I end by closing on what James Madison said on similar issues and I, perhaps, would direct this comment to the Leader of the Opposition, my friend, who, as usual, would come and make a speech and then disappear and come back when time to vote:

"Do not separate text from historical background. If you do you will have perverted and subverted the Constitution, which can only end in a distorted, bastardized form of illegitimate government."

If you all want a bastardized form of illegitimate Government well then you can tinker on matters like these. Mr. Speaker, I stand fully in support of this Bill before us, my conscious is clear and I can only invite the Honourable Members of the Opposition Benches to let their conscious also become crystal clear. Remove the shackles of partisan politics and give full support to this amendment to the Constitution of Barbados.

I am obliged to you.

Mr. SPEAKER: The Honourable Member for St. Philip South. Just a minute though before you speak.

Mr. Speaker vacated the Chair and the Madam Deputy Speaker assumed the Chair.

MADAM DEPUTY SPEAKER: The Honourable Member for St. Philip South you may proceed.

Hon. A. D. BRATHWAITE: Thank you, Madam Deputy Speaker, just a short intervention from my part.

Today is a sad night in Barbados because I cannot understand how I can hear presentations from the Other Side that suggest that whilst they appreciate the fairness in pursuing this amendment they cannot support it. We hear all of this thing about fairness, equity, doing what is right and looking after people's interests, yet here we found an anomaly in our law and we have decided, based on advice that we have received, that the correct thing to do is to amend the Constitution to bring these two offices, not individuals, on par with the rest of the Civil Service.

I heard the Honourable Member for St. Joseph say that there are more serious things for us to have discussed. Even if you are unhappy with that, he could have chosen the whole issue of pensions and pension reform because what the Government did in 2004 is look to the challenges that the National Insurance Scheme was going to be faced with, given our aging population and given the number of contributors that they had. They took the wise decision, at the time, to move the pensionable age up to 67. There are certain parts of the Office of Attorney General in the Ministry of Home Affairs that I am very well aware. If I use the police, for example, the police will tell you that they would like, if it is possible, to have the retirement age brought down. The fire officers would tell you that also. In fact, they would tell you that given the heights of buildings now in Barbados, et cetera, that a firemen's work is for young men and women. The prison officers would tell you that they would rather not be working until 67 years of age so the question is whether or not we should be addressing those matters to the possibility of having a different system to having some kind of a contributory scheme instead where all officers contribute and in that way, we are then able to increase the contributions at the National Insurance Scheme and then, maybe there is a possibility of reducing the retirement age as opposed to what we have now. These are the kind of things that I believe that we can and should discuss as a Parliament because I am very empathetic towards the officers when they come to me and advance this issue in terms of their present age of retirement given the particular jobs that they have but the reality is that I am also very cognisant of the challenges that we have as a country. How do we pay for the ever increasing number of persons who are pensionable?

It is, to my knowledge, that on a monthly basis that we pay millions of dollars in pensions and, of course, Madam Deputy Speaker, you are very well aware that these

moneys are contributed from those who are employed presently. I think that we can, indeed as a country at some point in time, have a very serious discussion on pension reform and consider doing things differently. Wherever I have worked I have actually always been in some kind of pension scheme where, as an employee, I contributed 5 per cent or whatever the amount was and the employer contributed 10 per cent. It is only in Government that the employees do not contribute anything. Indeed, that behaviour has also become the norm, from what I am told, in certain State or Government controlled agencies which are supposed to be run like private organisations but the culture in terms of that there is no contribution from the employees continues. I am positing, Madam Deputy Speaker, that at this point and time in Barbados that we might want to address our mind to the whole issue of pension reform. Moreover, try to encourage all Barbadians, whether they are Government employees or private sector employees, to make provisions for their senior years. It has always been part of my culture from the time I started working and it is something that I would like to encourage all Barbadians, not just my constituents, to look to see, and in particular, those who have now starting working. It adds up so if you can sign on to some kind of pension scheme from now, from now you are 20 or 21 years old, et cetera, you would be very surprised to see who it adds up in your senior years.

As I have said, Madam Deputy Speaker, I am saddened by this display today. Whereas I understand politics and I do confess and I say it quite often that I am not a good politician because I cannot do some of the things that I see being displayed by other Members of Parliament because something like this, you really cannot oppose it. It is just the right thing to do so for you not to take action because ...

Let me say this, to not vote is just as bad as to vote nay so, in particular, my friends on the Other Side, do not sit and say that your conscious is clear because you are not going to vote no. The fact is that by not voting you are voting no. By not voting you are actually saying that you will not support this Constitutional amendment. You will not support the bringing of these two offices on par with other civil servants and note in the Prime Minister presentation he said that the office holders did not even ask to be returned to where they were originally, in other words, to be given an additional couple of years. They said that at minimum, take us to the other civil servants which is a fair and reasonable position. You get in here and you talk about defending the 2 500 workers who were sent home and the NCC workers, et cetera, that is on one hand because that sounds good and that is food for the media but your conscious allows you then to not bring these two offices on par. That is twisted to me and I cannot understand it

Mr. Speaker, I say this continuously. When I look in the mirror on mornings I like what I see because I am fair in my dealings on a daily basis. I cannot understand this twofaced approach by some Honourable Members. On the one hand you are the champion of the workers and your only interest is in the working class people and the two starving people in St. Joseph and the two mothers who cannot get water, et cetera. I am interested in them too. Madam Deputy Speaker, the reason why we are in here, and if we are serious, is because we are interested in the disadvantaged. Madam Deputy Speaker, that is why you get involved in politics because you want to see the lives of the people you represent enhance and improve, that is why we are all here.

Madam Deputy Speaker, because one or two people find it convenient to stage presentations, because that is all I could describe it because the law says this Amendment albeit simple... I heard the Honourable Member for St. Joseph say that there are other parts of the Constitution that we should consider looking at, that there are lots of amendments that we should address not only on the Order Paper but other parts of the Constitution in terms of constitutional review.

Madam Deputy Speaker, you know that if we discuss part of the recommendation, which is, that Barbados goes to a republican status, they are going to say no we do not want to discuss that because it sounds sweet out there in the public. The Honourable Member can say let us discuss constitutional reform but the significant part of the constitutional reform was really discussing how do we get our own Head of State. We are willing to discuss it with them, but if on this simple, fair constitutional amendment they would not cooperate, we would have to be mad people, there are no mad people on this side, to believe that they are going to cooperate on serious and far-reaching amendments.

Madam Deputy Speaker, as I said, I understand politics and I understand doing things sometimes because it is in your political self-interest or in your party's self-interest but there comes a point in time when you must say but is this right or wrong, and if it is wrong, do not do it. What signal are you sending to the same constituents that you say you represent and that you care about if you say on the one hand that this is the right thing to do but you are not supporting it so you find all kinds of reasons for not supporting it? You have not seen the opinion of the Solicitor General. I have never heard such foolishness since I have been in Parliament, never yet. You want to see the opinion and Government should come and discuss this with you early so that you can give them your ideas but there are no ideas to be given on this matter, no idea whatsoever.

I heard all kinds of red herring on this Floor this morning and I sat in sadness and that is why I began by

saying that today is a funny night in Barbados. It is a sad night. It is sad because we who come in here representing the people should not be afraid to do the right thing on behalf of the same people that they over there say they care so much about. I do not understand it. I cannot understand it.

Madam Deputy Speaker, with those few words, let me say that it is my hope that in the time we have left that somewhere along the line some light bulb would go off and say to the Members of the Opposition let us do the right thing and support this constitutional amendment.

I am obliged.

MADAM DEPUTY SPEAKER: The Honourable Member for St. Michael North West.

Hon. C. P. SINCKLER: Madam Deputy Speaker, I want to take the opportunity to just say a few words in this debate, but I must say that I will start off quite unlike the majority of my colleagues who have spoken even though I appreciate the position which they have adopted and where they have come from in relation to this particular matter as indeed so ably and articulately said by the Honourable Attorney-General who just spoke, that is, that I do not share their disappointment in the response of the Opposition particularly the Honourable Leader of the Opposition to this particular matter. I am neither saddened nor disappointed because my mother always told me that the hardest thing in life is to know who you are dealing with.

We have reached the stage in the politics of Barbados, certainly in the last year or two years, where we have seen an entire political party that is considered to be, I believe it is, the third oldest political parties in the English-speaking Caribbean, certainly one of the most senior parties in this hemisphere with a long and distinguished history, taken by the scruff of its neck and dragged all over the political landscape of Barbados and in some parts of the region too because do not forget that parts of the Barbados Labour Party have immigrated and taken up occupancy in other Caribbean territories too, but that is for a different occasion.

