
THE

House of Assembly Debates

(UNOFFICIAL REPORT)

PARLIAMENT 2018 – 2022

HOUSE OF ASSEMBLY

Tuesday, March 9, 2021

At a hybrid (Physical and virtual) meeting of the House of Assembly at the Worthing Corporate Centre on Tuesday the March 9, 2021, at 10.00 a.m. pursuant to the Adjournment.

PRESENT

His Honour A. E. HOLDER, B.Sc. (Hons.) MSW, LL.B. (Hons.) L.E.C. (Speaker) His Honour N. G. H. Rowe, J.P. (Deputy Speaker)

Mr. G. W. PAYNE, Q.C., M.P.

Hon. R. St.C. TOPPIN, LL.B. (Hons.) (Minister of International Business and Industry)

Hon. Miss M. A. MOTTLEY, Q.C., LL.B. (Prime Minister, Minister of Finance, Economic Affairs and Investment, Minister of National Security and the Civil Service)

Hon. Miss C. Y. FORDE, J.P., L.C.P., (Minister of People

Empowerment and Elder Affairs)

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

(Attorney-General and Minister of Legal Affairs)

Mr. T. A. PRESCOD, J.P., B.A.

Hon. K. D. SYMMONDS, B.A., LL.B., M.P. (Minister of

Energy, Small Business and Entrepreneurship)

Lt. Col. the Hon. J. D. BOSTIC, MVO, B.A. (Hons.) (Minister of Health and Wellness)

Mr. E. G. HINKSON, LL.B (Hons.) L.E.C., LL.M

Hon. D. G. SUTHERLAND, B.Sc., M.Sc., M.B.A (Dist.)

(Minister of Youth, Sports and Community Empowerment)

Hon. Miss S. J. O. BRADSHAW, LL.B. (Hons.), L.E.C.,

(Minister of Education, Technological and Vocational Training) (Leader of Government Business)

Bishop J. J. S. ATHERLEY, J.P., B.A., B.Sc., PgD. (Leader

of the Opposition)

Dr. the Hon. W. F. DUGUID, J.P., B.S.S., F.D.S.,

F.D.R.C.S., M.Min. (Minister of Housing, Lands and Maintenance)

Hon. W. A. ABRAHAM, LL.B. (Minister of Home Affairs,

Information and Public Affairs)

Hon. Ms. C. S. V. HUSBANDS, B.A. (Hons.), M.sc. (Minister

in the Ministry of Foreign Affairs and Foreign Trade)

Mr. R. A. THORNE, Q.C. LL.B., L.E.C., Dip. Theology

Hon. I. A. WEIR, M.B.A. (Minister of Agriculture and Food Security)

Hon. A. R. FORDE, RPh. (Minister of Environment and

National Beautification)(Online)

Hon. C. McD. GRIFFITH, B.Sc. (Minister in the Ministry

of Water Resources)

Hon. P. R. PHILLIPS, (Minister in the Ministry of Agriculture and Food Security)

Hon. J. A. KING, BSS (Minister in the Prime Minister's

Office with Responsibility for Culture and the National Development Commission)

Hon. G. P. I. GOODING-EDGHILL, (Minister of Transport,

Works and Water Resources)(Online)

Hon. C. E. JORDAN, B.Sc. (Hons.) (Minister of Labour and

Social Partnership Relations and the Third Sector)

Dr. S. E. BROWNE, M.B.B.S. (Chairman of Committees)

Hon. K. D. M. HUMPHREY, B.Sc., M.Sc., M.P.A.
(Minister
of Maritime Affairs and the Blue Economy)
Hon. R. R. STRAUGHN, B.Sc., M.Sc. M.P.
(Minister in the
Ministry of Finance)
Hon. Miss M. K-A. CADDLE, B.A., M.Sc.
(Minister in the
Ministry of Economic Affairs and Investment)
Ms. T. N. S-A. MOORE, M.
Prayers were taken by Rev. Father Mark Harewood.

Mr. SPEAKER: This House is now in Session.

MINUTES

Mr. SPEAKER: The Minutes of Friday, March 05, 2021.

Hon. D. D. MARSHALL: Mr. Speaker, Sir, I beg to move that these Minutes be deferred.

Hon. J. A. KING: I beg to second that, Sir.

The question was put and agreed to in the affirmative without division.

GOVERNMENT NOTICES

Mr. SPEAKER: The Honourable Member for St. Joseph, you have the Floor.

Hon. D. D. MARSHALL: Mr. Speaker, Sir, I beg to give notice of the following:

1. Resolution to grant the sum of \$17 655 386 from the Consolidated Fund and to place it at the disposal of the Government to Supplement the Estimates for the year 2020-2021, as shown in the Supplementary Estimates No.10/2021.

FIRST READING OF BILLS

Mr. SPEAKER: The Honourable Member for St. Joseph, you have the Floor.

Hon. D. D. MARSHALL: Mr. Speaker, Sir, I beg to move the First Reading of the following Bill: Liquor Licences Bill, 2021.

Dr. the Hon. W. F. DUGUID: I beg to second that, Sir.

The question was put and agreed to in the affirmative without division.

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

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

Dr. the Hon. W. F. DUGUID: I beg to second that, Sir.

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

GOVERNMENT BUSINESS

ORDER NO. 1 – SECOND READING OF THE ANTI-CORRUPTION AND ANTI-TERRORISM BILL, 2021.

Mr. SPEAKER: The Honourable Member for St. Joseph, you have the Floor.

Hon. D. D. MARSHALL: Mr. Speaker, Sir, this Bill has been with us for quite a few weeks, and hope that Honourable Members would have had the opportunity or would have taken the opportunity to go through it. Mr. Speaker, Sir, it is not intended that this morning's presentation and the course of this debate would be a wide-ranging debate on corruption in Barbados, this Bill seeks to set the institutional framework that we need to put in place to combat it. We have already had several debates on the matter of corruption and I assure this Honourable Chamber that very shortly that opportunity will again arise, and perhaps that would be a great place to take stock of where we are. Regrettably, Mr. Speaker, Sir, we have now to bring back to Parliament the Bill to deal with integrity legislation. You would recall, Sir, that Bill was not passed in the Senate shortly before Parliament was prorogued last year. The Senators then had some concerns and we have taken the opportunity to try to find the mechanism to deal with some of those concerns in a way that is open and that represents the highest traditions of any Parliament, that is, that a Government should never be embarrassed to take counsel from people on views that may vary slightly from ours. The intent is to get to the same place, but it is in the highest tradition of democracy that as the American say, you reach across the aisle sometimes to see how you can improve an instrument. I anticipate that that particular Bill should be back before this Honourable Chamber, certainly April -- I am anticipating April - but possibly as far down as May.

Mr. Speaker, Sir, the Honourable Chamber would recollect, as I have said, there is a suite of legislation that is coming. There is the Whistleblower legislation, that has been drafted and sent to Integrity Barbados for their

consultation. They had it for a few weeks and have sent it back to me not long ago with their comments on the Whistleblower legislation. You would remember that in any regime which deals with corruption that you would want to be able to protect an individual who comes forward, because very often the challenge is that nobody is willing to step forward to say this or that is what is happening. Hence, the Whistleblower legislation is an integral part of that suite of anti-corruption instrument. As I said, Integrity Barbados, the Barbados watchdog on corruption matters have been able to weigh in on it and given our draftspersons some very important commentary, which is now being refined. Therefore, that too will come to this Honourable Chamber in short order.

Mr. Speaker, Sir, we have to have an anti-corruption Bill. The one that we had prepared died in the last Parliament and we are taking this opportunity to tweak that as well. That has also been sent to Integrity Barbados for their comment. We are insisting on following a model of full consultation on these things and their comments came back to me only two weeks ago and we are working to incorporate as many of those comments as we can, that that is to be completed in fairly short order. Therefore, if Parliament takes an Easter recess -- I know some of us are hoping that it does -- hopefully by the time that we come back from that Easter recess I will be able to present this Honourable Chamber with the full suite of legislation which will round out the statutory and legal framework for dealing with the issue of corruption.

Mr. Speaker, what we are here dealing with today is not the framework to deal with corruption but the institutional framework which really has to come in advance, and therefore, rather than holding this back until we bring those other instruments, we felt it was important to get this agency up and running so that when the legislation comes then you would already have the agency there. It makes no sense to enact the legislation and then put an agency in place, Mr. Speaker. It is a counsel of prudence to have the agency in place and have the institutional framework and arrangements settled so that once the legislation and the substantive rules of the game are put in place we would have a team; a cadre of officers who would be ready to work.

Mr. Speaker, you may ask the question: Why are we setting up an Anti-Corruption Agency? Surely we have the Royal Barbados Police Force and they are the police of the country and deal with law and order. Therefore, an argument can be advanced that we really do not need a separate agency. Mr. Speaker, the challenge is -- and it is a very practical one - that the members of the Royal Barbados Police Force are divided into various units and the Financial Crimes Investigation Unit is one of the smaller units in the Force. Officers work very hard but they are a part of a police force -- and COVID is perhaps a good

example, Sir -- which is a unitary institution, so if there is a shortfall here, we cannot say this particular unit is down, as happened in instances during COVID. We have to make sure it is manned, so we have to move officers from place A to supplement place B, so if there is a particular shortage of manpower we have to pull officers from the Financial Crimes Investigation Unit and put them in other places to supplement that manpower.

Sir, just imagine what that would do to an investigation that is at a sensitive stage. It can present significant difficulties. The size of the Unit is also an issue, but when we look at what we have, we recognise that to be able to do some of the careful analysis required to deal with corruption, very often you need to buy in services. With the structure of our Force, buying in services to conduct investigations is something that does not work within the way our Force is set up and run. We know that issues of corruption require an eye to detail and it also requires in many instances the application of skillsets that are not readily available. Very often these are not even readily available in Barbados. I believe that I have said to this Chamber before that in Trinidad after their last election -- not their last one, the one before -- the Keith Rowley Administration brought 30 individuals from the United Kingdom and other parts of the world, swore in all of them as police constables and got them to work on investigating corruption issues.

Sir, that was their strategy but the point I am making is that they had to reach beyond their shores to find specialist people whom it would take to adequately and thoroughly investigate corruption. Mr. Speaker, the fact is that these are not criticisms of our own Force. It is a recognition of challenges that we face as a small country in every single arena: In the fighting of COVID, we have had to rely heavily on the expertise of the Pan American Health Organisation and the World Health Organisation in order to supplement our home-grown resources, which are expert. They are expert, Sir, but it often happens that you need to reach out to get some hands to help you to carry the burden, but then you also need to reach out sometimes when you recognise that we do not have that expertise. We do not have it, so rather than limp along, Sir, we are going this route. I am sure you have seen it, Sir: One of the most tragic things is when a person who does not have the expertise decides he will try and do it.

In our legal profession we see it sometimes. Mr. Speaker, if you were to put me in a criminal court, no matter how much Queen's Counsel I am.... Sir, there is a story about a famous politician of an era past in Barbados. He was a lawyer, they said that if you ever run into problems do not go to him, because apparently a man's bicycle was stolen and by the time the case was finished, the man to whom the bicycle belonged was the one who was locked up.

Asides.

Hon. D.D. MARSHALL: I recognise my shortcomings and I would not try to venture into your areas. While I may be being facetious, the point I want to make is that when we have areas where we do not have expertise, we need to put the institutional arrangements in place so that the expertise can be bought in. The good thing about when you buy in the expertise, certainly in this structure, there will be an opportunity -- in fact, more than an opportunity but an imperative -- to work alongside local people so that the expertise will be transferred and built upon, Mr. Speaker. We believe that in order to be able to adequately deal with the issue of corruption, we needed to move beyond the operation of the Royal Barbados Police Force and establish a dedicated agency that goes to work every single day to deal with these issues, Mr. Speaker. It is vital, Sir.

Mr. Speaker, countries are ranked on various indices for all kinds of things: health, communication, education, transparency and so on, and there is a corruption index. Barbados is on that corruption index and we are probably in the top ten in the Americas, but we have made no significant strides in the last decade. In fact, if you ask me, if anything we were striding backwards. Part of the reason why we have not been able to make any strides on that particular index -- even though we rank probably at the top of the Caribbean -- is because all that we have had is a Royal Barbados Police Force struggling to deal with everything that it has to struggle to deal with, and with a 1929 piece of legislation. It is a wonder we were anywhere at all.

Mr. Speaker, what we are looking to set up is a standalone dedicated agency that investigates corruption and terrorism issues. Now, again I say that these are issues that are currently within the purview of the Royal Barbados Police Force. Sir, it is not the intention of this agency to remove those things from the Royal Barbados Force at all. In fact, it is anticipated that in many areas this agency will work very closely with all of our existing institutions so that this Bill talks about working with strategic partners, and those strategic partners include the Commissioner of Police, the Revenue Commissioner, Comptroller of Customs, Chief Immigration Officer, Director of the Financial Intelligence Unit, Chairman of the Integrity Commission, Registrar of the Supreme Court, Superintendent of Prison, the DPP and the Chief of Staff of the Barbados Defence Force. Now, that should give you a signal Mr. Speaker that these strategic partners, all of whom will operate in a particular sphere of Government and Governmental activity will be working with this central unit so as to be able to ferret it out and prosecute corruption. Mr. Speaker, we have an idea of a police investigation and they go and knock on a door and grab somebody and the next thing you know they are before the

Courts and get trial and sentenced or something like that. The one thing that we have to recognise is that people who are engaged in corruption are very sophisticated. They often do not leave fingerprints. You have to follow the money and following the money require Court orders because you cannot just show up at a bank and say let me see so and so bank account. It does not work like that and knowing how much is in it does not help you an awful lot unless you can trace where it came from. Corruption is intensified in terms of its intent on being hidden when foreign accounts are used, so these strategic partners are all going to be contributors to the exercise of any investigation. Hence, it is not intended to stop the Police Force from doing its investigations on corruption, it is not intended to stop the Police Force from continuing its good work in the area of terrorism. However, we have as a Government to provide additional resources to give things that additional focus that they need so that at the end of the day we get a better product.

Mr. Speaker, I am anticipating that somebody will say this is another Government agency that you are setting up to be controlled by the politicians and so it is going to friends and family and so on. I want to urge those people who might begin with that statement or idea to look very carefully at the arrangements within this agency. Clause 18 is to be headed by a Director-General and that Director-General is only capable of being removed from office.

Removal of Director-General

18. *"The Director-General may be removed from office*

a) for inability to discharge the functions of the office, whether arising from infirmity of body or mind;

b) for incompetence;

c) for misconduct;

d) if he becomes bankrupt;

e) if he is convicted of any offence involving dishonesty or moral turpitude;

f) if he fails,

(i) without reasonable excuse, to carry out any function conferred or imposed on him under this Act; or

(ii) breaches his contract of employment."

Now Sir, Part III Clause 14 states,

1) The Director-General shall administer the Agency.

2) The Director-General shall be appointed by the Governor-General by instrument in writing on the recommendation of the Prime Minister after consultation with the Leader of the Opposition.

3) The Director-General shall be appointed for a period of three years and shall be eligible for reappointment.”

Hence, what do we have? The appointment made by the Governor-General on the advice of the Prime Minister after consultation with the Leader of the Opposition. It shall be an appointment for three years and the person shall be eligible for reappointment. What this does, is essentially binds the Crown to the Director General and binds the Director-General to the Crown for a period of three years and during that three years, he or she can only be removed from office for these limited reasons. Hence, if you fall out with the Government, too bad, we do not get to remove you. If you are looking into someone in the Government personal business, too bad, we do not get to remove you. This office is not established in the Constitution, it is a new office, but we have taken care to provide the kind of protection for a public servant that the Constitution provides for people like the DPP, Judges and the Auditor General and so on. Those offices are considered to be so important and inviolate that they have constitutional protection where you can only remove them for misconduct. In this instance essentially you would have to find that the Director - General was guilty of misconduct in order to be able to remove him. You cannot suspend him because you do not like what he did. You cannot remove him from office because you do not like what he is doing. Now, they are some people who believe that Government should have free reign in everything, but the fact is a responsible Administration has to understand that accountability is paramount and sometimes to ensure that accountability you in fact have to hobble your action and your ability to act. I am not afraid of us attributing and bestowing this particular officer whoever that person may be with protection, security of tenure that approximates that of other individuals. It is not the same thing because we are giving the person a contract. Part of the challenge is governance is always leading and there is the possibility that the person who is chosen might not quite work out, it happens every day. While it might be convenient to pivot and say well thank you we should part ways, we had to recognise to be able to do that we would really be making this person excessively behold into an Administration and therefore you would not have the kind of transparency and independent action that we want to see happen. Therefore, this security for these three years of the Director-General is important.

Now, Sir, we do not reinvent the wheel if we do not have to and as we look to this agency and try to see how it would work, we drew extensively on the Jamaican

experience, because the Jamaican experience has a major organised crime agency that is established in Jamaica that works independently of their Jamaican constabulary but in a collaborative way, and the responsibility of that agency is to investigate major organised crime in Jamaica.

They have similarly imbued their Director-General with the clothing of protection from being sent on his way. We have drawn from the Jamaican experience and feel that that is a model that we can usefully adapt for Barbados. What is the function of the agency? Mr. Speaker, the function of the agency reads as follows:

(8). (1) The Agency may investigate any corruption and terrorism or any suspected offence which appears to the Agency on reasonable grounds to involve corruption or terrorism or to relate thereto where it appears to the Director-General

(a) that the crime

(i) is transnational in nature; or

It is not just that is must be an act of corruption. It might also be an instance where there is something that involves corruption as one of its elements or that relates to corruption. This happens where the Director-General is of the view that the crime is either transnational in nature. We know that corruption now is cross-border just like trade.

It continues to read as follows:

(ii) poses a significant threat to national security or public safety; or (b) that there is good reason to do so for the purposes of investigating the affairs, or any aspect of the affairs, of a person.

One of the powers of the Director-General will be to require the person under investigation to produce as such place as may be specified any specified documents or any documents of a specified description which appear to the Director-General to relate to any matter relevant to investigation. Sir, let me say that this is an important power. It is so important, Sir. I have told this Chamber before that we have an ongoing relationship with a team of experts who have been assisting us in terms of corruption investigations and who are due to come back to Barbados very shortly but the shutdown in the United Kingdom (UK) has caused that to be deferred.

This particular power was so important that it was missing in our first draft and our consultants sat around the table and determined that part of investigating corruption offences in the UK was the role that the power to demand documentation played. Let me tell you what my experience as Attorney General has been over the last three years. We have sought to get documentation from individuals and

they have refused to give them. These are individuals who have said that they wanted to cooperate with us. However, they have refused and we have no easy power other than a search warrant, and search warrants only issued in particular circumstances, so at this level, we have no way of accessing vital information.

This power which is used quite extensively in the UK by their authorities allows the individual investigating the corruption to demand from anybody, and when I say “anybody” I mean they cannot come and demand people who are not connected but in a course of investigation, they are entitled to demand from a person under investigation to produce documents. If they do not produce the documents, then consequences will follow. Sir, happily for us today a lot of things are stored electronically, and these documents will also relate to electronic records. Access to that information is vital, so this will allow the Director-General to demand from a company to see the accounting records, bank statements, to see how the money was moving and the \$200 000 cash withdrawal that was made. The Director-General can demand to know what was done with it or maybe received \$200 000 in cash but did not deposit it because no trace of a deposit can be found.

Where did it go? What did you do? This ability to demand records or consultants in the UK said that it is vital that this power is vested in the Director-General if he or she is going to be effective in terms of carrying out investigations and so, we have incorporated that power here. This is not to say that the power for search warrants is not important and that is preserved here as well. When you demand documentation, the person has to provide it but if you have to execute a search warrant, then you have to go and search for it. There is a big difference. There is a big difference because with the search warrant he can stand and fold his hands. I believe the Speaker would attest to that.

A search warrant allows you to search. You can come and search all you like. If you do not find it, that is your problem because that is what a search warrant is. It is a warrant allowing the authorities to search, so more often than not when the authorities are searching, they tell you to go sit away from the area. However, that by its nature is not an effective tool in terms of what we are trying to achieve here because when a forensic specialist comes in to do an analysis of a company’s books it is not what we want or need.

What you need is to be able to instruct that you want to see the documents which you will list such as bank statements, deposit slips, withdrawal slips and financial statements, et cetera. You demand it. If it does not come, then you can go after it. One operates on the basis of specified documentation while a search warrant is more like a scattershot approach. In the case of corruption, Sir,

we would avoid the scattershot approach if we can. In this Bill, we provide that the Proceeds and Instrumentalities of Crime Act of 2019, one of the early pivotal pieces of legislation that we passed will apply to this Act. Let me tell you the significance of it.

It bears repeating, Mr. Speaker. There are people engaged in corrupt practices who have to find a way to do something with the money. They will put it in a car sometimes, a house or a whole set of stuff. The Proceeds and Instrumentalities of Crime Act allow the authorities to reach back into your affairs for 20 years and try to discover whether there are any assets for which you have no proper explanation. If you have no proper explanation, then it allows the State to seize those particular assets simply because you cannot tell us where it came from. You cannot point to any inheritance. All of a sudden an individual earning \$2 000 has a big house someplace that he or she got last year. How did you get it? Where were the savings to do that?

You do not qualify for a mortgage, so where did you find the purchase price? Okay. Those kinds of transactions are part and parcel of corrupt acts; therefore, the agency would be able to rely on the proceeds and instrumentalities of crime act to be able to effectively provide a remedy. I spoke earlier about the strategic partners in Section 11 of this Bill. It says:

“A law enforcement agency in Barbados shall take reasonable steps to cooperate with the agency in the exercise of its function.”

So this is mandating any law enforcement agency and we are talking essentially about the Royal Barbados Police Force (R.B.P.F.), but in a sense, Sir, the Customs Department, the Revenue Commissioner through the Barbados Revenue Authority ((B.R.A.), all of our strategic partners are expected to cooperate collaboratively with the agency and provide such assistance as it may, but it also works the other way around because the Royal Barbados Police Force (R.B.P.F.) or the Revenue Commissioner or the Comptroller of Customs may have some idea that there is some corrupt practice going on. The Police may be involved in a substantive investigation and if not the Police, the Barbados Revenue Authority (B.R.A.) may be of a view that there is something happening that needs to be looked at or the Comptroller of Customs. Those agencies are empowered under this particular clause, Clause 11.2 to seek the assistance of the Specialised Anti-corruption Agency so it is a two-way street. In a situation where the Royal Barbados Police Force (R.B.P.F.) may be trying to deal with a very complex financial crime, or maybe trying to deal with a very complex matter involving corruption, but it only has so many resources, it does its investigations through its police officers. That unit now consist of only six people for such an important agency,

highly trained yes, but still only six and they are dealing with all of the financial crimes because corruption is just one of many financial crimes. All of the financial crimes, fraud, embezzlement and all of those kinds of things that agency has to deal with. Corruption is one part of it and so perhaps you are beginning to see why we need a specialised agency, therefore, in a situation where the Royal Barbados Police Force (R.B.P.F.), for example, says well look we have an investigation and it looks like it's going to be corruption, can you assist us with it then this provision at Clause 11.2 and 11.3 allows for an agency like the Royal Barbados Police Force (R.B.P.F.) to seek out the insistence of the anti-corruption unit to be able to come and lend those services. Now the important thing too has to do with your ability to contract for professional services because the unit is intended to be staffed by very few people. We are not going to be hiring 20 or 30 people. The idea is that this unit will be a small, tight, highly skilled unit, but that it will, when it needs to, when it need forensic services, we do not want to end up with four accountants in it. We want the unit to say we need to find accountants who can look into particular kinds of matters and these are the people that we are going to engage. If it is a different kind of thing, they will engage those people so this unit will be able to buy in those resources to assist in investigations. It will give those people who are coming in to do investigations statutory power by virtue of being engaged by the unit in a way that the Royal Barbados Police Force (R.B.P.F.) or the Revenue Commission or the Comptroller of Customs will not be able to do so this will bring tremendous flexibility to what they have to do.

Sir, let me talk about accountability because accountability is very important. In this agency, and it will be a body corporate, the Director-General has to make sure that he submits a plan at the start of every financial year, setting out exactly how the agency is going to be discharging its duties during that financial year. In a way, this accords with the arrangements under the Public Finance where agencies now have to do this kind of work but in this instance, it is not a purely accounting function. It is important for the agency to be able to say this is exactly how we are going to do this or this is what we want to do this year, these are our strategic priorities, this is how we need to operate, this is what we are going to publish so that the adequate budgetary arrangements can be made, but I mentioned accountability and it is in that regard, Sir that this Act pays special attention to the workings of the body.

Under this Bill, an Oversight Committee is established and the objectives of this Committee are to hold the Director-General and other officers of the agency accountable to the public, not accountable to the Barbados Labour Party (B.L.P.) not accountable to the Administration, accountable to the public in the performance of their functions under this Act. That is the first objective of the Committee. Secondly, to provide

independent oversight in relation to the handling of complaints made by any individual. Sir, as long as you have an agency that is doing this kind of thing, there is always going to be somebody who will say, these people are falling short of a reasonable standard. They have abused my operation. They have come in and they have taken documents and next thing you know my documents are all over the internet, my proprietary knowledge is no longer available to me alone. They have disclosed information to my competitors, any number of complaints that can come in, therefore, the oversight is important, but it is also important because anytime you establish a body like this, there is going to be the perception that this is going to be, not a watchdog, but that it is going to be a bulldog that any Administration will sic on somebody that they do not like. That is the reality. There will be a perception that this Statutory Instrument, this institutional framework will be available to be used by the political directorate to go after A, B or C, therefore, it is important to us, as the Administration advancing this Bill that we establish an Oversight Committee which is going to be able to deal with those matters.

Let me tell you about the Oversight Committee, Sir. Oversight Committee is to be found in the Third Schedule of the Bill and it says:

“The Governor-General shall on the recommendation of the Prime Minister after consulting with the Leader of the Opposition appoint seven persons to be members of the Committee. The members of the Committee shall be appointed by Instrument in writing and should comprise:

- 1) A retired judge of the High Court.
- 2) A retired officer of the Royal Barbados Police Force (R.B.P.F.) not below the rank of Assistant Commissioner of Police (A.C.P.).
- 3) A retired officer of the Barbados Defence Force (B.D.F.) not below the rank of Colonel, and
- 4) A minister of religion, each of whom shall hold office for a term of five years and then it will also be constituted by three other members recommended by the Minister responsible for Defence and Security from persons with expertise in the following areas: financial matters, anti-corruption matters and public procurement matters, each of whom shall hold office for a period of three years.”