We have seen how this political party has almost before our eyes literally been denuded into an institution characterised ostensibly by frolic and fanfare coalescing around a particular individual who for the time being has been invested with the role of leadership but who has taken upon herself to at one and the same time not only reduced this political party that we call the Barbados Labour Party to a position of nothingness, not satisfied that the Honourable Leader of the Opposition has taken the occasion of this particular measure to refashion, tear open and otherwise destroy one of the oldest political parties in this hemisphere and not satisfied that she successfully has

been trying to do that, the Honourable Leader of the Opposition now has cast her eyesight on reducing this Parliament to a position of nothingness by marching in here today pretending... Well, I should not say pretending because that would reflect negatively on the Honourable Member. In fact, the Honourable Member was not pretending at all, the Honourable Member was showing upfront and forcibly that blatant disregard of custom, for convention, for law, for political and constitutional uprightness in Barbados must become the order of the day when dealing with matters, whether big or small, medium sized or otherwise, and so I am not disappointed nor am I saddened by what I have seen.

What I am, however, concerned about is that a matter on which I certainly sat down and heard the Leader of Opposition Business, if ever there was such a position in this House of Assembly or in the comport of politics in Barbados - said that they were not in disagreement with what the Government was doing but that they were going to take the opportunity to try to belittle an important exercise and cast it into an unfortunate and disgraceful public discourse of which it is not even nearly deserving, to elevate the political megalomaniac behaviour of one Honourable Member of his Honourable House of Assembly, who is a Member of the Opposition.

Madam Deputy Speaker, what have we possibly done as a country, what have we possibly done as a Parliament, what have we possibly done as a young 50-year-old independent democracy to deserve this type of political punishment at the hands of a person who has not distinguished themselves in the application, either of knowledge or of capacity, in any of the functioning that the Honourable Member has been so fortunate and privileged to be able to be given over the course of an undistinguished political career?

Madam Deputy Speaker, it really befalls one into a state of incomprehension as to how we could do it. Sir, I say we because I am speaking not on the behalf of, but including all Members of this Honourable House and as men and women elected, who were not brought here by stealth, who did not come here by the rattle of a bullet leaving a gun, but by the independent votes of ordinary Barbadian citizens to come here to dispense the business of governance, to reinforce the institution of democracy, that we could now seek to substitute what they always speak about as good governance, for the simple, naïve and otherwise ridiculous practice of political brilliance, that we are to be bullied into doing things and that none of us is to get in here and express our displeasure at the disgruntlement of our governance system, our system of constitutional appointment and practice in Barbados.

Madam Deputy Speaker, the concern that I have is not one of sadness, nor one of disappointment because I

expected it, the concern, though, that I have is that though I disagree with them on many points philosophically and policy-wise, the Members of that Party who hold a fiduciary responsibility not just to the Members of the current establishment but to all the stalwarts of that institution, both living and passed, can sit down either in here or outside of here and allow one person who is so determined to occupy the Office of Prime Minister of Barbados, that the Honourable Member would cast anything upside down and that they would sit and not suffer in silence, but would glibly smile in disappointment as if they do not have the capacity to bring this careening train that is just going down the road threatening to run over innocent people, to pull it back.

Madam Deputy Speaker, I think it is a glaring, unforgivable shame on those Members. Mr. Speaker, of course, the Honourable Member for St. Joseph who I know knows better could seek to get up in here and in a display of remarkable intellectual agility try to create the politics of juxtaposition, that this Government is coming here to do something that was trivial and unimportant, while somebody in his constituency cannot go to the University of the West Indies, or that some lady cannot get a bucket of water, as though in a Government that performs every day, a Government that whether you do or do not agree with the policy, a Government that looks after the interest of Barbadians on a daily basis, a Parliament that meets almost on a weekly basis in consideration and distillation of problems mighty and small, that the Honourable Member for St. Joseph could seek to have the intellectual agility or could pretend to have the intellectual agility to bring the politics of juxtaposition that this is not that important as the person who cannot have water. Sir, it is the politics of 'simplicity' for which the Honourable Member for St. Joseph who is the proposed compromised candidate for leadership in that Party, if there is still a party to lead by the time that the Honourable Member for St. Michael North East is finished, should really avoid in this Parliament.

Madam Deputy Speaker, we are not here on any carnival of frivolity, notice of this Bill, contrary to what has been said, was given in January. Sir, that was months ago, it was not given last week nor the week before last. Therefore, what is there to consult about? What is there to suggest, as some of the speeches I have heard here from the Opposition, that the Government rushes in here to deal with this where there are more important pressing matters that have to be dealt with? Sir, notice of this Bill was given since January, it was also read for the first time on 26th January. Sir, in the normal course of doing business the Government has said that we are going to deal with this today.

Mr. Speaker, in recognition of the role of the Leader of the Opposition and an Opposition as constituted in the Parliament of Barbados, the Leader of Government

Business, on the instructions of the Right Honourable Prime Minister, the Parliamentary Group and the Cabinet of Barbados wrote to the Leader of the Opposition to say that we were proposing to do this matter soon and that we wanted their assistance, because as you know we need a two-thirds majority to amend the Constitution, that Government does not currently have a two-thirds majority, that we were going to do this business and get it over with and that we were going to get onto some other things with which we needed to deal.

Madam Deputy Speaker, but in this naked political environment, this never-ending virtual campaign that is going on in the head, only of the Leader of the Opposition, because it is nowhere else, that is why there are these rubbing shoulders, under the streetlight, on top of the bed, pillar talk, underneath, jet skiing, going down to every fete in Barbados, taking over the microphone, trying to sing, doing M.C. work, jumping up with Peter Ram, Lil Rick, Small Rick or whatever is his name, all kinds of things that are going on are not attracting anybody because it is only in the head of the Leader of the Opposition that an election is being fought.

She is jet-skiing, going down to every fete in Barbados, taking over the mic, trying to sing, doing MC work, jumping up with Peter Ram, Lil Rick, Small Rick or whatever his name is; all of these things, just rushing around trying to be noticed. A 26-, 27- or 20-something-year Member of this Parliament cannot sit down in the House of Assembly for longer than a speech, and it most likely is her speech, but can be seen all over Barbados because in here does not matter. In here only matters when you come in here apparently as a Prime Minister or a Minister. It does not matter to certain people. The political arrangements in Barbados do not matter. "I am operating outside of everything because I bestrode or bestride these things like a colossus. All of these minions pass through my legs, and therefore I am it. I have arrived. My people even call me Prime Minister. That is how they address me, or I am introduced to people at cricket as the next Prime Minister or the Prime Minister-in-waiting; just waiting on the real Prime Minister to call the Election so I can assume the Office. My head has now swollen so big that I do not have to come into Parliament. I operate outside of here. I do not have to go into the portals of the Barbados Labour Party. I am operating outside of there, because I have my own operation going. Whoever are among the just-in-case politicians, who know what is happening is wrong but are just tagging along just in case the person becomes Prime Minister and 'I can get a little pick', are not going to stand up and say anything. I am not worried about them. I can chop off one's head, demote the other, bad-talk one, do to them as I like, because I am on my way to Bay Street." That is all it is about.

I am not disappointed. I am not saddened, because I expect all of this, and Madam Deputy Speaker, you can expect that it will get worse as we get closer to the appointed hour. It will get worse. It is not going to get better. It is going to get worse, but the question is: Who among them is going to stand up and say "enough is enough?" I understand what you are trying to achieve. I may even want you to achieve what you want to achieve, but there are certain things in Barbados that you just cannot meddle with, that you cannot disintegrate. Let me start first with our political party, and then let us go to other things that are important. Do not touch certain things. Do not seek to sit as Chairman of the Public Accounts Committee (PAC), to which the Auditor General reports and with which he works in concert as the principal investigator of matters referred to the PAC by Parliament; and then sit down next to the person to whom you are going to come in here and say, "I am not going to regularise your status. I do not care anything about you. It is not about you; this is about me." Do not tell me that the Office of Director of Public Prosecutions - whoever holds the Office and whatever you may think about whoever is holding the Office at the time they are holding it -- is not so important or has been so reduced in importance, in your view, that you can come into this House of Assembly and try to block what really is something that ought to have been done before. It is something which the Government is taking the opportunity to correct, because when you yourself were in the position to do it, you made certain Amendments to various pieces of legislation which we agreed with but ended up causing mischief somewhere else.

All we are asking is for a little cooperation, but cooperation is not to come because this Government, apparently, is not to look good. It is the same kind of rubbish you hear now masquerading as intellectual discourse. The media called me about it and I told them I am not commenting about unemployment figures. All of a sudden now, they have set on the Statistical Department. They are "fudging the figures", so you pull down them too, not knowing or pretending that they do not know or want the public to know.... In fact, I am not going to say so. I am not going to say who is one of the principal people responsible for putting them together. No. That person is my public officer so I am not getting involved in that. The public would know.

Asides.

Hon. C.P. SINCKLER: One thing I do not do is question the professional integrity of the people who are employed in the Public Service to perform a service. I always make the point, and I know the Right Honourable Member for St. Peter never did it and I do not do it. I do not call the Statistical Department and tell them what to produce. Whatever they produce is what it is. If you are saying to me that the methodology needs to be changed, we

could have a conversation on methodology, Madam Deputy Speaker, but if it is what it is, it is what it is. It has not been changed. No. It has never been changed. It has not been changed under your Government and it has not been changed under ours. It is the same methodology they have been using all of the time, and the same people too, some of whom are your people. The problem is, Madam Deputy Speaker, when the news does not suit the Opposition, you try to disavow, disrespect and dismiss the work of the public officers. When unemployment was going up, it was all right. Nobody asked, "What about the figures and the methodology?" or said, "Oh this got changed." All was well, and they came in here and paraded. Now that it is going down, it is a fundamental problem. It has gone down. It has gone down both in terms of the rolling yearly average and in terms of the last quarter, according to the Statistical Department.