In this Committee, the Governor-General appoints the Chairman in his, but in this case, her discretion. Hence the Chairman is not appointed by the Minister or on the advice of the Minister, the Chairman is appointed by the Governor-General at his or her discretion. The reason why

it is staggered, some five years, some three years, is to ensure that there is always some continuity in terms of the Oversight Committee.

Mr. Speaker, this represents a new tool in our arsenal and it is intended to fill a breach that I believe the public of Barbados recognising has long been there. Corruption is something that is, I could say like a thief in the night, I suppose, but I am trying to conjure up an image of a crime that happened in the dark almost, behind closed doors, and the parties are bound by a code which causes the one to keep quiet about the other because if I disclose a corrupt act then it is a good chance unless I am a whistle-blower that I was involved in it too so because corruption takes two or more parties everybody who is a party to it is as guilty. There is no innocent party in corrupt dealings. The corruptor is guilty, the corrupted is guilty and the people who receive down the line are all guilty because sometimes it gets that complicated. A person will accept payment and then that payment has to then be used to corrupt other people in the chain, so they are all guilty. These things do not happen by way of check, they do not happen in the open, they do not happen on Broad Street or Swan Street, they happen in secret and in secret places, and therefore if we are going to be serious about the matter of corruption we have not just to pass legislation but to provide proper tools for its enforcement.

We are bringing a new Anti-corruption Bill with a higher, higher, higher level of penalties and greater force of law. We are bringing the integrity legislation and we are bringing the whistle-blower legislation. We already have the Remediation Agreements which allow people to almost confess and avoid, but none of these things will mean anything if we have to rely on the existing institutional structures to be able to do an investigation, the policing and the eventual prosecution.

I am satisfied, Mr. Speaker, that this agency, will have that legal footing to be able to allow it to do so. It will see experts being pressed into the fight, it will see services of outside experts being engaged to help us where we do not have that expertise and as long as it is here it will present itself as a strong deterrent because you do not have to... Anybody who thinks, man when they get around to me, I am not worried about them, they are going to investigate this in ten years, the Police is too busy and all kinds of things, it is not so with this agency. This is going to be a specialised cutting edge agency properly funded. We are going to be laying the Estimates for the year 2021-2022 later today and there is funding in it for this agency to make sure that it is properly staffed. Let me tell you this now, Sir, every single person that is going to be hired to work in this agency must be polygraphed and must pass the polygraph test. Mr. Speaker, across CARICOM - and I probably should just stop and sit - we are trying to put a regime in place where varying levels of authority and

responsibility require varying levels of due diligence. The members of the Royal Barbados Police Force are frequently polygraphed and the people who are hired in this agency to work will have to be polygraphed. Sir, even if you consider the RSS, the Regional Security System, down to the maid at the Regional Security System is polygraphed. You do not get through those doors to work unless you have passed a polygraph test and you are polygraphed periodically. It is not like the Common Entrance Examination where you do it once and never have to do it again. It is that you are subject to rigorous background checks and due diligence on a continuous basis so that we can be satisfied so that the public, the people, the Oversight Committee can be satisfied that the people who are working in it are scrupulously honest and devoted to duty not devoted to party, not devoted to anybody but devoted to duty.

Mr. Speaker, I commend this piece of legislation to the Chamber. I am sure that when once we get it up and running it will then be an easy transition to the enforcement of the legislative regime that we have but it will also be an agency that is accountable through the Oversight Committee and where the highest standards of honesty and probity are going to be required and insisted on among all of its staff.

Mr. Speaker, I do not know that there is anything more that I would want to add at this point so let me thank you for your patience, let me thank the Chamber for its indulgence and I beg to move that this Bill be read a second time.

Hon. J. A. KING: I beg to second that, Sir.

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

Hon. Miss C. S. V. HUSBANDS: Thank you very much, Mr. Speaker. I hesitated because I thought that the Honourable Member for St. Michael West would have wanted to share significantly on this but perhaps he would be coming later.

Mr. Speaker, I just want to start by thanking the Honourable Member for St. Joseph, our Attorney General, for an excellent presentation on the function and purpose of this particular Unit for Barbados and to help Barbadians to be able to safeguard the space in which we live and in which we operate. The Attorney General outlined for us the purpose for this agency, why it is that we need it, what is the rationale and its purpose, what it will do. The Attorney General shared with this Honourable Chamber what are the protections that have been put in place to manage the independence of the persons who will be selected to work with this agency and he shared with us about the functions, how it would work in association with other agencies as

part of an overall network that would help protect the integrity of Barbados, and Sir, I felt completely reassured. I felt reassured because I felt that the necessary time and effort and thought went in driven by a philosophy of our Administration which is the betterment of our people is at the centre of everything that we do and therefore I was considerably heartened by him also taking the opportunity to share what are some of the other pieces of legislation that would be coming to this Chamber and the other actions that would be taken that would allow us to be able to grapple with the issues of integrity in public life, dealing with issues of corruption, dealing with issues of supporting terrorism either deliberately or without really recognising what is happening. We are going to have a watchdog unit that will be able to police what is going on within our borders. This has become very necessary because not only do we need to protect the space in which Barbadians do business -- I will speak on that a little later -- but we also have to be able to honour the requirements and obligations that are demanded of us as we engage the wider global space. In light of the fact that there has been an accelerated globalisation and economic integration, it has made it absolutely necessary that in order to protect trade and the financial system countries must agree to a certain set of actions, a certain of standards, and demonstrate their capacity to be able to regulate, monitor and enforce all that is required of us when we engage with international agencies. Whether it is what occurs under the Ministry of International Business dealing with the issues of our blacklisting and tax havens, et cetera, or what the Attorney General himself deals with in terms of the Financial Action Task Force, all of these things demand that we demonstrate at every turn that we are managing and monitoring our space and can give others the assurance outside of our shores that doing business with Barbados is a good thing because we are managing our affairs with integrity.

Sir, in the Ministry of Foreign Affairs and Foreign Trade our work also touches somewhat on this area as well, because as we engage various organisations -- whether it is doing a post-Cotonou agreement with the African, Caribbean and Pacific (ACP) countries, or whether we are dealing with something that impacts with the European Union, the Commonwealth or at the World Trade Organisation (WTO) if you are looking at investment facilitation and so on, this issue of what safeguards you have in place to protect the proper functioning of trade and investment and to make sure you stamp out corruption become part of the international space and is demanded of us to demonstrate that we are taking care of business. Mr. Speaker, what this does is build the reputation of Barbados as a place in which you can do business. It gives assurances to people who want to invest in our shores.

Mr. Speaker, our Members of Parliament in this Chamber, those who have responsibility for various Ministries, spend a great deal of time planning for how we

are going to attract investment; planning for how we are going to provide jobs for people; planning for how we are going to take care of the security of people's properties, the security of their person and to ensure that fairness and justice exist in the land. All of that would come to nought if we did not have, as part of our arsenal, this Unit to help us deal with corruption and terrorism. Therefore, it is for this reason that we strongly welcome it.

Sir, I was looking at this progression that has been going on in world affairs because from times past there have been many demands being put on nations, big and small alike, including Small Island Developing States, developing countries, countries that are struggling right now to keep their economies. There has been a growing and intense pressure to make all nations conform to certain standards and certain patterns of conduct, and this has come at a tremendous cost to those nations. Truth be told while dealing with corruption is important and while ensuring that the meeting of your international obligations is important, nations with limited resources struggle because often the money is needed for other things and they are forced -- not on their timetable but on somebody else's timetable -- to push resources in a direction to meet an obligation and a timeframe set by someone else.

Mr. Speaker, I have to congratulate the Honourable Member for St. Joseph because when we came into office hardly anything was in place to help us meet our obligations to be able to operate in the international business arena. Things were in dreadful disarray. We were being blacklisted left, right and centre. We were coming under censure left, right and centre. There were so many things that needed to be done to ensure that Barbados could hold its place internationally and demonstrate, by what is put on the ground, that it was ready for business and that it was a place you could trust to do business because justice worked in the nation. Those things were sadly lacking and sadly absent.

Mr. Speaker, I have to say that one of the things which used to pass through my mind - when I looked at all the things that were undone and all the things that were done incorrectly -- and used to make me wonder was this: What did they come to work to do every day? I am referring to the past Administration, because so much was not in place and there were things that could have been done. There are things that should have taken priority, so a great deal of work has been ongoing in this Administration to put a number of those things right. What that does for us is enable us, when we are engaging the international arena, to put our hands up and say, "Yes, Barbados has been able to put this in place. Yes, we have this type of legislation existing. Yes, we have put in place a monitoring unit that would allow us to be able to enforce the things which we have put as standards for our conduct."

Sir, in looking at the progression one of the things that were interesting for me was one writer, who opined that during the period of the Cold War none of this kind of close attention to corruption and putting in place legislation against corruption in foreign places by your domestic enterprises nor any of these things were important 30 to 40 years ago. There was not that same emphasis. The writer explained that developed countries at that time turned a blind eye to things that were happening in developing countries because their interest was in keeping us on their side so that we would not shift from capitalism and democracy over to the Russian side, where we would have engaged communism. Therefore, when they made resources available to us, the high level of accountability that you find today was not as strictly enforced or asked for because they did not wish to antagonise us to cause us to shift where our allegiance and alliance would be. This would have had some impact when we went to multilateral organisations and votes were important, and so on. We were pawns in a particular game.

However, Mr. Speaker, by so allowing that across the world in general, people in the developed world developed a notion that many developing countries were corrupt, badly managed and not able to take care of their own business, and that they needed to play the role of a father figure, enforcer, et cetera. They developed a notion that they had to measure us based on all kinds of indices in order to be able to say what type of country we had. Their first starting point was that these small nations were going to be corrupt. Sir, that has an impact on the investors who exist within their countries; hence, investors want to get the assurance that the place where I am going to put money to do business is the place that I can say if we do some business in and therefore would have required or requested of their Governments to be able to provide the necessary analysis, provide the necessary assessments that they can make a judgment call as to whether it was safe to be able to do business within these jurisdictions. I will show you how it manifested itself at that time during the Cold War. You will remember that back in the 70s, 80s and early part of the 90s you would have a situation for example like tourism, because the world was divided between communism and capitalism. Nations that mirror closely enough the model and practice of some of the American countries were deemed as safe places for people to invest in hotels and for tourist to take the risk to come and to have a holiday. That is actually how Barbados tourism grew because Barbados was seen as a place that was safe to come for a holiday and it was seen as a place in which to receive tourism investment so that you did not get the same type of appetite for example putting hotels in the former Soviet Union. You did not get that same appetite for investment in Latin America, because many of them were seen as dictatorships, seen as communist, unstable, et cetera and therefore people were not comfortable doing business there and they will be seen as being corrupt.

Hence, it narrowed the space in which people were willing to take money, go outside of their borders and establish themselves. Even Asia at that point in time was seen as a place that did not have all the systems in place, were not stable and therefore you are likely to be at risk. Thus, Barbados and the Caribbean are able to attract investment. It was a time when it was easy, people were coming to set up electronic firms, et cetera and we could look forward during that period that every year we could see a number of companies coming to make investments which would provide jobs for our people.

However, over the years, what would have happened is that a lot of the dynamics in those countries that were unsafe, changed, the relationship with communism changed, a number of countries recognising that they needed to build a good life for their people changed their posture and sought to attract people from everywhere, so that we found that China became very attractive for investment, we found Latin America attractive for investment. When I was in my teens, no one knows about Uruguay as a place to go on holiday, no one thought of Chile as a place to go and do business. Those were kept for places that presented themselves as places that were well managed, well regulated, that observed the principles and observed the norms that were similar to those in the capitalist developed world. What is happening now, because there has been that shift, we have a situation where the global economy is so much more highly integrated that the issue of risk assumes greater importance than ever before and hence the global demand by international organisations that countries certain things in place both in terms of legislation and organisation to enforce that legislation to make things safe for business. For this reason, this particular unit is going to be very helpful to Barbados, not just in terms of dealing with the issue of corruption or dealing with the issue of terrorism, but they make Barbados an even more attractive place for us to be able to get investment here in Barbados and we need it.

One of the benefits that we can derive from the presence of such a unit. At the domestic level, a great deal. Mr. Speaker, the first thing is that if we have a proper monitoring mechanism to deal with corruption wherever it is, it means that there will be better management of the resources of our people because whatever corruption has been allowed to run unchecked, economic development suffers and studies have been done to make the correlation between the presence of corruption, the degree it has on the systems of the country and the wellbeing of citizens. Due to those resources are better managed, they are better channelled into the things that are of great importance to the people, so whether it is roads, health care, and school system, regardless of what those services are, when you are able to keep corruption under control. I know the idea is to stamp it out but I do not know if you can always stamp out all, because every time you block a hole somebody may

find another one to open up to get through, so the idea is to have a unit that is flexible and can move quickly to look and see where those new areas are and ensure that they are blocked. Hence, citizens enjoy a better quality of life when they can deal with the issues of corruption.

It also acts as a safeguard as we shared earlier for bonafide investors to feel comfortable to come and do business with us and this provides jobs. Corruption also has an impact on the cost of living, especially if you get high levels of corruption in Government the cost of living is going to go up for the citizen because more money has to be found and it will be found through taxation and the pilfered off in variant ways and this will affect the quality of life of our citizens, so dealing with corruption helps us to guarantee and control the cost of living and the quality of life.

However, I have to say I am really proud of our country and I am proud of our Administration and I will tell you why. In whatever arena I represent Barbados or other members of the Ministry of Foreign Affairs and Foreign Trade, Barbados always wants to ensure that it complies with what is being asked of it, that it has honoured what it was supposed to do in a specific time, that it has paid its fees to be a part of the organisation and that at all times it is doing what is expected of it to do, and so Barbados has an excellent reputation internationally for how it conducts its affairs and how it manages itself and that has put us in very good stead here that when we were going through troubles and issues these past two years we were able to communicate that this Administration is an Administration you can do business with.

However, one of the disadvantages that can occur coming from our eagerness to ensure that we do that which is right at all times can sometimes be overregulation, over inspection, too many obstacles and blockages to get simple things done because an organisation might be terrified that it will come under the censor and displeasure of one of the international organisations to which it must report. Sir, nothing explains that better than what is happening in terms of trying to open a bank account in Barbados. To make sure every 't' is crossed and every 'I' is dotted, and I commend them for wanting to do that. Sometimes it takes so long to open an account. Sir, I remember one day I went to open one and the young lady following her training asked me what I wanted it for. Sir, my mouth dropped open. I was not quite sure what she meant.

What do you mean? What do you want an account for? I want it to put in money. I have transactions. There is business that has to be transacted. Mr. Speaker, it was a challenge. It took close to two months, I believe, to get it open. I appreciate they feel that I may be a Politically Exposed Person (PEP) and therefore they want to do all the necessary checks, but it took a significant number of weeks

in order to get it organised. While I welcome this attention to detail because I know they have to, I welcome the monitoring and regulation. I think one of the things that we have to do is sometimes just look to see if we are doing sufficient to achieve the objective or if in our effort to demonstrate that we comply, we ask for more than is necessary and really impede the progress, movement of the economy and people being able to transact their business.

They are now asking for two pieces of identification and a bill that carries the individual's name on it. If one does not have these things, one cannot open an account. It is making it difficult to do business in Barbados. I think that one of the things that we probably need to look at is to sit and have discussions with several agencies. Let us identify what is sufficient to meet the task of being able to spot corruption or transactions that quite do not meet muster and put sufficient in to safeguard it without choking off the life of the average citizen just trying to do ordinary things in Barbados. I just want to commend the legislation. I am very pleased that we are going to be able to have this Unit.

I am always reminded of the fact that the scripture says, "Righteousness exalts a nation but sin is a reproach." In my younger days, one felt that it was simply to meet the requirements that God would have of us as humans but it is not. It really is about making life possible. Without righteousness, life is not possible. If we look at what is happening presently with people being able to trust the vaccine, it is because they cannot trust that the righteous thing was done in relation to this vaccine. Righteousness makes life possible. I welcome the Unit and the persons who will be selected. I know that we will try to get the very best persons to safeguard this very critical area of Barbadian life.

We can safeguard our future by building a good image abroad and sending a signal that we are a good place in which to do investments, live and retire, and that Barbadians have the assurance that their business is properly conducted, their rights and property are properly secured and that their Government is running and managing their affairs in such a way as to do them good which is the central focus of this Administration; people, their well-being, prosperity and security is at the centre of all that we do. I am obliged to you, Mr. Speaker.

Hon. C. E. JORDAN: Thank you, Mr. Speaker. Just for a few moments, I want to reflect a bit on this matter of corruption and the impact of corruption on the development of a nation. This Administration has in the section proceeding this one spoke to corruption legislation that would seek to root out corruption in our affairs as a country. There was some discussion in the public domain about whether or not we were genuine in our approach to this matter of corruption and if it is that we really wanted to

exercise it from our landscape. The Bill before us is in some regards testament to the reality that this Government is interested in removing corruption and corrupt practices from our landscape.

In recent times, the former Honourable Member for St. George North has been quoted on a few occasions as saying that you cannot legislate a culture. This statement is correct, and I am also reflecting on the statement from the Honourable Member for St. Michael South Central last week in terms of what the focus of our educational and judicial system has been over the years. There is the whole matter of keeping people walking straight and correcting as opposed to encouraging and developing. However, there are some areas in society and in the life of a society where a Government must say and eventually a society must say that this is something we do not want. I agree with the perspective that even as we say definitively that this is something we do not want; we still have to approach the matter in a way that suggests that we want to have people realise why it is that this particular thing is not acceptable.

Why is it so damaging? Why is it so dangerous for a society? I think a lot of that will take place, must take place and has to take place within the context of educating ourselves. We have to share with people the damage that is caused. The damage, Mr. Speaker, goes way beyond what may happen to a person's reputation. Often when we speak to corruption and the damage that is caused, we get to the position pretty quickly about somebody who has been caught and then their reputation has been tarnished. Their relatives, children and friends then become the target of comments which is a kind of response that suggests the negative is in being caught. I want to posit, Mr. Speaker, that the negative in corruption goes way beyond that.

As a matter of fact, the negative in corruption is much more fundamental to development than the impact on a person's reputation or sometimes people use the word "character". As far as I am concerned, that impact is very secondary. There are significant impacts on a country and its development if matters like corruption are not addressed frontally, clearly and in many cases addressed forcefully. The Bill that is before us today, as the learned Attorney General pointed out earlier, is a step in a process and the reason why I say it is prudent that we speak to this matter on an ongoing basis is that sometimes part of what turns off the public is that there is the expectation, very often, that something would be done and that instantly corruption would be addressed and gotten rid of, deleted, to use a technological term, from our landscape. That is not the reality. There is no silver bullet that gets corruption out of a system or out of society. There is no silver bullet that will get corruption out of the Barbadian landscape. It is a process and so there are pieces of legislation that need to be put in place to make sure that we take one step after the other, but what I can say to the people of Barbados is that

this Government has, like Stephen Covey said we have the end in mind and everything that we are doing in terms of structures and the legislation that underpins those structures is for a desired outcome. That outcome is the same outcome that the public has. We do not want corruption to exist in our society. This particular piece speaks to the setting up of the anti-corruption and anti-terrorism agency.

Mr. Speaker, my training makes me loathe to the setting up of new bodies. For quite a while, I have disliked the idea of what I term and what others sometimes term throwing people at problems. That has often been, maybe the easy action, often a costly action, but if it is an action that is not grounded in philosophy and does not have a method to it, then it becomes a waste of time. In this situation, it is necessary that we have a focus on the matter of rooting out corruption from this society and that focus, and I think the Attorney General, the Honourable Member for St. Joseph spoke to it. Somebody has to come to work to address this matter. Somebody has to be focused on making sure that people do not abuse the systems that have been put in place to engender growth and development in the country and use them for nefarious purposes. Somebody has to be focused on that matter and has to remain focused on that matter. There is a cost to setting up a structure like this and this Government has always been very, very open and transparent and will continue to be with the people of Barbados. There is going to be a cost to this structure. I say to the people of this country, those from St. Peter and those from all across Barbados, that as a representative of the people, I have been asked to make assessments on matters like these and share opinion and present perspectives. In my opinion, Mr. Speaker, while I recognise that there is a cost to set up the structure, I also recognise that the endemic nature of corruption and its negative impact on a country and on that country's development is so large that it merits the cost of putting systems in place to address the matter. The Honourable Member for St. James South spoke to one of those costs, increased prices for the average consumer, I also add to that and build on that, Mr. Speaker, to say that resources used in corrupt activities are resources that could be better spent on areas of national development, healthcare, education, welfare activities, activities that Governments would get involved in, activities that third sector organisations, civil society organisations, would ordinarily get involved in but if funds are diverted to corrupt uses, then those funds are not available for these very legitimate, developmental activities and so that becomes a cost to the society. Very, very often the costs, just like the increased prices in the supermarket, those costs impact the people at the bottom disproportionately. Those costs, Mr. Speaker, and I shared this on the day after International Women's Day, impact women to a higher degree because women are those who, unfortunately, society has assigned much of the care work, much of the looking after households' work, and so going to the supermarket is something, even though

we have to get past that, but women go to the supermarket, women are the ones who have to decided that I am going to buy this now, I cannot buy that, I have to listen to the children crying because I cannot get that, there is a disproportionate impact on varying demographics in our society. Those are the costs of corruption.

As it relates to the third sector particularly though, the matter of funding for third sector activities, if ever third sector organisations, which are organisations set up ostensibly to focus on various areas of national development when they get caught up in corruption or corrupt activities the vision of the founders of these organisations is derailed, the vision is not realised and so there are areas of development that go abegging; the cost of corruption. Funds and resources that are siphoned off for corrupt activities and the Honourable Member for St. Joseph indicated that it takes two hands so corruption is never only a police officer, corruption is never only a politician, corruption is never only a public officer, corruption often includes persons in the private sector. I want to say, and I am saying this particularly as the Minister responsible for labour, resources that are used in corrupt activities are resources that could be better used to remunerate workers, in other words, pay workers a little more and there are also resources that could be used to expand businesses so that more people can be engaged, can be employed, can find meaningful and decent work to do. These, Mr. Speaker, are all costs of corruption, costs that I think are too great for a developing country like ours to bear and so the cost benefit analysis says to me that we need to invest in structures to root out matters like corruption.

I think, Mr. Speaker, that the ultimate cost of corruption is the impact on the ordinary people of a society. There is the matter of the ethical and the moral slide that is occasioned by the practice of corruption so that, for example, a person is led to believe that if I want to pass my driver's test at 16 years old, 17 years old, 18 years old and the father or mother or uncle of my good friends knows that and says to me well if you want to pass the test maybe you should give Mr. X or Miss Y a little something so that you get through and so young people - and this is just one example - become introduced to corrupt practices at a very early stage and then we expect those persons who are moving into the workforce, moving into the church, becoming public officers, who move on to become political leaders and those persons who move on to become civic leaders to act in a responsible way when society has already conditioned them to believe that the way to either get through as we say in Mile & A Quarter or the way to succeed as you may say in St. Michael Central or the way to progress is to grease a palm, to give somebody a little something, to turn a blind eye to something, we begin to condition our society in a direction that places a burden on law enforcement down the road but also creates an

environment that becomes toxic to genuine development. I say, Mr. Speaker, that this Bill, as part of the suite of legislation, as part of the journey that this Administration is taking, speaks to an absolutely important matter of creating the agency that will focus on the matter of removing corruption from among us.

Mr. Speaker, I would want on behalf of the people of St. Peter to congratulate the learned Attorney General for the consultative process that all matters relating to rooting out corruption, that that process is taken. It is important to get the views of others. This, just like the selection of persons who will serve, is not a Government matter, this is not a party matter, this is a whole of society issue. This is a matter that we have to approach collectively so that as a friend of mine is want to say whether the person is in a group at the top of Broad Street or the middle of Swan Street all of us are in this together and for the sake of our nation we need to focus our minds and we need to focus our resources on rooting this evil from among us.

The selection of those persons I believe is going to be done in a manner that will speak to independence while not hamstringing the operation of the agency. Often in governance, we have to strike that balance. It is not always easy. There are persons who will find flaws, but I want to commend the process that is encapsulated in this piece of legislation. I think it is an excellent start and that is really one of the things I love about this Government. If at some point in time down the road we unearth a better way this Government has demonstrated that it is not afraid to say we have found a better way and come back to this Honourable Place to say this is the amendment that will make what we have started better and so I want, while commending this Bill to this Honourable Chamber, to also commend it to the public to say that it is a part of the journey and that while no Bill that we have ever brought is perfect we continue to listen to you the people, we continue to listen to the organisations that are in concert on the idea of rooting corruption out of our society and we will continue to build on the platform we have already set to ensure that corruption, its cost and its negative impact does not pervade and permeate our society but that we do all that is humanely possible to make sure that the people of this country can live in a free, open democratic society free from the weight, free from the burden, free from the cost of corruption.

I am obliged to you, Sir.

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

SUSPENSION

Hon. D. D. MARSHALL: Mr. Speaker, I would like to move that this House be suspended for its lunch at this time and that we resume at until 1.45 p.m.

Hon. K. D. M. HUMPHREY: I beg to second that, Sir.

The question that the Sitting do now suspend until 1.45 p.m. was put and resolved in the affirmative without division and Mr. SPEAKER suspended the Sitting accordingly.

RESUMPTION

Mr. SPEAKER: This Sitting is resumed. Prior to the Suspension for lunch this Honourable Chamber was debating the Second Reading of the Anti-Corruption and Anti-Terrorism Agency Bill, 2020. To this we shall return. Honourable Leader of the Opposition.

Bishop the Hon. J.J.S. ATHERLEY: Thank you very much, Mr. Speaker. I shall try to do this as quickly but as meaningfully as I can. I believe that all of us here and most people outside would welcome the passage in this House of any legislation that addresses properly the ugly feature of corruption in our society, in our economy, in our politics, and does that in a very meaningful and effective way. I do not know I stand to be critical in a negative way of the legislation, but I want to start at this particular point where I make reference to a thought shared by the former Honourable Member for the St. Thomas constituency, a former Attorney General in a Cabinet of Barbados and a Chief Justice of this country. It is this:

“Legislation can provide, if it is properly structured, the infrastructure that gives a regulatory framework to whatever it is we want to create. The final piece of the puzzle with respect to legislation which is intended to be anti-corruption is the existence of personal integrity in politicians, in public servants, in public officials and, of course, persons in the private sector.”