Asides.

Hon. C.P. SINCKLER: I know this is rattling them. They have now got a voice. I do not respond to foolishness because I heard another one of those fellows in the paper questioning the unemployment figures. I am not bothering to respond to that. I am not responding to that because that person, I believe, is trying their level best to elevate ignorance to an Olympic sport, so I am not responding to that. I am not responding to that at all. The point is this, Madam Deputy Speaker: This is a piece of important business. It is not the most important thing that we will do. It is not the least important thing that we will do. It is just an important piece of business that needs to be done to regularise people and to ensure that a fundamental policy which the last Government implemented quite correctly is properly continued to its natural conclusion. That is all it is, so what is there now to fight against and fuss about and discard and disregard in the context of what we know needs to be done? Madam Deputy Speaker, we must resist any attempt to reduce this Parliament to a mock-stick show. We cannot allow it.

Madam Deputy Speaker, I call on members of the Opposition, including the dear for St. Thomas to try to their level best to show us on at least on this one occasion that they are up to the task to ensuring that things which need to be put proper in Barbados are put proper and that this constitutional amendment is supported and that we can get on with some of the other business which we have to do in this House of Assembly.

Madam Deputy Speaker, I am obliged to you for your time.

Madam DEPUTY SPEAKER vacated the Chair and Mr. SPEAKER took the Chair.

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

Mr. K. SYMMONDS: Mr. Speaker, Sir, I thank you for allowing me to say a few words and so perhaps I should begin by saying that I really did not intend to enter this debate until I heard my friend, the Honourable Member for St. Michael North West speak in the way in which he just spoke to this House.

Mr. Speaker, there are a few things that surprise me having been around these precincts for the last 15 years or so. Sir, I have heard the Honourable Member for St. Michael North West say everything that one could possibly find to say that was negative that was vile and that was demeaning about the Barbados Labour Party, so when I hear him expressing concern about the state, as he would have you believe of the Barbados Labour Party, and the condition in which the Party finds itself and the condition of its members I know that the Honourable Member is into the realm of toying with this House. Sir, I do not genuinely believe that the Honourable Member for St. Michael North West understands -- I do not want to be pejorative -- I believe he understands but I do not believe that the Honourable Member for St. Michael North West intended to make a speech that would collide in a material way with the constitutional issue that is before this Parliament. The Honourable Member wanted as is his want when opportunity present itself of this nature to behave as his mentor would have behaved when he was alive, that is the former Honourable Member for St. John. He wanted to seize a political opportunity to lambast a political nemesis of his, a foe who he perceived to be an equal and I think mistakenly so, and to prance up on the labour party itself. Sri, if I could drag this debate back to the issue of the constitutional amendment that is before it, the issue as I understand it, is that there is an amendment which would see the compulsory age of retirement for two constitutional offices adjusted upwards. Sir, I believe that there is a lot that has been said in this House that suggest that there is not a clear appreciation of the Barbados Labour Party's position. The first thing I want to say for members on the other side is that in the course of the last 24 odd years, had the opportunity to appear before the courts of Barbados in constitutional matter as counsel and, indeed in administrative law matters as counsel. Sir, part of that which I know from experience one has to do is to see the concept of constitutional change, and in this regard, I am not like the Honourable Member for St. Philip North who never got pass doing criminal law matters in Barbados and it would do him well to pick up a pen and take notes. I had the painful experience of tutoring him at the University of the West Indies. Sir, one day, I am going to bring some of the examine scripts that he stumbled over. I am happy for him that he has come this far and resuscitated himself but he was not the sharpest tool in the shed, he never was. Sir, he is my friend but he was not the sharpest tool in the shed.

Mr. Speaker, when we speak of constitutional change, we have to accept that it is always seen within a wider context. Sir, whenever a matter comes before a court and involves a constitutional issue, the court does not treat the Constitution as a sterile document, the court looks to the broad and purposive intent behind the Constitution, that is the language law and it is equally so when we are here in this place speaking about an amendment to that document. I have heard it said by people who I would have hoped would have picked up a little bit more as time went by.

Mr. Speaker, we cannot speak to the constitutional change without also addressing the wider context within which this particular change is seeking to be brought about. Sir, that particular relevant context is the context of industrial relations and the industrial relations climate in Barbados today. Sir, I know that the Government does not like to hear that and the Government understandably so has been in a defence mode in recent times and has become increasingly antagonistic about defending itself especially since the judgement was handed down by the Commission that had to deal with the National Conservation Commission matter only a few days ago. I know that stung the member of the Government in particular certain members of the Cabinet. Sir, if the truth is to be told there are members of the Cabinet who before the judgement even reached my ears were on the phone to me telling me that the Minister of Environment should be resigning. Sir, that is a fact, so we know how members of this Government feel about the industrial relations climate in Barbados and he thinks he has friends over there. Sir, that is why I keep saying to the Honourable Member for Christ Church East, who is my parliamentary representative that he needs to be very wary about the way in which he gratuitously seeks to abuse all and sundry because Sir, he does not have the quantity of friends he thinks he has where he thinks he has them but, Sir, that is another matter.

Mr. Speaker, Sir, the reality is that when we look at this matter this is what has to be made clear. The position of the Barbados Labour Party has been mis-appreciated because there are four things as I understand it from listening to the Honourable Member for St. Joseph and indeed the Leader of the Opposition and the Honourable Member for St. Michael South East. The first issue that had to be addressed was the question of discrimination. Sir, as I am understanding it, there is a deep-seated concern about age discrimination for any employee whether it is in the central Government or in a public statutory corporation. Sir, simply put, you cannot discriminate against employees on the basis of age. Sir, public servants ought not to be discriminated against on the basis of age.

Mr. Speaker, let me say this because I have heard a lot said about the Constitution. The Constitution of Barbados has at Section 23 a specific clause that seeks to

protect people from discrimination on several bases and you cannot come here and have a debate on a Constitutional matter and seek only to address it within the four corners of the Constitution. There is a broad and purposive intent behind the Constitution of Barbados. There is an industrial relations climate and an industrial relations context within which this change takes place.

It brings me to the second point that the Barbados Labour Party (BLP) speakers before me have made, Sir, and that is, that there is an absence of consistency in practice and a consistency in the application of what is to be law and that too is not acceptable in Barbados under the Constitution. Simply put, Mr. Speaker, the Opposition is saying that any attempt to settle the retirement age would have to be done not only for two people, or three people here and two people there, but it would have to be an issue dealt with in a holistic and comprehensive fashion for all, whether you are employed in the Central Government or whether you are employed under a statutory corporation.

I heard the Prime Minister's point and none who have been schooled in law could challenge the fact that there is an association of status between the Crown and its employee and in association of a contractual nature elsewhere but that is to drag a red herring across the trail because if we are seeking to drill down into equality of treatment, then, Sir, you cannot say that it is satisfactory. In fact, it would be absurd to say that it is satisfactory to have one type of treatment meted out here and another type of treatment meted out elsewhere. I do not believe that we could be here as legislators to proceed down the path of absurdity.

The third point, Sir, and as I hear the Honourable Member for St. Philip North in his asides, I am fortified in the need to make this third point. The Opposition is also saying to the Government that it is sending a mixed signal to workers and that employee of all employees ...

Asides.

Mr. K. D. SYMMONDS: The fact of the matter is, Mr. Speaker, that the Government of all employers the last employer who can be sending mixed signals to its employees is the Government of Barbados. I am going to be very frank with this House because there is an element of drawing a line in the sand in this position taken by the Opposition. What the Honourable Member for St. Michael North West describes as bullying is not bullying. It is those who have been bullied, those who have been downtrodden, those who have been ill-treated and those who have been kicked one-side by a Government that has grown haughty, insensitive and non-responsive and quite frankly, Mr. Speaker, contemptuous, arrogant and indifferent too. Those people have drawn a line in the sand against the Government. The mixed signal that is sent with respect to

employment has also been sent with respect to the fall out of the employment situation in Barbados that is why I spoke of a broad industrial relations climate. We all know that when people were sent home and even before they were sent home, when the Minister of Finance came here in December of 2014 and he talked about his fiscal package, we all understood that there would be financial consequences to the people we represent and, Mr. Speaker, at that time, I was led to believe, and in fact, I was invited to be a part of a process in which I would agree to yielding a percentage of my parliamentary remuneration so as to stand shoulder-to-shoulder in pain, even if only symbolically so with those people who were being put out or about to be put out of work. When I speak about mixed signal, Sir, the Order Paper of this Parliament still reflects the intent of Government and in my view, the bad faith on the part of Government to return parliamentary salaries and allowances to the status where they were, even while the issues of financial pain and economic displacement still remain unresolved and confront the people that we represent. For the benefit of the Prime Minister I have avoided using the words parliamentary increase of salary because that irritates and gets under the Prime Minister's skin but the point is ...

Asides.

Mr. K. D. SYMMONDS: I saw how the Prime Minister reacted, Sir, when he was taking heavy lashes in a No Confidence Motion that was held in this House a few months ago. I say to the House, Sir, that the mixed signal is that which we are drawing the line about.

Asides.

Mr. K. D. SYMMONDS: Not what is an Opposition to do because I do not understand it? I have been in here long enough and I have sat on That Side and watch how the Democratic Labour Party (DLP) operated when it was on This Side led by the then Honourable Member for St. John and before that, the Honourable Member for St. Michael North West who preceded this Honourable Member. Mr. Speaker, there were innumerable times when the Opposition was not compliant or cooperative.

Asides.

Mr. K. D. SYMMONDS: You were not in here. The Leader of Government Business was not in here, he was still on his fourth or five effort at trying to win a seat in Barbados that was unsuccessful up to that occasion because it was 35 years that he went through being a candidate without winning a seat.

Mr. Speaker, the reality is that the Government of the day, cause I do not know what I am hearing. This reconstruction of how an Opposition is to operate. The

reconstruction cannot be acceptable. The Government of the day went through tremendous difficulties in getting cooperation from the Democratic Labour Party (DLP) in Opposition. This is not the first time that an Opposition has dug in its heels in Barbados. The Honourable Member for St. Philip West was a shadow spokesman on finance in this House and would agree to virtually nothing that the Government would put forward. That is a fact. This is not something I have just conjured up and I do not understand, Sir, for the life of me, why it is expected that after having given written notice to the Government on 27th June, 2016 that the Opposition had difficulties based on the inconsistency of the practice and approach as contemplated by the Government in this matter, had difficulties based on the mixed signals that the Government was sending as the key employer in Barbados, that it had difficulty, Sir, based on the discriminatory aspect of this matter, that the Government, having received that written notice of the position of the Opposition, and let me pause to say for the sanctity of a record that has been yielded peitry by the speech of the Honourable Member for St. Michael North West. All the Members of the Opposition were given an opportunity to have an input into the correspondence that ultimately went to the Office of the Leader of Government Business. This is not the conjuring and the creation of one individual. This is a party that had just come back from thrashing the Government in a No Confidence Motion and highlighting to the country the chronic failure of administration and governance in Barbados and in a similar vein we were saying to the Government that we had a continued and ongoing difficulty and that difficulty were those things that I have just identified.

In addition to all of that, there is a fourth concern and that concern is that workers have been put to tremendous expense and disadvantage, yes, at the BIDC in order to defend their rights in that matter. Mr. Speaker, again, I do not know about anybody else, but I have one who is in my constituency so let me just speak on behalf of my constituent because I understand the reality that is lived today. When you have no employment income suddenly... I understand the reality when people build a house that cost them \$300 000 and \$400 000 and they are committed to a mortgage for a certain amount of money every month and they wake up one morning and because of an arbitrary policy introduced by the Government they are now in a position where they cannot pay that mortgage bill. That is a human concern. Sir, I really do not care how anybody else on this Bench feels, as long as I am a Member of Parliament in this place then I will stand shoulder to shoulder with a constituent who has been foisted into that situation.

I say further, Mr. Speaker, Sir, that family commitments are nothing to be poooh-pooohed in this place. It worries me when I hear people making light of that which the BIDC workers went through because they too

have families. The one I am thinking about got a ten-year-old child that got to go to school and has significant health issues that have to be paid for, I am not going too far down into the people's personal business, and food has to be put on the table. Where is an Opposition supposed to stand on the side of the people whom we represent when we see wrong things being done to them or are we here to be creatures of comfort just to support the Government because the Government say they must have a two-thirds majority in a matter that affects two people?

Mr. Speaker, I do not make light of the constitutional issue. In fact, Mr. Speaker, I say that it is a wrongful historically for anybody to be suggesting that from this side there is any lack of respect for the fundamentals of the constitutional process because it was this Barbados Labour Party that held this Government in this House and in the Other Place. On two occasions in the Other Place where I was at the time we kept the Government there until about 10:30 in the night on the matter relating to changes with respect to the Chief Justice of Barbados and in this place it went on to nearly 3.00 a.m. in the morning, this Barbados Labour Party, on points of principle which every Honourable Member of this Parliament now knows we were correct in doing and concerns we were correct in expressing.

Asides.

Mr. K. D. SYMMONDS: Mr. Speaker, I will continue to talk because it also needs to be said that invitations were made for the occupant of the post to demit office, to go. He has been asked to go. I did not wish to say that, Sir, but that is what they did. After putting the country through all of that turmoil and pain, they turned around and asked the same occupant to humiliate himself by leaving.

Sir, up to a few weeks ago I heard a discussion in this House on law and order in Barbados. We all know that there are chronic problems facing the administration of justice in the High Court and we all know, if we are true to ourselves, that when the Barbados Labour Party stood firm on certain constitutional fundamentals and concerns we were pooh-poohed then as we have been pooh-poohed today, so let us not now put a gloss of convenience on the course of history on these matters. We are here not out of any sort of antagonism, as has been made to believe, against one persons or one holder of an office, but on certain principles a line had to be drawn in the sand.

Mr. Speaker, I say this to you. I support and I believe my colleagues support in principle this matter that is before the House but I am duty-bound to say to this House that I also feel a compulsion to stand alongside thousands of others who can well be next in line to be treated as per the BIDC workers. Now, this is the second point that has to be made that has not been made and should have been made

because we would not have to be at this impasse drawing any line in the sand if the issue of trust did not arise, if the issue of confidence in those who sit across from us did not arise. Some of us, Mr. Speaker, will want you to know that we cannot give support without assurances being given, not just casual assurances, but assurances being given by he who holds the position of Chair of Cabinet and Leader of Government to the effect that statutory corporations workers have nothing to fear with respect to being treated similarly to what has happened at the BIDC, and that this summarily treatment of making you retire at age 60 and so on would become a thing of the past.

Why do we have to take that position, Mr. Speaker? Memory: I have no reason to repose a lot of confidence in the Government. I have to reason to repose confidence in the Government because I was part of a campaign in 2013 - and those who care to forget can forget, you just heard the Honourable Member for St. Joseph say it - in which we were given the assurance and the country was given the assurance that no public sector workers would be sent home. This country was also given a similar assurance from the same sources that there would be no tuition fees imposed at the University of the West Indies. This country was given similar assurances subsequent to the election that the need to deal with statutory boards in Barbados was a fundamental to the Government and that a policy would be rolled out with respect to the potential amalgamation of some boards and that a policy would be rolled out with respect to those that might have to be privatised and those that would be abandoned. All of that have been left hanging in the balance, and what has been the net result in human terms? In human terms the net result has been that people who are working in a statutory corporation in Barbados are living in a state of long-term contingency. Let me say that for you again, Mr. Speaker, Sir, because it is all well and good to get in here and spend a whole day on the niceties of the Barbados Constitution and a lot of legalistic mumbo jumbo that the average man on the minibus going down through Holetown to Speightstown do not necessarily immediately grasp. One grasps in human terms is that if he is working at a statutory corporation today and he goes into a bank to do business he is confronted with the issue that there is tremendous uncertainty on the part of the banker about his long-term arrangements. I have seen how it is affecting public sector workers in statutory corporations especially when they are now finding difficulty in getting access to mortgages, to a car loan, to a little loan to educate their children and all of those fundamentals.

Mr. Speaker, I am not impressed either but what I would hear coming from those who would say that the Students Revolving Loan Fund would give you money because it is another truism that there has been a further breach of confidence there where people are going into the Students Revolving Loan Fund and signing an application

in the legitimate expectation that they would get a little assistance when the bald and naked incontrovertible reality is that there is no money for them and they have not been told that.

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

Mr. K. D. SYMMONDS: Mr. Speaker, the climate is what causes us to draw a line in the sand. This was not something done lightly. It is not a matter of happenstance. It is not 'one-upmanship' or 'one-upwomanism' as the Honourable Member for St. Michael North West likes to allege. He, like his colleague for Christ Church East, is fixated on that particular individual, but Mr. Speaker, there is a larger life in politics than those members and the member who leads the Opposition. Sir, there is a larger issue which is the issue of the well-being of the people of Barbados who sent us here, those people who cannot do as we do and be able to go and negotiate a little piece of change at the bank because even though they have a job the bank is telling them that they are with a statutory corporation and when we hear mouthings coming out of the Ministry of Finance, you cannot be sure that you are going to be working for much longer, so therefore until when we have a clearer picture, and we have been waiting on that picture for the last two or three years to emerge fully, then we cannot help you and that person goes away empty-handed, unable to look after the child and unable to fix the house, the investment that they have made start to fall apart or the roof cannot be maintained over their head. That is the day-to-day lived painful reality of the people that I represent and I have to tell it as it is, Mr. Speaker.