Sir, those are the thoughts of Sir David Simmons. One can agree easily with that, and whereas we do have to critique the legislation, I am more often given to a focus as to how people perform in the context of the existence of that legislation or the absence of it and the level of integrity that attaches to the processes that we create and the institutions which are supposed to be products of that legislation in pursuit of the objectives nobly underlined, and many of them underlined today by the Honourable Attorney General. We have to recognise, of course, the potential threat to our practice of democracy, our democratic systems and our democratic culture. That is perhaps one of the first bases from which we start when we

start to think of, contemplate and formulate anti-corruption legislation; what is the potential threat to our system of governance that we want to ward off?

Sir, we must of course identify the dynamics which will diminish and erode the measure of institutional integrity to which the country aspires, because to a large extent democracy is about the effective and proper, wholesome functioning of institutions. If that is not in place or if that is not a practice which comes normally, most people lose a sense of confidence in those institutions. When those institutions are no longer credible, then our system goes awry, our culture is in trouble, our people suffer and the country declines. We have to be careful about identifying those threats and fortifying the kind of architecture that would work against those threats but would also work towards the building of something substantial upon which we can platform whatever we are seeking to call into being in a positive way with reference to nation-building.

Sir, I note that the Honourable Attorney General promised that in the not-too-distant future we can anticipate whistle-blower legislation to come to the Parliament of Barbados. Of course, we wait with almost bated breath for that. We want to anticipate its coming in a positive way because we believe that it is critical if we are going to properly construct an architecture of substance and a force and one which has efficacy. Then, of course, we have to make sure that other important strands of legislation are also in place and the whistle-blower, what is called protected disclosure legislation in other places, even the Caribbean, is put in place. We are very much a part of a culture where things fall off the back of trucks, especially trucks travelling by route of Bay Street; or it used to be Bay Street. Yet we find it so difficult. I am talking about Bay Street, not George Street. The culture is that things fall off trucks heading through Bay Street, and it is so easy for things to fall off the truck. It means that people are aware of what is happening and want to get the warnings out and put the public spotlight on what is happening, but we come with some measure of difficulty to the business of putting in place protected disclosure, whistle-blower legislation and such that carries with it significant incentives which will ensure that people are willing to participate and not be disinclined to do so, along with sufficient prohibition that when people blow the whistle and people bring things to the public eye and public attention and the attention of the authorities, they are not made to be victimised and made to suffer as a result of their actions in the interest of the wider public.

Sir, we look forward to that legislation coming down the road for us in the not-too-distant future. Akin to that, I did not hear the Honourable Member for St. Joseph make reference to election financing and political party financing, but I believe that is also or should also be

critically a part of that architecture that works against the practice of corruption in Barbados. We have to find the proper means of financing political parties, and I do not even want to dwell too long on that because it upsets me a bit; and not for the reasons that some people might think. We have to find a proper way of financing.

Asides.

Bishop the Hon. J.J.S. ATHERLEY: Were he our financier we would have been in serious straits, not only now but previously as well. We need to have party financing and we need to have proper election financing. People need to be fully dissuaded from the view that you can support a political party with the absolute assurance that if they win and become the Government, then it is your day to enjoy the sweets to the exclusion of others, and that because they have won with your support you have a muscular arm around their necks and you choose when they breathe or otherwise, and when they act they must act in your interest. People need to be dissuaded from the type of belief, so we need electoral financing dealt with; I did not hear that being mentioned as part of the suite of legislation which is coming, and again I repeat: We need that, especially now. I have to tell you numerical composition and configuration of this Parliament is an indicative factor in one coming to a conclusion as to why we need that now because I believe the imbalance that obtains in this has to be corrected and the imbalance that seemingly obtains in the Barbadian political context today needs to be addressed. The business of election financing and party financing can go ways towards helping us to ensure that there is a proper balance obtaining here. I hope that perhaps will be and can be a part of the suite of legislation which is come down in a few months.

We have talk a lot about the business of contracts and the culture that obtains again around the award of contracts in Barbados with some measure of scrutiny other without any scrutiny at all, some in the context of the regularly existing phrase, some just outside of that. These are things which can be manipulated, you just have to be a few dollars off-mark and to make it go the way you want it to go and to operate outside the intended frame of the legislation. The business of a Contractor General as a position and the legislation I will support to that is another element that is always considered when a nation state to the extent that we are developed is serious about our building out of infrastructure architecture against corruption when those things are significantly included and of course access and freedom of information. We talk about these things so many times and I mentioned them again today only because it shows us that a suite of legislation will shortly come once he has his way. The Honourable Attorney General did not identify specifically for us some of these elements and I do sincerely hope that they form part of that which is to come.

Mr. Speaker, I am concerned about the independence of agencies. This legislation seeks to establish an anti-corruption agency. We have to be concerned about the level of measure of independence attaching to agencies and the resource accorded these agencies in the context of the legislation which we bring here. Many times those institutional entities that we create fall prey to either the political process or some other processes which are mighty and which do not necessarily serve to enforce the ends to which the entities themselves have been created.

Mr. Speaker, in Part II Clause 3 of this Bill states

Principal objects of Act

3. *“The principal objects of this Act*

a) are to establish an Agency which will have sufficient operational independence and autonomy and be dedicated to combating corruption and terrorism in collaboration with strategic partners and law enforcement agencies, whether within or outside Barbados;”

The emphasis here is a primary one and at least it is in the Bill. Well, many times stipulations make the way into the documentary context but in the operational aspects of the life of those entities, we do not see it play out. My concern would be that the agency which we seek to establish does not only in word but indeed as well have a sufficiency of operational independence autonomy that it can properly serve the ends for which is intended.

In Part II Clause 13 on page 17 which head Ministerial direction states:

1) “Subject to the provisions of this Act, the Minister may, after consultation with the Director-General, give to the Director-General such policy directions relating to the exercise of his functions as appear to the Minister to be in the public interest, and the Director-General shall give effect to those directions.

That is wording which is acceptable, that is wording which is alright in the context of the document, but sometimes there is grey area around this business of the phrasing which is always used and that is they “give to the Director-General” and that is the Minister has the power to give to the Director-General such policy directions relating to the functions of his office as may be considered prudent and necessary. Now, in the hands of a person not properly disposed, that which is intended to serve our better interest as a country can be corrupted such that the communications and directions or coming from the Minister of the day and Director-General, in this case, will be such as narrow interest may be sourced and not necessarily the wider national interest. We want it to be clear as to the fact that it is policy directives and not operational instructions to be

given. It has not been unknown that Ministers under the guise of this use cross the boundary step of the crease and hold fairly significant sway over public functionaries in this capacity such as this and it affects the office and the entity. Hence, I would have to register some of those concerns, also if we are talking about the business of independence of the entity of the office. I recognise that not too long ago, I think it was the Honourable Attorney General who led the presentation of this legislation, I might wrong, or maybe it was the Honourable Member for Christ Church East Central, but it had to do with the position of the Central Bank Board and the position of the Governor of the Central Bank and it was thought prudent in pursuit of the objective of ensuring that the Governor of the Central Bank was not a preacher of the Minister of Finance wholly and solely own by him was not operating as a subsidiary of the Minister of Finance. The tenure of service for the Governor of the Central Bank was extended beyond the limit of a political cycle to move to six years and it was specifically stated then that we want to make sure that the Governor is appointed for six years so that the political Administration of the day could not abuse its power and be rid of him if they were at odds with what he or she was doing. Hence the length of that tenure was set outside the parameters of the five years cycle of Administration made to be six years. With this one here according to Clause is three years and the person is eligible for reappointment.

Now, the Honourable Member for St. Joseph did stress that there are inbuilt mechanisms with respect to the removal of that functionary and that it is not easy so to remove that functionary by (inaudible) of political whims and fancies. Therefore, they want to strengthen that aspect of the legislation but I question why only three years and not six years. There may be some sound reason for it, if so, maybe that could be shared with us by somebody from the other side.

The other issue has to with the funds of the agency and that is in Clause 24 which states:

“The Funds and the resources of the Agency shall consist of such funds as may be appropriated for the purposes of the Agency by Parliament.”

This is a standard but it has to be a process by which those request for funds get to the Parliament and I know that there is an independence attaching in a limited way to the process by which for instance the vote for the Office of the Auditor-General passes by Parliament as part of the Estimates which we are due to debate. The question would be the method by which the process under which the funds requested for the operation of this entity will find its way into the Parliament and if before it gets here it becomes overly subject to the scrutiny of the political directorate or the Office of the Ministry of Finance to such an extent that some measure of independence and some measure of

autonomy with respect to functioning and resources are lost. This would be of some concern, Mr. Speaker, to myself. Corruption comes in many forms. One might say in many shapes and even sizes, but corruption expresses itself in various ways. Some are easily seen and some not quite so visible. Whereas an individual from the world of private business may find it his or her business these days to approach a public servant or a political principle and offer a gift in return for some lenience or favour and that becomes an obvious act of corruption. There are some acts that are not so obvious.

If you are a Minister of Public Works, for example, and you know very well that the Cabinet intends in a short time from now to consider and approve a project or policy position regarding a new highway to pass through X district and into Y region, and occasion the passage of much traffic and the opening up of economic activity in that region, Mr. Speaker, if you are a Minister -and I do not know if you aspire to be- who knows the Cabinet is going to go down that road it may very well if you are disposed to being corrupt which you absolutely are not, you may want to say to a business friend who is looking to open up a restaurant somewhere that this may be a very good location with a large parcel of land along there.

Perhaps, it may be owned by Government and who may easily sell. The highway is going to pass through here and economic activity is going to be created in significant ways and, Mr. Speaker, my saying that to you as a Minister puts you in a position of some significant advantage because you can then move in and build your restaurant in anticipation of that project coming through there, the activity and passage of numbers that will attend that economic activity. It could be a restaurant or any form of business depending on what you are into and what the coming roadway is likely to create for you.

You know it but others interested in the same type of enterprise do not know it because you have told your friend, relative or in-law and so, they are properly positioned to build a big, spanking new restaurant, hardware or supermarket in a very strategic location. This is corruption too not so easily seen because no one knew when you whispered to your friend, “Hey, a big housing development project is coming up here. This is where you need to set your business because you stand substantially to benefit from its presence.” No one knows you have done that and it is corruption not so easily seen. This is the one that comes in the dead of the night figuratively speaking. It is the one that comes after dark. The one that walks in the shadows but it is corruption nevertheless.

It is insider information. This is what it is called in other circles dealing with stock and other forms of capital; insider trading. Are we concerned about that? This region suggests that many examples around which this question

has arisen and Barbados is not so innocent anymore, and has not been for maybe the last 30 years with respect to these things. Maybe it goes back further than that. We have seen people locating themselves in certain places and you wonder until you realise. I am serious about that.

Mr. Speaker, take for instance this coming marijuana industry that we are looking to develop. I hear the Chief Executive Officer, I think that is the designation, saying already that there are Barbadians that have entered the field and acquired licences to operate. I do not know who they are. I wish we would be told or could be told if there is not prohibitive legislation with respect to that. Who are those Barbadians who are already upfront and benefiting from an early start in the marijuana industry in Barbados? Who are they? Have they had any advantage given to them by early information being passed to them as to what this Parliament would do?

It is a very serious question. I am not being facetious. I am not even being malicious. I am being true to my responsibility here and raising a question because there are a lot of queries being raised about the marijuana industry in Barbados and the extent to which Barbadians are likely to benefit. Therefore, I think it is a legitimate question to raise in the interest of Barbadians. This is why information and access to information becomes critically a part and a

Hon. I. A. WEIR: On a Point of Order, Sir. Mr. Speaker, just to clarify. The Honourable Member for St. Michael West is misleading the House. No licences have been issued to date by the Barbados Medicinal Cannabis Licensing Authority.

Bishop J. J. S. ATHERLEY: Well, let me rephrase because I was sure I heard that licences had been issued. However, if I am mistaken in what I think I heard, I take that back. Let me say that if and when licences are issued, it would be good if we could get to know to whom they have been issued and it would be good for us to get to know that because, perhaps, it helps us to free ourselves of any view that anyone would have been given a significant advantage and head start because they were aware of where Government was going.

I happen to know that the corporate entity around this business was put in place even before the legislation was passed in this Parliament. This is a fact. If the Honourable Minister of Agriculture wants to challenge on that one he can as well and if I am wrong I would take that back too, but I know that we had a corporate entity registered with respect to the business of the marijuana industry in Barbados before the legislation even came and passed in the Parliament. It was still being discussed in the public arena in Barbados. When I hear officials related to this entity say to us today that licences have been issued or

at least I thought that is what I heard, then I have to ask if anybody that is Barbadian, whether black, white or any other shade or hue, been given an upfront advantage on others because they had prior knowledge as to what was coming down.

I have some concerns about that. Do you think that these things are farfetched and beyond the pale? I heard the Honourable Member for St. Andrew question, for instance, the use of land at the bottom of Orange Hill which was slated for housing. It is now occupied by a big, sprawling restaurant. I do not know about those things. I do not know about the details. I am just being illustrative here and I am saying that I heard the Honourable Member for St. Andrew who is not in his seat now, refer to the fact that land designated for housing for people of rural Barbados and poor people in the constituency of St. Andrew had, later on, found itself in the position of a commercial sector and a restaurant was built.