Mr. Speaker, I did not intend to get involved in this debate, quite frankly, I did not because I did not see that there was a need for it. Sir, if you say that you have a difficulty, you tell the Government, we make the two-thirds majority, but quite frankly we do not feel that we can give you that two-thirds majority, then why does the Government bother to bring the debate in the first place? If there was a bully, then the bully has to be on the Government's side because they have brought this here, expecting that they could demand and railroad a Barbados Labour Party to become docile, complaint and to do that which they wanted the Barbados Labour Party to do. Mr. Speaker, gone are the days when that will work. May I say, Mr. Speaker, Sir, gone are the days when it will be acceptable for the Leader of Government Business to treat an Opposition with such contempt and disrespect, his days in that office are numbered, thankfully.

Mr. Speaker, I believe that one thing is true, there will be a day of reckoning and on that day of reckoning we have a finite period on, we know that it has to come. Mr. Speaker, I am fairly clear from what I am hearing all around Barbados, wherever I go, there is no lack of

enthusiasm to embrace a change of their suffering, a move from this agony, a move from this penury that people are being forced into, a change from the arrogance that has become the Democratic Labour Party, the haughtiness that will allow a Democratic Labour Party, though told that they will not get a two-thirds majority, still to come here and demand it. Who makes you that you must come to this Parliament where the people have sent us to represent their interest and for you to demand? Do you want the two-thirds majority? Then take off the Order Paper your intention to restore your 10 per cent salary increase, get real about the pain and suffering that is before the country, get realistic about the fact that it is a wrong thing for the practice of nepotism to be exposed in Barbados and nobody does anything to haul it in that kite call nepotism. Mr. Speaker, Sir, in the same way 2 000 people went home and they were not connected immediately to any minister of the Government, then, Mr. Speaker, Sir, we need to see some of the friends, family and the fatted calf of the Democratic Labour Party feeling and sharing in a little bit of the difficulty that is before this country.

Mr. Speaker, the other thing is that you should make Members like the Honourable Member for St. Lucy to do a full day's work, that the Honourable Member should not be shepherding people into his private establishment on a Wednesday at 12:00 noon for lunch but instead the Honourable Member should be at the National Housing Corporation. Those are the things that we need to see changed.

Asides.

Mr. SPEAKER: Honourable Member, please wind up. Your time has expired.

Mr. K. D. SYMMONDS: Mr. Speaker, that corporation is conditional, it cannot be taken for granted, it cannot be demanded, it is conditioned upon this Government being responsive and reactive to the pain and suffering that it has been inflicting on the people whom I represent. I am obliged to you, Sir.

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

Hon. M. A. LASHLEY: Mr. Speaker, I rise to enter this debate. I was surprised that the Honourable Member for St. James Central, in this contribution to this debate, at first started by saying that the Honourable Member is the constitutional expert in the Opposition and that the Honourable Member likened himself to great constitutional advocates like Dr. Fiago.

Mr. K. D. SYMMONDS: On a point of order. The Honourable Member is misleading this House. I never said any such thing. I believe the Honourable Member is

misleading this Honourable House knowingly. I said that the Honourable Member was a poor student, if the Honourable Member wants to reply to that, then the Honourable Member could but I never said anything about being likened unto Dr. Fiago.

Mr. SPEAKER: Please continue, Honourable Member.

Hon. M. A. LASHLEY: Mr. Speaker, the Honourable Member over there has given himself the trophy as one of the legal luminaries in the Opposition and sought to give the impression that the Honourable Member has done a number of constitutional matters in Barbados and so that gives the Honourable Member the authority to stand and to speak on matters that are relative to the Constitution of Barbados.

Mr. Speaker, I have known the Honourable Member for St. James Central for some time. I have practised with the Honourable Member in the law courts for some time too and I can speak to the Honourable Member's record in those courts. The Honourable Member mentioned that I am only exposed to the criminal law aspect, yes, I have done hundreds of matters in the Assizes and did them well. I have also won more than half of them.

Mr. Speaker, if you were to ask the Honourable Member for St. James Central to name one case in the Assizes that the Honourable Member has ever one, Sir, I could refer to one, that is a case called Peter Creedy v. The Queen, Sir, out of doing Assizes for the last seven or eight years. Peter Creedy was a university student who was accused of rape. The Honourable Member was the attorney-at-law for the accused. Sir, that is the legal luminary over there, so that the Honourable Member is very close to becoming the Director of Public Prosecutions of Barbados.

Asides.

Hon. M. A. LASHLEY: I would not get into that, let us remember that the Honourable Member is a legal luminary over there, let us forget about his Seniors, listen to him, let us forget about the Honourable Member for St. James North, let us forget about the Honourable Member for St. Michael North. Mr. Speaker, I want to say that the Opposition has no moral authority when it comes to speaking about the Constitution, about constitutional review or in terms of amendments to the Constitution.

Mr. Speaker, the Barbados Labour Party, I do recall, made enough noise in this country. In fact, they had the opportunity with respect to two Commissions on the Constitution, the Honourable Member for St. James Central will know it. If you read the book by that legal luminary Francis Alexis, "Changing Caribbean Constitution", he was

appalled that the Government of the day went about setting up a Constitutional Commission, the Cox Review Commission on the Constitution. He said that he was appalled that the Government of the day...

Mr. K. D. SYMMONDS: On a point of order. The Honourable Member is misleading this House. The Honourable Member is suggesting that I do read the book. I would really like to reread it but I lent it to the Honourable Member about 10 or 15 years ago and the Honourable Member has not returned it. I would like the Honourable Member to bring back the book so that I can read it.

Mr. SPEAKER: Please continue, Honourable Member.

Hon. M. A. LASHLEY: Mr. Speaker, the Honourable Member for St. James Central had no uses for it, the Honourable Member has never read it and so I had to make use of it. In fact, had you put a dollar in the book and asked the Honourable Member for St. James Central to find that dollar, the Honourable Member would have bypassed that book, the Honourable Member would not have found that dollar.

Mr. Speaker, this is a serious matter, I am saying that when I hear Honourable Members on that side, in fact, I listened to the Honourable Member for St. Joseph who said that we should be here speaking about constitution review, that we should be speaking about these things that affect the administration of justice and good governance. Sir, history shows that with respect to the two reports on constitutional review in Barbados that the Government who was in charge, the Barbados Labour Party at the time, moved....

Mr. Speaker, actually, I cannot count at least 20 or 30 of the proposals in those documents that were initiated or implemented by the Barbados Labour Party with respect to the Constitution. In fact, the Report on the Constitutional Review, the Sir Henry Forde's Commission, 1998, set out a whole set of documents that they reviewed, such as set out a whole set of documents that they reviewed, including the Cox Commission Report and working papers available to that commission, the Report of the 1966 Constitutional Conference held in London, debates on the Constitution, international human rights treaties, and research papers prepared by consultants; all of these formed part of the Report, the basis of the Amendments and the way forward in terms of constitutional review in this country, Sir. I went through the Reports, and looked and saw what proposed Amendments came to this Parliament as a result of the actions of the Barbados Labour Party, and it is very dismal. In fact, Mr. Speaker, I thought that the Member for St. James Central would have alluded to these Reports and would have really spoken about how we are going to move forward in terms even of reform of the DPP's Office, and

whether we should have a Debate and look again at that Clause which speaks to the Attorney General consulting with the DPP in relation to some matters. I certainly hold the view that it should stay because there are certain matters of national importance and security that the Attorney General should have a say in and be part of a consultative process with the DPP. That is my view.

Mr. Speaker, I would have thought that the Member for St. James Central would have said, "This is a good debate to reform the DPP's Office." Mr. Speaker, this Office touches and concerns the good administration of justice. The DPP is a critical component of the criminal justice system in Barbados. It is important. The DPP's Office as well as the Auditor General's Office touch and concern the rule of law of Barbados, which is enshrined in the preamble of the Constitution of Barbados and which not only speaks to reasonable and certain justice but also to good governance. However, the Member for St. James Central decided to go on a Hollywood exhibition of throwing jabs at Members on this side rather than speaking to the serious matters that confront our Constitution.

Mr. Speaker, the purpose of this Amendment is to bring about certainty and to remove that anomaly that existed before. It is important because these two Offices are enshrined in the Constitution and protected by the Constitution, and there is no other way to do it than by coming to Parliament and seeking a constitutional Amendment. The other matters involving persons employed by statutory boards, as outlined by other speakers, will have to be dealt with otherwise; they are two specific regimes. When you study West Indian law or do law at Cave Hill, one of those first year courses we do is Constitutional Law. It is drilled into every law student that you have to read that Constitution and understand that the Constitution is the supreme law of the land, and that you must understand the Supreme Law Clause. I understand the difficulty of the Member for St. Michael South East -- and I know the Member for St. James Central would agree with this -- because in your LL.B programme at Cave Hill, you have to go through the tenets and principles of West Indian constitutional law, and by that training, you get a grasp of the Constitution of your respective country, particularly Barbados. That is why it is critical for us to come here with this Amendment.