I have no problem with a restaurant. I am not here to present a brief for anybody except for people of Barbados and sometimes that includes the business community as well. All I am saying to be illustrative is that sometimes people have information which others may not be privy to and it gives them a significant advantage to get a head start that when that happens it is a form of insider trading with inside information, it is a form of corruption. Now Government has on its cards the development of some housing projects coming down and I have asked already for some clarity with respect to these things and the same question will arise with reference to that. If private sectors involved in these planned government housing projects, those who are awarded the contracts or have been already awarded contracts, I would want to know if there was any information given to them upfront so that they can fast track their claims for contracts. Have me shot if you want but I will ask those questions. I would ask those questions because I believe it is a part of the function of this Office and this Parliament and on This Side to those of us to ask and to raise those questions.

I wonder too, Mr. Speaker, about our capacity or incapacity to measure the cost to Barbados' economy of corruption. The Honourable Member for St. Peter made reference to this point. There is a cost attaching to corruption and in our context of scarce resources, in our context of weak earnings capacity, in our context of an over-reliance on borrowing both at home and abroad. We talk about loss in terms of foreign exchange leakage, but there is a cost attaching to some of the contractual arrangements we get into, especially those which are characterised by some measure of corruption, contract costs and the costs of supplies. These things cost small natures such as we, the money has to come from somewhere when it is lost to corruption, and it is coming from the pockets of taxpayers; it is coming from the hard labourers of

Barbadians. Corruption is an ugly thing. Whatever form it takes it has to be rooted out and we have to be able to measure the cost of corruption to us. I recall I read some time ago, if you look at bribery alone, globally, \$2 trillion to \$3 trillion, a significant percentage of global output and that is only bribery, Mr. Speaker, and one wonders the level of which it obtains in Barbados and what is the percentage of our economic output that can be seen in the light of the level of corruption whether it is bribery so our incapacity to measure is something that we have to be able to address and say that humbly, Barbados is a Small Island Developing State. The profile of our economy is a mixed economy, but it is a mixed economy context in which the State is a substantial player especially right now in this Covid-19 context, a lot of the business which is happening (inaudible) Much of the business which is (inaudible) is now being driven by Government coffers whether they would be borrowed or find some other means of generating it, but the State is having to employ a lot of people and I do not want to say just for the sake of employing them, just for the sake that the people can have some economic activity and endeavour that can ease their pain and bring some revenue to their households because it is a very sad situation. I pass these days and I see everyday people on the roads de-bushing doing clearing, I understand that there are about 700 of those jobs. Mr. Speaker, you are my political neighbour and I hope you got because I did not get any and if anybody in St. Michael West got, they did not get through me and I am the people's representative for St. Michael West and if taxpayers' money is being spent down there, then the person who officially represents St. Michael West should benefit from the privilege of being able to facilitate some of his constituents. I am happy for those who may have had jobs, I do not know, but they may have gotten them through the assistance of someone else who is better favoured by the Administration than I am at this moment, but it is said to be 700 jobs, but it looks to me like 7 000, but however many they are, you could have at least ... I am sure if the Honourable Member for St. James North were in charge, he would have ensured that I got a few of those jobs. The same goes for the Honourable Member for St. James Central and the Honourable Member for St. James South and all other Honourable Members except perhaps the one who now presides and I do not know why that would be, he is a good friend of mine, but not a single one of those 7 000 or 700 or 1 700 or however many, not one, not a fellow, and I was saying this to somebody and he said: "No, nothing on the side, no, no, no, that is not true. I saw some of them working on Barbarees Hill and Barbarees Hill is on St. Michael West." Yes, I have seen them working on Barbarees Hill, I have seen some working on Waterford Bottom, I have seen some working all around the place, but you can bring fellows out of St. Thomas and put them to work in Barbarees Hill and I am sure if the Honourable Member for St. Thomas got to realise that poor Joe did not get any, she would say: "No, no, no, cannot happen" because she is not that unjustly

disposed. The fact of the matter is, Sir, the State has to play a role and a significant role in economic development and economic activity and especially capital development and this Government is giving a lot of attention to that but that being the case then it exposes the country, the Government and the economy to corruption as well so the fact that the State has to play a role, we think of things like public-private partnerships (PPPs) and I have heard voices castigating the last Administration. There are still a lot of questions being raised regarding the last Administration on contracts and public-private partnerships (P.P.Ps) and the issue of corruption being attached to the performance of that Administration by many voices in here and some outside and the reality is whatever Administration leads the country at the time, the entrepreneurial role of the State in our mixed economy context such that we are prime participants and especially now exposes the country and the economy and the political operatives and private sector world to aspects of corruption and those are concerns that we have to have.

Mr. Speaker, we have been operating since 2010 in a context where wages and salaries in the public sector have been depressed. I know this Administration gave a 5 per cent increase in the public sector wage rolls a couple of years ago, but in a context where they gave 5 per cent and took back probably 25 per cent so wages, salaries and public sector people continue to be depressed. Sometimes the private sector borrows from that so that same level of economic financial income depression would obtain in the private sector. Hence we have depressed wages in a context where cost of living, imported inflation, cost of living as a result of taxation or tax increases in Barbados have created a certain scenario. Simply put, the money you are earning for the job you hard do every day is not going anywhere and the money you have to pay to survive for cost of living needs, necessities and in order to meet your tax obligations to the State or to the Government is going in a contrary or counter direction. Mr. Speaker, the kind of tension being introduced there can be summed up sometimes in one phrase, potential for corruption, because the guy who works in a pivotal position in one of them, let us say the tax revenue entities of the Government could find himself or if it is a lady could find herself faced with a situation where bills still have to be met, wages are not going anywhere, cost of living going up, taxes going up things were always tight, now it is a total squeeze, I cannot breathe financially, so the creation of the potential for corruption is there, whether it is the Police, the Customs and Excise Department, the Immigration Department, the Barbados Licensing Authority or any of the other revenue collecting agencies of Government you are dealing with, sometimes it is the political principals, or whatever it is. Mr. Speaker, competition is rife in the business sector and in the commercial sector competition is rife so if I am to get ahead of the fellow yonder then I have to pay what I have

to pay to whomsoever I have to pay it so that I might get up front in this line so to speak.

Mr. Speaker, those are things that create the greater context for corruption and when we put legislation in place though we are lauded for it we still have to be careful as to how those things are addressed because remember that which Sir David Simmons reminded us when I started and that is the architecture may be there and we may put that with all good intentions in place but it is the principles, the people within the system and the integrity attaching to them that creates a concern for us.

We do not want to have our institutional integrity called into question because that is where cynicism is birthed and our democracy is only as strong and as sound and as positively functional as our institutions have credibility. Whether it is the judicial institution, the economic institutions or the political institutions it is only when there is a certain measure of integrity attaching to these things that cynicism can be warded off and the people have confidence in the institutions and therefore I think what we are seeking to do by creation of this entity is to make sure that we have institutions which are credible, highly functional and are sealed off from political interference or any other forms of corruption. We need to see because it is continuing to be a bugbear where statutory corporations and others notwithstanding the passage of recent legislation in This Place ensure that these institutions fall in line with their obligations with respect to presenting financial reports and audited financial reports and it does not continue to be a good thing that institutions like the National Insurance Scheme fall outside of the ambit of that expectation. There are other institutions for many years that do not forward properly audited financial reports and if we continue in that wise the legislation may exist on paper but in fact, takes us nowhere and takes us nowhere in a hurry.

Mr. Speaker, I would not want to trouble the Chamber any further. I think I have made some references to the pertinent points which I wanted to make. The Attorney-General assures us that not long from now we will be having other opportunities to talk about the business of corruption and of course I would need to have something to say then so I will reserve that further opinion ,for now, Mr. Speaker, I give way.

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

Hon. K. D. SYMMONDS: Mr. Speaker, Sir, in what would be a relatively brief intervention I just want to begin by reflecting for a moment on an observation which was made by a couple of Speakers today with respect to the fact that this matter of corruption is all too often cast in the light of being a set of offences committed by persons holding public office. I begin here, Sir, because I really want to try

to help those within earshot of my voice or those who may come across this speech somewhere in Hansard several years from now to understand that there has for a long time been an understanding that this matter of corruption is one in which the whole of the society must take an interest because in fact, Mr. Speaker, the whole of the society is impacted and the whole of the society quite frankly creates the framework within which it takes place. It was a former Prime Minister of Barbados in no less than the Right Excellent Errol Walton Barrow who would have made the point that he that giveth is as guilty as he that receiveth. He made that point in reference to the 1929 Prevention of Corruption Act which is the piece of legislation, as I believe the learned Attorney General has already pointed us to, that governs this matter today. That perhaps, Sir, is a very critical observation because we are now 91-plus years since that piece of legislation passed This Place. You will recall as well as I do Sir that it was a matter that was not only laughable but we in Barbados, not in the Barbados Labour Party but we in the island of Barbados, laughed to scorn a successor Prime Minister who led the last regime who asked this country to accept and swallow the view that there was satisfactory legislation in Barbados to deal with issues of corruption which obviously was a response to the rampant concerns of the time during his period as Prime Minister. He would have asked us to accept that the 1929 Prevention of Corruption Act was all that we should have to rely upon notwithstanding its obviously low fines, short terms of imprisonment and completely antiquated way of treating to this issue, but we have obviously come a long way since then, Sir. I begin on this point because it is entirely important for us to understand that it is all too glib, all too easy, perhaps too trite, for someone to stand in a street corner and point to a public official, that person need not even be a politician even though we tend to take the slings and arrows of outrageous fortune more than anybody else but any holder of public office can be accused but that person cannot by him or herself be corrupted, there has to be a corrupting co-party, somebody got to pay, somebody got to make the offer, et cetera, et cetera and very often that person or those entities are located in the private sector and they have their interest that they wish to pursue.

I begin there, Sir because that perhaps was the most useful observation that came out of the speech of the Honourable Leader of the Opposition just now. I thought, Sir, that he did himself something of a disservice in my view by taking us into these matters of 700 jobs or 7 000 jobs or 17 000 jobs or whatever the figure was and using this serious opportunity to make a clamour for political patronage. That was beneath the office of the Honourable Leader of the Opposition on the matter...

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

Bishop J. J. S. ATHERLEY: On a Point of Order. The Honourable Member for St. James central is misleading the House, Mr. Speaker, or he is himself misled if it is the view that my role here when I stand to my feet is not to represent principally the interest of the people of St. Michael West and then in a wider context the people of Barbados. That is my role here and I trust it is his so when you say you give 700 jobs in St. Michael West and you forget Joe and you forget, I am not talking about Joe I am talking about the people of St. Michael West who sent me here to represent them, I would hope that if it happened to the Honourable Member for St. James Central he would get up and do the same thing and if he did he would find my support.

Mr. SPEAKER: I see no Point of Order. Continue, Honourable Member.

Hon. K. D. SYMMONDS: Thank you, Sir. It would be true to say that even if the people from his constituency got the job, then the fact that there should be gratitude that they got the jobs through "Joe" or Tom, Dick or Harry is really irrelevant. It is important that the people get the work, but that is to digress, Sir, and I do not want to accept the invitation to digress. Mr. Speaker, we have a very serious piece of legislation which is before this House. The Bill generally addresses the feature of corruption in society and it generally addresses the feature of corruption in public life. More specifically, Sir, it establishes an agency whose time, which is an idea, has come. It is an agency that will have sufficient operational independence and autonomy to do the type of investigative work that is necessary in a country and in a region that is beginning to be tormented by a number of very serious crimes and, in fact, atrocities which we as a society and we as a region have to take very seriously.

Mr. Speaker, Sir, some of these modern challenges that are facing us cannot just be brushed aside and they have to be given the full glare and amplification of public scrutiny. It is an important thing for a Government to put itself in a position to be able to respond seriously and sensibly to these challenges. Mr. Speaker, Sir, what has the Attorney General brought to this House today? He is bringing a piece of legislation that more specifically, as I said, establishes an agency which we have to spend a little bit of time talking about, not only because that it seeks to set up a mechanism for doing certain types of work and investigation, but even more importantly, we have to talk about it because we have got to set aside the mischief of people believing that this agency is not -- or is perhaps not satisfactorily or perhaps not sufficiently -- operationally independent and is perhaps not blessed with the institutional credibility and institutional integrity that we would want it to have.

Sir, why do I say these things? Those were the words that were just used by him who spoke prior to me, and it is important that we do not allow these things to confuse the minds of listeners or of subsequent readers, Mr. Speaker, Sir. The region in which we live understands now, in a way that was not thought of in 1950 or in 1960, the concern of growing and increasing cases of child pornography, Sir. It understands, in a way that was not understood in the 1950s and 1960s, narcotics trafficking and the consequences of that. It understands, in a way that was not understood, the consequences of automatic firearms finding themselves within our borders, Sir; they are not manufactured here but they are here, Mr. Speaker, Sir, and they are a plague on our society and a plague on this region. The region, like Barbados, understands the connection between those things and offences against the person, whether those offences be murder or rape or whatever else, Sir. Mr. Speaker, they understand the connection between those types of firearms and terrorism, and even if we did not understand it, we are a literate population.

Sir, we understand that just across the Pond in countries in Latin America -- I do not have to name them, Sir -- neighbours within this hemisphere, a boat-ride away, we have all heard of the cartels. Sir, we have all heard of the narco-traffickers. We have all heard of the massive movements of firearms, Sir. We read of the impact of organisations that have sprung up seemingly overnight and the way in which, in some parts of the developing world, they have seized people's girl children and held them to ransom, Mr. Speaker. It is an impossibility for any serious, small economy not to look at these things and reflect on the reality that those plagues can one day too visit our shores. It would be worse yet if we turn a blind eye to the reality that in some regard and in some cases, those plagues have already visited our shores. That is the reason why this Government has to put itself in a position to be able to respond in a serious way and in an independent way to the fact that some of these issues are already a bugbear in Barbados.