Mr. Speaker, the other issue that I want to touch on is the fact that we have ample opportunity to look and see how we can reform the Office or the Department of Public Prosecutions in this country. No-one has mentioned it, but years ago it was touted that we should look at establishing a national prosecution service. That was a debate going on for years. It centred around the fact that in terms of prosecutions, be it High Court, Magistrate's Court, or in fact appearances in the Court of Appeal, we should establish a national prosecution service and that the

prosecution, particularly in magistrate's courts, should be dealt with by legally trained officers who would have gone through formal legal training, got their L.E.C and were admitted to the Bar, and were part of a national prosecution service. Mr. Speaker, that was a debate that I believe we need to look at in terms of the reform of the DPP's Office and its department. It would mean, Sir, the contracting of persons from the private Bar to engage in prosecution in order to assist this department. It was mentioned earlier, and if we are speaking about the administration of justice and the deliverance of a speedier form justice, those reforms are what we should really be attesting to and looking at, Mr. Speaker.

Further, Mr. Speaker, and this is an issue that I want to raise, because this is an opportunity for me to mention it: There is no obligation currently under the law for the DPP to inform victims or the families of victims of crimes or the families of persons deceased as a result of a criminal act as to when the matter is being heard, particularly if there is a plea before the courts or before the Assizes of guilty to any capital offence. There is no obligation, but I believe, Mr. Speaker, that in relation to the Department of Public Prosecutions that the day must come when we either develop a policy or place it within the law so that families of victims or families of the deceased persons, particularly when a case is being taken to the Assizes for a person to take a plea, be informed and be present in court when the matter is being heard. That is something that I want to suggest in relation to reforming the Public Prosecutions Department of Barbados, Mr. Speaker.

Mr. Speaker, Sir, I have sat and listened to the fact that we are being unfair to workers and that we have been the backbones but, Sir, you know that this is the same Government that had to pass the Employment Rights Act that was in a Barbados Labour Party Manifesto from 1994 and back even to the 70s and year after year, it was promised to be passed in every election and we came to office passed the Employment Rights Act, set up the tribunal, giving the workers of Barbados a right for their matters to be heard before a tribunal and that they would be able to seek justice through the passing of that piece of legislation. Sir, we must not sit back and act cowardly, we have done the best thing. Sir, we have had a long history in protecting workers rights. The piece of legislation, the Sugar Workers Minimum Wage Act, National Insurance Scheme, the Employment of Women's Act. We have a history of protecting workers rights and we must not be ashamed of the fact that we have passed the Employment Rights Act and protected workers rights in this country by allowing them and giving them the vehicle so that they can go and put the representation and put their case before a tribunal and we must be proud of that.

Mr. Speaker, Sir, I want to say that given the confusion over the other side and given the fact that we do

not know whether they will abstain or whether they will support but this is an important amendment to two offices that connect, touches and concerns the administration of justice in Barbados, the rule of law and good governance in Barbados and that is why I stand up and support this amendment. Thank you, sir.

Mr. SPEAKER: I am obliged to you. The Honourable Prime Minister.

Hon. F.J. STUART: Mr. Speaker, I rise to close this debate and I should like to thank all Honourable Members who have contributed to it, whether contributing by way of support of the Bill, or whether contributing by way of objection to it, or by way of the dragging of red herrings across the trail. I am consoled by the fact that the Director of Public Prosecution and the Auditor-General and the persons in their respective offices would have sat and listened to this debate today from their offices. They know what the Government's position is and they know what the Opposition's position is and the truth is that, as far as I am concerned, the Government has done what it is supposed to do, whatever the Opposition does is a matter for them but neither the Auditor-General nor the Director of Public Prosecution can say that their legitimate claims were not energetically represented in this Parliament in accordance with their expressed wishes by the Government, nobody can say that. I am going to join and chorus in this House asking Honourable Members on the other side of the House, please for your support. This is a constitutional amendment, it does not bring any benefit to any Honourable Member on this side of the House, it is not for the enrichment or the enlargement of any Honourable Member on this side of the House or for that matter on the other side of the House. It is to correct an oversight, which oversight was committed by the Attorney-General of the day, and the Attorney-General of the day was the Honourable Member for St. Michael North East, that Honourable Member was the Attorney-General when the Pensions Miscellaneous Act, 2004, was passed and it was that Honourable Member who did not pursue this amendment to allow the offices to which this amendment refers to be done long ago. Sir, I am not in that place where I am going to stand up here today and genuflect and salaam and beg the Opposition to do this or to do that. I am accustomed to this Opposition and even more accustomed to the Honourable Member for St. Michael North East. I have said in this House already that I do not trust her. I have said that. I have said that I do not believe that in matters of public importance that her calculus is ever is it right or it is wrong, is it good or is it bad, it is fair or is it unfair, it is just or is it unjust, that is never her calculus. Her calculus always is, is there anything in this that can make me look good in the short term, that is always her calculus, and would come out here last week and give the Honourable Member for Christ Church South and myself the impression that she was all for it but it was the other

Honourable Members that were not in support of it. She came over her and leaned on this table and gave the Honourable Member for Christ Church South and myself the impression that she had no problem with it, it was just the other Honourable Members, so she would try and get back to them and let them know all is well. Sir, that happened last week, so I understand who we are dealing with and, therefore, I am not taken by surprise by any of these posterings.

Mr. Speaker, as has been said in this debate, it is not going to get better from here on, it is going to get worse but the Government will not be deflected from its course.

Mr. Speaker, I have listened to some of the contributions made from the other side. The Honourable Member for St. Joseph adverted to the fact that if constitutional issues are so important to the Government why are there two other constitutional amendment Bills on the Order Paper and the Government is not according any priority to them, that they were on the Order Paper before this particular amendment and, Sir, that is a fair question. Sir, one of those amendment Bills has to do with the removal of the mandatory death penalty in Barbados. Now, let me tell you, Mr. Speaker, and tell the House and tell the country how we got to this point. Barbados has been ordered by the Inter American Court to remove the mandatory death penalty from its statute books because the mandatory death penalty is inconsistent with the InterAmerican Convention on Human Rights. Barbados submitted itself to the jurisdiction of the InterAmerican Court sometime around the year, 2000/2001, I believe. The United States of America and Canada have not submitted themselves to that Court and one Caribbean country, Trinidad and Tobago had and withdrew from the Court because it was thought that the Court's arm reached too far into the everyday life of Trinidad and Tobago and Barbados is still a member of the Court. Of course, I am aware that there are initiatives afoot to regularise our relationship with the Court but we could not do other than to bring that particular amendment before the House as we have done because we were advised by the Ministry of Foreign Affairs and by the Office of the Attorney General and so on, that if an order has been made against the Government of Barbados on so important an issue as the removal of the mandatory death penalty, that we cannot just turn a blind eye to that order and pretend that it is not there. If we are an energetic and lively democracy, as we obviously are, that we must demonstrate that we obey court orders as well. That debate has started in this House, the debate has not yet finished because there were some issues raised along the way which the Attorney General wanted to check and we are going to get back to that debate on the mandatory death penalty. It is not that the debate has not started. The debate has started and about six or seven persons have spoken. I believe, the Right Honourable Member for St. Peter, the Honourable Member for St.

James South have spoken in this debate, the Attorney General led off the debate and people in the Opposition have spoken on the debate as well, but by stealth we ...

Asides.

Hon. F. J. STUART: I can be wrong on that. I can be corrected on that.

By stealth we submitted to the jurisdiction of the InterAmerican Court. That was not subject to any national discussion. We woke up one morning and heard that we, all of a sudden, had submitted to the jurisdiction of the InterAmerican Court and that cases could go there as a result and in accordance with the InterAmerican Convention. There was no referendum, no national discussion, it just happened and when we submitted to the jurisdiction of the Court, we entered a reservation on the issue of the death penalty and the Court ruled that the reservation which we entered was of no legal effect, it could not achieve the objective which we wanted to achieve therefore we had to comply with this order to remove the mandatory death penalty. That is why that Constitution (Amendment) Bill is on the Order Paper, along with a number of other pieces of legislation which are related to that same issue.

The second Constitutional issue on the Order Paper with which the House has to deal, and it is there, because, the Electoral and Boundaries Commission, after a long discussion and prolong consultation decided that a national registration exercise had to take place with a view to putting Barbadians in possession of a new multipurpose identification card. A number of pieces of legislation would have to be amended, including the Constitution, to give effect to that process. There have been some problems along the way and, of course, all of this is going to be a question of timing, having regard to the scale of the exercise that has to be undertaken in this national registration exercise. There is not mystery to the fact that those two Bills are on the Order Paper. The presence of each can be easily explained. It is not that they are there are we have turned our backs on them. They are there for very good reason and the one that we are doing today is here for a very good reason as well. As I said this morning, I do not have to traverse this territory again, the two office holders actually wrote to the Ministry of the Civil Service and put their concerns on paper. The Ministry of the Civil Service sought the opinion of the Solicitor General and also sought the opinion of the Acting Chief Parliamentary Counsel at the time and as a result of advice received, recommended to the Cabinet that we do this amendment. That is why this is here today. If the Opposition does not want to support it, that is a matter for them. The Government has brought it, we think it is uncontroversial and that is the basis on which we have been proceeding.

I really do not understand the arguments that I have heard in here today though. We are trying to clean up mess that somebody else created and I know President Obama has a famous saying and I find what he says very interesting on this point when he is responding to his republican adversaries. He said on one occasion: "Here are people who have created a lot of mess and now they want to lecture me on how to hold the mop." They created the mess and now want to tell me how to hold the mop and the same thing is happening in here today. Mess is created in 2004 by the then Attorney General who presided over the passage of this legislation and now that the mess has been created, we are to be lectured on how we are to hold the mop. I am not in for that, Mr. Speaker.

The red herring of the BIDC has been dragged across the trail. I am aware that a matter relating to the BIDC is sub judice and that matter is not going to engage my attention in anything I have to say hence forth, but so far as statutory boards are concerned I have to put on record again. Statutory boards are corporate entities within the meaning of Section 21 of the Interpretation Act of Barbados. Every piece of legislation that has established a statutory board has a section that says that the Board is to be treated, whether it be a commission, a board or whatever, as a corporate entity within the meaning of Section 21 of the Interpretation Act of Barbados. In other words, all of these boards, commission, urban, rural, CBC, BIDC, all of them are corporate entities. The only power that a company incorporated under the Companies Act, CAP 308 of the Laws of Barbados has that a statutory board does not have is it cannot issue shares, but every other power that a company incorporated under the Companies Act has, a statutory board has. It is a corporate entity. It has its own personality. It can sue, it can be sued, it can enter into contracts, all the other things that a corporate person can do a statutory board can do and its relationship therefore with its employees is based on contract. Now, a statute may give an indication of some of the things that should be in the contract or that should be taken into account when you are drafting the contract but the relationship between a statutory board by whatever name called and its employees is a relationship based on contract. That is different from the relationship between the Crown and its servants. The relationship between the Crown and its servants is based on status, that is why you cannot get rid of a public officer unless that public officer's case reaches His Excellency the Governor-General, Her Majesty's representative here in Barbados because the relationship between employees of the Crown and the Crown itself is a relationship based on status. The relationship between a statutory board by whatever name called and its employees is based on contract so the two things are different so to prey one in aid of the other is really to reduce the whole issue to absurdity, and I do not think that we need to leave our footprints down that unholy path.

The Honourable Member for St. Joseph said that his constituents are starving and that they do not have any water, but I was in St. Joseph last Wednesday doing some Town Planning site visits among going other places and I certainly saw people who did not look starving to me, and certainly I saw evidence of water in St. Joseph. I know that there have been some challenges in that part of the Scotland District and the Minister with responsibility for water resource management has rolled up his sleeves along with the people at the Barbados Water Authority and they have been dealing with that issue, but when all is said and done unless Barbados gets the quantity of rainfall it needs to deal with some of these problems we will continue to face these challenges and that therefore is not a problem that any Government of Barbados by itself can solve, that is a problem that requires the intervention of the Almighty himself but the Government is doing the best it can in all of those circumstances.

Then there is the Honourable Member for St. James Central and his intervention. Now, fortunately for me I know that Honourable Member very well. We sat in the General Council of the Democratic Labour Party together, I was first Vice President and he was Assistant Secretary. We sat in the Executive together, we both held the same positions and I have spoken for him on political platforms during his candidacy for the Democratic Labour Party, I have spoken with all the vigour I could muster to promote his political cause, and I am accustomed therefore to the extravagance of his language and to his easy excitability. I have seen it over and over again. In fact, it is that easy excitability that resulted in him leaving the Democratic Labour Party because patience is not one of his strong points and because he could not wait he allowed his hunger and his thirst not after righteousness but after power to result in his running away from the Democratic Labour Party. Well, there is nothing wrong with that. He made his own choices and so let it be.

Mr. Speaker, as he spoke in here today, and this has happened on other occasions too, you could hear the empty rage. The louder he raised his voice the more hollowed the rage sounded. You could see that he was speaking from his throat up, nothing was coming from the heart and that concerns me because there must come a time when in your political life you decide that you will call a spade a spade only if it is a spade, but if you are going to get up and in the manner of a semi-demented King Lear just shout out I will do such things, what they are I know not, but there shall be the terror of the earth, is hollow rage. The Honourable Member does have some modest oratorical skills but the metal of his oratory has been hampered out so thinly that what he now has in breadth, he has sacrificed in solidity and depth, and that is what we have in St. James Central. I know that the Honourable Member for St. Michael North East is very glad to hear me say that. She was wondering how to put it herself because she feels the same way and

she was... about it herself so I have helped her and she is going to take it from there.

Mr. Speaker, the other issue that was raised has to do with this passion for the workers of Barbados. Now, I am very glad to know that the workers are taking centre stage. I made my first political speech in Barbados in August 1994 in Independence Square before as large a crowd as I have ever seen at a political meeting in Barbados and on that night I defined myself in politics, I said in what class I was born, I said in what class I am now located because of education and profession and all of that and I said that when your class of origin and your class of location come into conflict you have to choose which class you are going to support. Mr. Speaker, I said that since I was the son of a maid and an artisan I had entered politics to promote the cause of the working class, and I have not deviated from that from 1994 until now. In fact, those were my convictions before 1994 so I do not have to redefine myself in politics. I do not have to say, as the Honourable Member for St. Michael North East said in the No-Confidence debate, that oh well whatever happens from here on now for the next ten or 12 years in Government or in Opposition she is going to be supporting the working class and the poor. I do not have to make those declarations. I made those declarations when I entered politics in 1994. Any person who has to be constantly redefining him or herself in politics is really lost and will have some difficulty finding him or herself because you are really in search of self, and I have never had that difficulty at any stage of my life.

This Bill, Mr. Speaker, seeks to correct an oversight of 2004. It has been activated by the written request of the Office of the Director of Public Prosecutions and by the Office of the Auditor General. If this Bill is not passed, a constitutional anomaly will continue to exist on the face of the law in Barbados. If Honourable Members of this House who have a chance to remove constitutional anomalies are comfortable leaving them there, that is quite alright but we have tried. Speaking for myself I think that the Bill

Mr. Speaker, in speaking for myself, I think that the Bill is deserving of the support of the entire House, not because it references only two offices in Barbados, but as the Right Honourable Member for St. Peter made clear in a great speech this morning, because the Constitution of Barbados is sufficiently important, so important that any matters that touch and concerns its amendment should engender a different kind of spirit in this House, not a spirit of partisan rivalry.

Mr. Speaker, as I said, there have been times when the issues have been divisive, in 1974, I sat in the Public Gallery of the House for two or three days when the 1974 amendments were debated, but at that time it was giving a Prime Minister the power to appoint all the Judges of the

Supreme Court and not only the Chief Justice whom he was appointing before; it had to do with other issues, for example, the establishment of a Teachers' Service Commission; it had to do with the Attorney-General giving instructions to the Director of Public Prosecutions. Those were the hot issues of 1974 and they divided the House along partisan lines.

Mr. Speaker, interesting though, having divided the House along partisan lines, the then Opposition Party came to office and every one of those amendments remained intact. In fact, every one remains intact till this day, so that when we go through these exhibitions of mocked indignation and hollow rage who are we fooling? Mr. Speaker, I will say that this Bill deserves the support of the House and I know that it has the full support of Honourable Members on this side but I think we have been justified in bringing it here, it has nothing to do with what the Government's priorities are in relation to other things, it has to do with the fact that the Constitution of Barbados at present has a legal carbuncle protruding from it and disfiguring it, and we need to have that carbuncle removed in the interest of good Westminster constitutional practice and that is the basis upon which I beg to move that this Bill be read a second time. I am obliged to you, Sir.

Mr. SPEAKER: Honourable Members, the question is that this Bill be now read a second time. Of course, as this Bill requires the two-thirds majority, then the House has to be posed the question.

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

On the motion of the Rt. Hon. F. J. STUART, seconded by the Hon. J.D.E. BOYCE, the House resolved itself into Committee on the Bill. Mr. J. D. PAUL, Chairman of Committees in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is now in Committee.

Clauses 1 - 3, inclusive, were called and passed.

On the separate motion of the Rt. Hon. F. J. STUART, seconded by the 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 motions of Rt. Hon. F. J. STUART, seconded by Hon. J.D.E. BOYCE the Bill was read a third time.

The Bell has been rung, a Division has been called for. The Honourable House divided as follows:

AYES:

Her Honour Mrs. M-J. Mara Thompson,

Hon. D. St. E. Kellman, Hon. R. D. Jones,

Dr. The Hon. D. C. Estwick, Hon. Michael A. Lashley,

Hon. Richard L. Sealy, Rt. Hon. F. J. Stuart,

Hon. John D. E. Boyce, Hon. Steven D. Blackett

Mr. James D. Paul, Dr. The Hon. Denis S. Lowe,

Mr. Adriel D. Brathwaite, Hon. Stephen A. Lashley,

Hon. Donville O'N. Inniss, Hon. Christopher P. Sinckler

Rt. Hon. Owen S. Arthur, Dr. Mrs. Maria M. Agard.