Mr. Speaker, Sir, the Bill before the House has enshrined within it the provisions for operational autonomy that the Leader of the Opposition questions, and it makes those provisions very clear. Mr. Speaker, they begin by making reference to how the Committee and the Office of the Director-General will be funded, and as the Leader of the Opposition quite rightly points out to us, it will be done via the standard route of the Parliament of this country. Mr. Speaker, it goes beyond that, and the concern I have with the speech of the Leader of the Opposition is that he must not allow people to interpret him as suggesting that we have not, or this Bill has not -- modelled as it is on the Jamaican legislation which is a lived reality in Jamaica -- gone far enough in order to ensure that we have properly protected the Office and properly protected the institution which we are creating.

Mr. Speaker, what has happened? We are talking about a Director-General who cannot be removed easily. He is no operating subsidiary of anybody, Sir. To remove the Director-General, you would have to be able to establish a number of things, one of which is that he has a mental health disorder. It is not that you can fall out with the political class of the day or the Government of the day and you just disappear. You have to be able to establish that the person has a mental health disorder or that he is bankrupt or that he has been convicted of an offence involving dishonesty, Sir; not that he and the Attorney-General do not get along or that he and the Prime Minister had a noise or row. You have to be able to establish that he has been proven to have brought disrepute to the agency that he leads as a result of dishonest practices in which he has involved himself, Sir.

This is not a nay-nay, willy-nilly thing where, by virtue of some whim or fancy of the political elite, you can remove a person with whom you have taken displeasure. That is the first thing we have to settle. Mr. Speaker, the second thing that needed to have been addressed if we were going to have a serious and sensible and mature discussion on this matter would have been that the legislation is making provision for a major anti-corruption oversight committee. It is not that you will have a Director-General one-man band in charge of everything, but he works in conjunction with an oversight committee, Sir. It is incredibly important to understand that even as we hear in this House about the need for integrity and credibility, that Committee by virtue of this proposed piece of legislation which I am holding in my hand here is to be appointed by Her Excellency the Governor-General of Barbados upon the advice of the Prime Minister of Barbados after consultation with the Leader of the Opposition, Sir. For the Leader of the Opposition in any country to seek to “pooh-pooh” or to make light of the institutional integrity or the institutional credibility of a process that appoints its Members by virtue of the appointment of the Head of State on the advice of the elected Leader of the State after consultation with the Leader of the Opposition himself, Sir, is a shameful thing.

I am sure that when the Leader of the Opposition reflects on this speech of his today some time tonight, he will cry shame on the Leader of the Opposition for making such types of references about a process that involves his office, Mr. Speaker, Sir. It goes further. The Committee itself, if you want to have conversation with this nation about institutional integrity then you have to speak about how the Committee is constituted. Mr. Speaker, are they yard fowls of the Barbados Labour Party? Are they ‘no no’ supporters that we raked up and scrapped up and said come and sit down on a Committee? Is it built out of political patronage that you canvased for me so I will give you a little pick? Mr. Speaker, it is none of that. The Committee is comprised of the following, a retired Judge, an Assistant

Commissioner of Police, a retired officer of the Royal Barbados Police Force of a higher rank than the Assistant Commissioner. Sir, listening to what we just heard you would not have thought that this is how the Committee is comprised. It is to be comprised of a retired Colonel of the Barbados Defence Force or officer of higher rank. It is to be comprised of a minister of religion. It is to be comprised of persons who have expertise in finance, expertise in public procurement. Mr. Speaker, I want to pause here on the question of public procurement, because if we are going to seriously have this type of conversation in Barbados, then let us understand the challenges that we have in Barbados genuinely. This is not a partisan thing, therefore it is unfortunate that it began to take on that colour. There some times when the Leader of the Opposition speaks that he must remember that he is seen by some, by virtue of his office as a Prime Minister in waiting. That might surprise him but that is a fact. Mr. Speaker, therefore it is important to understand that when we are talking about public procurement in Barbados, we are talking about an area of economic activity which has presented real problems for this country from time immemorial. The small businessman who goes into a contract must have a sense of certainty that he has equality of treatment in applying to the Government for the contractual opportunity as does the big businessman who may have more financial reach than he does. It is for that reason that we have for all kinds since Independence had successive Governments in here debating this issue over and over again and it has been an ongoing debate and perhaps today is the first day that we can actually see a mark in the sand. Even though this is not a public procurement Bill speaks to the question of how we deal and begin to treat seriously and intangibly to how we deal with public procurement. How do you guarantee fairness and equality of opportunity? It may surprise you to know that in places like Europe they have evolved the public procurement process to the point where when I tender for a contract and I do not get the contract and I feel as though I have gotten unfair, then I have to write to appeal. I have to write to you and say well skipper you did not give me the contract, explain to me why I did not get this contract. Where did I go wrong? Help me to understand how I fail, so that it cannot be an arbitrary or discretionary thing down behind closed doors, but it is an opportunity to empower myself so I know that I did not get this contract because my bid failed in the following material particular ways, I did not do a, b or c and as a result of that, the next time around I know what I have to do if I must stand a chance. That is how you build people up. That is the conversation that I sitting where the Leader of the Opposition now sits, I would want to have left this country.

Mr. Speaker, it is also important to note that there is a structure. When we talk about institutional integrity and institutional credibility. Let us also be fair to the process. This Bill comes with a structure for making complaints, it

comes with a structure for investigation, it enshrines those people who are going to deal with investigations with certain powers and having certain privileges and those again are not willy nilly privileges and powers, power from the sky made up on the fly by the Attorney-General because he wants to fix this thing in a certain way. However, there are enshrine with the powers that exists in the Commission of Inquiry Act. Why? We all know that when this country holds a Commission of Inquiry you are treating to the serious manner in a quasi-judicial way, in a formal setting that is open to the public, which is transparent in process, which is independent of the Government of the day, it is not influenced by political actors, it is not influenced by political operatives and recommendations can come from the Commission or in this case, well yes, the Committee, similar to the structure to the Commissioner of Inquiry and go directly, not to the Prime Minister, not to the Attorney-General, not a Minister responsible for legal affairs, but the Director of Public Prosecution. If it is that a man is deemed after the independent investigation by these people, unless you forget a retired Judge, a retired Commissioner of Police, a retired Colonel of the Defence Force, a retired Minister of Government, and a man who has some special skills in public procurement, a man or woman with special skills in finance. When they have sat down and done their deliberations and they feel that there is an act of negligence involve or a breach of duty of any official, public sector or private sector, then they make the appropriate recommendations. I can think of nothing that would render this process more transparent and more independent of political influence. You have to remove the politician, the governmental actor from the process entirely and you allow it to take its place and having removed it a gap is created, and you fill that gap by an independent transparent process, free of political interference, free of political taint. Sir, therefore, having broken that new ground it is not appropriate for us to be treated to a speech by the alternative leader of the land which takes us way back to if he were in this Parliament debating the 1929 Act talking about what could happen by political interference and whether there are going to be institutional credibility or institutional integrity. Sir, you have helped the Leader of the Opposition to me where in any arrangement that he can think of in this country you have brought that level of independence, transparency and broad public involvement to investigation processes. Mr. Speaker that is the point, so that once again we as a Government are breaking new ground, seeking to empower this society in a way that has not been previously empowered and I think that in all fairness, the choice of using the Jamaican legislation is an excellent one because I do not know of any other in the region which this could be modelled upon. Mr. Speaker, I think that it is a good thing that has happened in this place today regarding that.

Sir, I just want to remind this House that the Leader of Barbados as he then was the Right Excellent Errol Walton Barrow understood why that when he said, "he that giveth is as guilty as he that receiveth." Sir he understood that if you are going to have a conversation about corruption, you are going to have to have a holistic conversation, you are going to have to have a conversation that embraces the reality that it is not about "jucking" at the Government.

It is not about just "jucking" at the Government. It is not about just pelting stones at people who hold public office. It is understanding that there is at the core of this country, as indeed at the core of several other countries, a practice which allows people at the lowest and up to the highest level to believe that you can beat the system or you can massage the system by spending a little money, by offering a drink or by doing something in order to get a little something back for you. As the Leader of the Opposition said and I agreed up to that point that however small or high you go, once it is that you are having that give and take in the process and it is not something that is done on the basis of merit, then you are corrupting the system, Sir.

However, if we are going to correct it, then we have to correct it in a serious way and as I said, Sir, in a mature way that allows us to understand that the private sector has to be taken on board in this journey. The private sector has to be brought to the table in an effort for them to understand that it is wrong to approach somebody who is in a decision-making position and say, "If you do this for me, I will give that to you." There has to be a penalty attached to that. It may surprise, Mr. Speaker, to know that there are parts of the world where in fact that is how the legislation now goes. The person who makes the approach to the public official also faces a penalty and a sanction in law.

Mr. Speaker, whatever we decide to settle on as we go forward because this constantly evolves, it is not that you debate this today, pass the law and there is an end to corruption. It constantly evolves. There has been corruption around for as long as there has been man and there will be a need to police it for as long as there will be man because that is the nature of mankind. Sir, therefore, it is important for us to have a holistic conversation with the State, so that everybody understands the role that they can play. If I were to go on, Mr. Speaker, I would say to you that by creating this committee and bringing independent people to bear on the investigation, you now are empowering another set of individuals who may want to be whistleblowers.

Who may feel uncomfortable coming to complain about one public official because that public official is associated with one political institution and they do not know when the institution in Government will change so, therefore, they prefer to wash their hands of the matter.

They sit down at home quietly but deep inside they agonize that they have information. They know who it is that approached who. They know who it is that went pay money to who. They know who it is that took the money but do not want to say anything because they might get squeeze or lost their little "pick". However, by creating an open independent framework, Mr. Speaker, they now feel empowered to come forward.

Mr. Speaker, that is how the country is expected to evolve. I say all that, Sir, simply to say this. I think that we have an excellent piece of legislation at our fingertips. I think it is carrying us in the direction it needs to take us, and I wish that it had been given the level of seriousness in terms of treatment that it deserves from the other side of this House.

I am obliged to you, Mr. Speaker.

Hon. W. A. ABRAHAMS: Mr. Speaker, I rise to lend my voice to the discussion surrounding the Anti-Corruption and Anti-Terrorism Agency Bill. First, allow me to express my congratulations to the Attorney General. I do not think that anyone who heard the initial presentation by the Attorney-General this morning can be left in any doubt as to what the Bill is about, the scope and reach, the protections in place and what is involved in setting up of the committee. It was perhaps the most thorough and yet interesting presentation of a Bill that I have heard to date, Sir. I wish to commend the Attorney General for that.

Having said that, Sir, we are in the unenviable position in Barbados of our name in recent years being linked with corruption, corrupt practices and corrupt public officials in a way that it never was before. Barbados was that country that held its head high among the other countries in the Caribbean where bribery and corruption of public officials was something that was

almost taken for granted. It was par for the course, I remember in the early days I was in Guyana and we were going along the highway coming from the airport heading to Georgetown. A siren came on and the person who was driving me pulled over their car.

They went into their pocket, put a few bills on their licence and passed it to the officer who stopped them. He looked at the licence, returned it and said, "Please proceed." Having come to Barbados, Sir, I did not have a clue as to what that was all about. I did not understand what happened there. I was trying to understand why the driver was stopped. The driver said it was a taxation point. I asked, "What do you mean by that? What did he pull you over for?" The person was almost embarrassed. He said, "You are from Barbados. You would not understand."

What that was, Sir, and everybody accepts is a hazard is that if you do not pass over your licence fortified with something under it, then the officer would find a reason to charge you such as speeding, failing to stop or something else that a person would almost be powerless to defend oneself against. However, that was a way of life in Guyana. A similar thing happened in Jamaica. We have all these anecdotal stories and the persons from those territories would make the jokes about it. People were not even ashamed. It was a cost of travelling. It was a cost of existing in some of our brother and sister countries.

Sir, most of that to a large extent has stopped. We in Barbados started to be painted with the same brush in the last few years. I have heard people talk today in here about corruption and the cost of corruption, but it is not even simply the economic cost, Sir. Long lines encourage corruption. Inefficiencies in our systems encourage corruption. If there is something to be gained by finding a short path for someone, then there is no incentive for the public official or for those in charge of the system to ensure efficiencies in the system. Efficiencies cut down on the ability to make money by helping people to find an efficient path. Sir, we have these built-in almost systemic inefficiencies in our system that we need to stop.

It is not simply somebody who tells a public official or a public official tells somebody, "Listen, you gine get this contract for \$1 million but send it in for \$1.5 million. You take yours and we are all happy." It is not just that. It is the overt corruption, Sir. It is the overt cost to the taxpayer but each time I go down to the Barbados Licensing Authority and I have to stand up in a line that costs me and everyone else behind me in that line. Every time there is a permit to be granted where the rationale for granting the permit is uncertain, it costs me who is entitled to get that permit and costs others who are entitled to get that permit where someone else gets it that is less entitled than we are or applied after us.