Ayes = 17

ABSTAIN:

Hon. Miss Mia A. Mottley, Mr. Trevor Prescod,

Mr. Kerrie D. Symmonds, Lt. Col. Jeffrey D. Bostic,

Mr. Dwight G. Sutherland, Miss Santia J. O. Bradshaw,

Miss Cynthia Y. Forde, Mr. G. A. Clarke,

Mr. R. St.C Toppin, Mr. Dale D. Marshall,

Mr. Edmund D. Hinkson.

Abstain = 11

THE CLERK: Mr. Speaker, in accordance with Section 49(2) of the Constitution the vote does not meet the threshold of support for passage in accordance with that section.

Mr. SPEAKER: Honourable Members, the Bill has not been passed.

Hon. J.D.E. BOYCE: ... Mr. Speaker, Sir, with this we have come to end of Government business for the day, and I beg to move that the Sitting....

MR. SPEAKER: Just a minute, Honourable Member. That other matter that came down this morning, is it something that has to be read?

THE CLERK: No, Sir.

Hon. J.D.E. BOYCE: That is a Resolution.

MR. SPEAKER: Yes, Honourable Member.

ADJOURNMENT

Hon. J.D.E. BOYCE: Mr. Speaker, as I was saying, I beg to move that the Sitting be adjourned until Tuesday, August 9, 2016, at 10 o'clock in the morning. Mr. Speaker, speaking briefly on the Adjournment, this is a tradition which we have become accustomed to, of course. The celebration of the Crop Over Festival in Barbados will be more or less culminating during the interim period, and I certainly want to be associated with all the very best wishes to all Barbadians in this very important celebration of the year. I want to wish, of course, that all those who participate do so in the spirit of good Barbadian culture, enjoying and ensuring that the fullest expression of art, culture and glamour become a marked part of this celebration. However, at the same time we need to be constantly mindful of the need for safety and the need to ensure that there is not over-indulgence. I speak, Sir, of over-indulgence of any kind, be it over-indulgence in celebration or consumption of good food, because we can over-consume good food. Certainly, we want to urge the non-over-indulgence of the consumption of alcohol, especially at this time of celebration. Therefore, Sir, I want to wish all Honourable Members a healthy, interesting and happy Crop Over break, and extend that good wish to all the support staff here at the Parliament of Barbados. I want to associate too, as I am sure all Honourable Members both on this side of the House and on the other side, would want to join me in wishing Barbadians a truly successful Crop Over celebration. We certainly look forward to entertaining our visitors and, again, demonstrating the very important and customary Barbadian way of making our visitors feel welcome and happy. Sir, I therefore beg to move that the Sitting be adjourned until Tuesday, August 9, 2016, at ten o'clock in the morning.

Hon. M.A. LASHLEY: I beg to second that, Sir.

MR. SPEAKER: Yes, Honourable Member.

Miss S.J.O. BRADSHAW: Thank you, Mr. Speaker. I too would want to take this opportunity to wish each and every Member certainly a safe and enjoyable Crop Over, and in particular to all the persons who will be participating in the upcoming festival; both persons locally and those coming from throughout the region and further abroad. Barbados' Crop Over has now become very significant in terms of the carnival circuit, and I believe that those participating in the festival look forward to it each year to be able to not only make a little money but also to revel and enjoy themselves. Obviously, there is a time where

people are particularly concerned about their safety, especially in recent times with all the discussions about crime in the country and so on, and I know that the Royal Barbados Police Force will have its work cut out for it. However, I do hope that all citizens pay attention to what is happening and pay attention to their own safety and, as the Honourable Leader of Government Business would have said, that they do so in a safe and enjoyable environment, certainly not partaking too much in the alcohol but being reasonable in the amount of consumption. I certainly look forward to seeing all Honourable Members on the road for Crop Over, and take the opportunity to wish the best to all the artistes who participate in the annual festival, all the managers, bandleaders, musicians, all those working as vendors and supporting the festival, the National Cultural Foundation, and all of the stakeholders who help to make the festival what it is. Again, of course, I wish the Royal Barbados Police Force well. Thank you, Sir.

The question that the Sitting do now adjourn until Tuesday, August 9, 2016 at 10 a.m. was put and resolved in the affirmative without division, and MR. SPEAKER adjourned the Sitting accordingly.

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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 (number not given), Constitution (Amendment) Bill, 2016. Within the Prime Minister's opening speech the text changes speaker without a new heading: from 'Mr. Speaker, the Opposition has no difficulty with this particular amendment...' to '...with those few words I thank you' (about 850 words) the speaker is a Member of the Opposition, apparently the Member for St. Michael South East whom the Speaker later mentions. The passage is printed under the Prime Minister's label as in the source. Please confirm.

Q3. Government Business. The order number is missing in the source: 'ORDER No. ?: CONSTITUTION (AMENDMENT) BILL, 2016'. On resumption the Speaker refers to 'Order No. 16'. Printed as in the source.

Q4. Minutes. The seconder's speech by Hon. A. D. Brathwaite also contains the procedural sentence 'The question that the Minutes referred to be deferred was put and resolved...'. Printed as in the source.

Q5. Order, Deputy Speaker in the Chair. The source records Madam Deputy Speaker taking the Chair before Hon. A. D. Brathwaite's speech, but not Mr. Speaker's return; later speakers address 'Mr. Speaker' and Mr. Speaker puts the question. Printed as in the source.

Q6. Order, speech labels. The Member for St. Peter is labelled both 'Rt. Hon. O. S. ARTHUR' and 'Right Honourable O. S. ARTHUR'; the Member for St. James Central appears once as 'Mr. K. SYMMONDS'; and the Prime Minister is 'Hon. F. J. STUART' in speech labels but 'Rt. Hon. F. J. STUART' in the procedural record. Printed as in the source.

Q7. Second and third readings. The second reading is recorded as 'resolved in the affirmative without division', although the Speaker noted that the Bill required a two-thirds majority; the division on the third reading (Ayes 17, Abstain 11) then failed the threshold. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met on Tuesday, 19th July, 2016, with Mr. Speaker, His Honour M. A. Carrington, in the Chair; prayers were taken by Father Reverend Mark Harewood, and the Speaker noted the time as 10.26 a.m. The Minutes of 12th July were deferred. The House stood in silence for Mrs. Monica Giraudy, mother of the Member for St. John, and the Speaker welcomed legal trainees from the Attorney General's Office. Hon. J. D. E. Boyce laid the Central Bank of Barbados 2015 Annual Report, and Standing Orders were suspended.

The Prime Minister, Hon. F. J. Stuart, moved the second reading of the Constitution (Amendment) Bill, 2016, which concerned the retirement age of the Director of Public Prosecutions and the Auditor General. He traced the history of both offices and explained that in 1966 they could retire at 62 while other public officers retired at 60, but that after the changes of 1985 and 2004, with the retirement age rising by stages to 67 by 2018, they now had to retire earlier than other officers. An Opposition speaker agreed with the amendment in principle but said the Government should state its policy on statutory corporation employees, given the BIDC matter before the courts. Hon. J. D. E. Boyce said notice had been given on 22nd January, and the Speaker ruled that the exchange of letters between the two sides was outside the narrow scope of the debate.

The Leader of the Opposition, Hon. Miss M. A. Mottley, said constitutional amendments required full consultation, an explanatory memorandum and the Solicitor General's opinion, and argued that the Government sent mixed messages to statutory board employees; on a point of order the Prime Minister replied that their employment rested on contract, not status. The Rt. Hon. O. S. Arthur, Member for St. Peter, gave the Bill his full support as giving effect to a Barbados Labour Party policy, and criticised the Opposition's stance. Miss Mottley rose on several points of order, saying 'We abstain in this matter'; none was upheld, and some of her remarks were ordered expunged.

After the lunch suspension Hon. D. St. E. Kellman, Hon. S. A. Lashley, Mr. D. D. Marshall, Hon. D. O'N. Inniss, Hon. A. D. Brathwaite, with Madam Deputy Speaker in the Chair, Hon. C. P. Sinckler, Mr. K. D. Symmonds and Hon. M. A. Lashley spoke. Mr. Marshall compared constitutional amendments to marriage, not to be entered into lightly; Mr. Inniss quoted James Madison; and Mr. Symmonds said the Opposition was drawing a line in the sand. Closing, the Prime Minister recalled the 1974 amendments, which had divided the House but were left intact by the next Government.

The Bill was read a second time, passed Committee with Mr. J. D. Paul in the Chair, and was read a third time. On a division 17 Members voted Aye, among them the Rt. Hon. O. S. Arthur and Dr. Mrs. M. M. Agard, and 11 Opposition Members abstained. The Clerk advised that under section 49(2) of the Constitution the vote did not meet the threshold, and Mr. Speaker declared that the Bill had not been passed.

On the motion of Hon. J. D. E. Boyce, seconded by Hon. M. A. Lashley, the House was adjourned until Tuesday, 9th August, 2016 at 10.00 a.m., Mr. Boyce and Miss S. J. O. Bradshaw wishing Members a safe Crop Over.