Sir, this is a true story. A friend of mine had taken the driver's test and failed three times. On the fourth attempt, he decided not to leave it to chance and he went in to take his driving licence and was determined that he was coming out with a licence and he did. Two days later he bought a vehicle. I remember it clearly, it was a gunmetal grey Suzuki Swift, and he came to show it to us and collided with the gate coming into Harrison College and we all had good laugh, Sir, because he could not drive. He probably still cannot drive up to now, but the point is, instead of it being that gate, that could have been another human being or that could have been another vehicle, but because the avenue was there and, you know, we say that it is not just the person who is paying it also the person who is receiving, but from the time the mechanisms of State and the perception of our system start to fail us, it is a hard road to come back from there.

When I was a child, I remember really clearly, I was coming up to do my Caribbean Examinations Council (C.X.Cs.) before my A'Levels and my mother, a devout Christian lady, came in for one of those heart-to-heart, mother-to-son conversations and she said to me: "Son, there are two things that would break my heart, if you ever became a lawyer or if you ever became a politician. Find something else to do." I think, Sir, that she had come up on the wrong end of a politician who was a lawyer and I remember, Sir, after A'Levels and I applied to the University of the West Indies (UWI) and I had to advise my poor mother: "Mom, I know you once said to me, you do not want me to be a lawyer or a politician, but I have to break your heart, Mom. I have decided to do law." She said: "Well, it could be worse." Hence, Sir, imagine 10 years ago, when I had to break my mother's poor heart again and say that I was going for the nomination for Christ Church East, but the point of this, Sir, is that politicians and public service persons who should be in an honourable occupation or profession are not painted with a brush that everybody assumes that all politicians are corrupt. Everybody approaching a Government office for a license or a grant or some permission or permit believes that there is a way around the system, so it is not only, Sir, to protect the individuals in the system that this legislation is critical and essential, but Sir, it is also to protect the perception of the system itself. Unless we claw our system back, unless we put in safeguards that make sure people get what they deserve, let the person who is best able to carry out the contract get the contract. Let the person who is best able to do the job get the job. Let a man in the system be paid fairly for what it is that he does do. These are the things that we have to build in, Sir, to all of our systems in Government and quite frankly, I believe, Sir, that we have made a good start.

The other thing, as I look at this legislation. Sir, you as an attorney who practises criminal law, I was about to say a criminal attorney, but that would be again to carry a joke too far.

Mr. SPEAKER: That would be very wrong to say that.

Hon. W. A. ABRAHAMS: It would be, Sir. You as an attorney who practises law in the criminal courts of Barbados know full well that it is not only what is done but it is also what is perceived to be done that often counts. Sir, we have spoken a lot on the anti-corruption aspect of this legislation, but this legislation goes even further. This legislation also deals with anti-terrorism and the anti-terrorism aspect. As one Honourable Member before addressed that we keep coming up against more and more particulars for us to be able to do business, Sir, when you go to open a bank account, it is more difficult to open a bank account than it is to get a university degree. It is, Sir. I, in my latter days, as a lawyer went to open an account for

an estate. I tried not to complicate matters. If I am doing an estate, I open an account for all of the money for that estate so that there is no difficulty in accounting afterwards. I went to open an account for an estate and the person at the bank that I do business with, and where I had seven or eight accounts before, including other estate accounts, wanted two pieces of identification. I said: "But I do not have two pieces of identification on me. Can you not just open it with my Barbados Driver's Licence?" No, I needed to bring in two pieces of identification, a job letter -- I am self-employed -- and proof of address. I said: "But you have seven accounts with me. If I can cash a cheque now, you would give me the money because you know who I am." They said: This is not us. This is what our head office ask us for. This is what the international agencies ask us for because following 9/11 and the reach of terrorism, has crippled the ability of small countries like us who do not have much bargaining power to do business. We keep being asked for more and more details. We keep being judged on how many successful prosecutions of terrorism or corruption that we have done. We do not have nearly what the other countries have, what the large third world countries who would require this of us have so when we do not have the prosecutions to back up what it is that we say we are doing internally, then it looks like we do not have either the enforcement that our judicial system is corrupt or we do not have the legislation in place as opposed to it being that we simply do not have the scale and magnitude of a) corruption or b) terrorism activities that they do have. The only thing that we can do, Sir, is to put all of our ducks in a row. Prove that we do have the legislative framework and we do have the enforcement procedures and the failure to security convictions is not based on a lack of the legislation or enforcement procedures or regimes but simply is based on the fact that we do not have it to the scale at which prosecutions can occur and be completed. To be guilty of a terrorist act it is not that you have to be the person who straps on the bomb, it is not that you have to be the person that goes and blows up the building, it is also if you are one of the people who send money or helps to finance somebody who is involved in terrorism or somebody who is involved in terrorism or somebody you believe to be involved in terrorism or somebody who is a sympathiser or an empathiser to a terrorist cell or other terrorist organisations so you cannot be making donations all across the globe willy- nilly anymore. You need to be careful what it is that you do with your money. You need to be careful where it is you send your money because they are going to trace the donations that you make. A lot of terrorist activities used to be hidden behind anonymous donations. This piece of legislation is not just simply to catch or prosecute corrupt practices within the public service, this piece of legislation is also to give us the tough and the resources to trace terrorist transactions or donations to terrorists or things that fall under the terrorism bracket. We as lawyers know that whole "know your client" requirements that came in and made life difficult. Some of

the questions, Sir, that lawyers, accountants and other professions, are required to ask their clients ... the bulk of people do not do it. It is almost bordering on ridiculous, but this is the standard that is expected of us and you are good at skating that and not asking the questions. Only up to the point and time when nobody that you know or does business with runs afoul of the law because from the time that person does runs afoul of the law everything start to trace backwards and if it lands or points to your account, or donation made to you, then you could end up being almost as guilty as that person in the eyes of the law and the international organisations, so, Sir, this now allows us to do that back-checking, this allows us to unravel those very, very complex financial structures and complex corporate structures to actually see who is the ultimate beneficiary of a transaction or a benefit. It allows us to look behind and trace money into the hands of persons who have been guilty of corrupt practices and also trace money into those who are involved in terrorism, so as we discussed and as we wrap our minds around why it is essential for this piece of legislation to pass now it is not simply to catch persons, it is not simply to penalise public officials, it is not simply to go after persons who serve in Government, it is also to clean our hands and to provide that framework so that we are not one of those countries who are blacklisted because of terrorist connections, terrorist activities, perceived connections or activities or even such a relaxed framework that those connections or activities can happen.

The other thing as well, Sir, why I commend the Attorney General is I believe that prior to this there has been no great impetus to actually push anti-corruption legislation through or whistle-blower legislation or that whole suite of legislation that opens that door to prosecution. There has been no great impetus to do it because anybody passing or pushing this legislation starts by making themselves vulnerable first. There is a grey area, Sir. In the law a man cannot be guilty of an offence that was not an offence when he committed it so if I pick up this pen, actually let try something else, this one does not belong to me, and put it in my pocket and there is nothing saying that I cannot take up that pen and put it in my pocket and ask who it belongs to but a week down the line a law is passed saying do not take up the pen and put it in your pocket unless you ask who it belongs to, I am guilty going forward but the person who did it last week when it was not the law is not guilty.

Mr. SPEAKER: Honourable Member, that is retroactivity.

Hon. W. A. ABRAHAMS: That is correct, Sir. I am trying to speak it for those who might be listening that may not understand where I am coming from. In many instances, we are now setting the framework for what is to happen going forward starting with ourselves first. There may be criminal acts, Sir, that are not entirely covered by

this but of themselves stand as crimes now that other persons who serve in public life before other public officials should actually be wary of because we can trace back, you now have the investigative capacity to investigate those things while they were crimes back then the prosecution and investigation of them were difficult because of lack of resources because of a dedicated framework because in some instances the Police do not want to go after the big fish. People have always been afraid to go after persons in Government because if I lay a charge against you and that charge is not proved then I become the subject of your ire and your victimisation and people were very afraid to do it. That is why, Sir, with whistle-blowers nobody wants to come forward and say it was me. We all have heard stories of practices in Barbados. We have heard people saying as a fact this happened to me. I was asked to do X, Y, and Z to get A, B, and C. We have heard it. The problem is you cannot prosecute the guilty party without that evidence of a person coming forward and saying 'I am the I see witness'. Somebody needs to come into a witness stand, put their hand on a Bible, swear an oath and lead that evidence and to date, we cannot find people who want to do it. People are willing say I know this as a fact I will give you details but I am not going into court to say anything for it. You have the police who say well we have heard, this we believe this, but if John King does not want to go and stand up and give evidence against John Doe then we are wasting time, it cannot go forward.

We are now putting in place a system where we have the capacity, not the burdened Financial Crimes Unit or not the regular detectives in the Royal Barbados Police Force, we are not putting people or have the ability to contract persons whose specialty is in tracing money, whose specialty is in investigating corruption and whose specialty is in finding the source. We are now putting that in place so there are no more excuses. Mr. Speaker, also if we are in a position to contract people you do not have to worry about victimisation. If I am not a public officer investigating somebody in public or investigating a Government Minister, then I do not have to care. If I get my pay cheque at the end of the day from PricewaterhouseCoopers, if my salary comes from Ernst & Young, if my salary comes from somebody overseas or if my salary comes from a firm in the United Kingdom and my job is to investigate I am going to come here to Barbados and I am going to investigate. They have them all over the world. It is a hazard of what it is that we do. All over the world, you have special investigatory commissions. You have people bringing in manpower, people bringing in their resources to investigate complex or sensitive matters in your own country because in many instances you know that it is not practical, it is not expedient and it would not yield the results that you want if that investigation happens locally by locals, that is the complete reality so it was time for us to get to the point where we started to put our money where our mouth is.

We came to Government, Sir, saying that we plan to root out corruption. We came to Government saying that we intend to be the most transparent Government that there ever was. We came to Government saying that we will pass anti-corruption legislation. We came to Government saying that going forward from henceforth public officers and public officials must be held to a higher standard than happened before. We came to Government saying that we cannot lose the lessons of the “Lost Decade” and that those lessons must inspire us for Barbados to never find itself in that position again. We came to Government saying we want to claw back our place in the Caribbean, that place of respect where people look to Barbados as the shining example of what to do and how to do it. We came to Government with Barbados on its knees. Barbados was never in the position that it found itself in on May the 24th, 2018, never. Our economy was broken, our country was in shambles, the Central Bank of Barbados was in potters, people had no faith, people had no hope and people just wanted everybody who had their hands on Government out and for a new dawn to happen and that new dawn did happen but with that new dawn came the responsibility to fulfil the promises that we made to get us there, that new dawn came with responsibilities to answer for the people who said to us all is at you, we are giving you the full mandate, the cleanest slate, you go and turn our country around and Sir, mercifully Barbados has started to turn around. Barbados was experiencing economic growth. Sir, we had started to turn that corner and COVID-19 hit and it has been rough for Barbadians and it has been difficult for us as a Government in this time but the reality I often say to myself, Sir, is as rough as this is I cannot even fathom what it would have been like had the last Government still been in position. The Prime Minister, even now that we deal with emergency situations and even now that the rules of procurement have to be expedited, has made a point to those of us in Cabinet that in an emergency situation we are to follow the rules as well as we can and when we spend, keep the receipts because we are going to have to account for them. Although you may have, in certain instances, to abridge procurement, it is not a free-for-all. This is not the time for corruption. Although you may have to not jump through all of the hoops you had before, because sometimes decisions have to be made now, if Minister Bostic has to order vaccines and some become available tomorrow, then he has to get the vaccines tomorrow. He has to know the framework within which he is operating and be prepared to defend himself down the line that he made the best choice in the circumstances and his hands are clean.

Sir, having read through this legislation I do not think that those whose hearts are pure have anything to worry about, quite frankly. If you are here to do the people’s business and you are here to apply the rules and you are here to be a good government, then you need not fear this anti-corruption legislation. It is not meant to catch

you out. It is meant to prevent corrupt acts which you have to be able to explain. There is nothing unreasonable in asking you where that came from. For instance, Mr. Speaker, your robe looks particularly fetching today; are those real gold strings? How did he get that one? You then explain how you got the gold string robe, but the point is once you can justify. For all those who have dealt fairly and are able to justify what it is that they do have, then there is nothing for us to be afraid of. I keep telling people you do not have to be worried about being caught when you get it wrong or you do not have to be worried about being caught if you have done the right thing. Everything can be explained.

Sir, I look at the Singapore model and I believe there are a lot of lessons that we can learn from Singapore. Singapore had a serious problem with corruption; a very big problem. Do you know what Singapore did? Singapore said, “Okay, here is what we are going to do. You public officials, we are going to revise your entire pay scale; all the public officials, the permanent secretaries, ministers, all. We are actually going to carry out a study on what is fair pay for you, and we are going to pay you not just fairly but we are going to pay you well. However, if you are found guilty of corruption....” For the person who is bribing, I think the fine starts at \$100 000 or five years in jail, but if you are a corrupt official I think that penalty goes up to ten years just for the simple act of corruption. They are dropping the hammer on the public officials but making sure that across the board the Members of Parliament, the Cabinet Ministers, the heads of the Civil Service, the Permanent Secretaries, the police, all in the Public Service, have gone up but they have also made sure that the punishments are certain. It is almost impossible to get away with corruption in Singapore, and the cost to you, if you are caught, is that ultimate deterrent.

Sir, I accept that we are not yet there. I accept that we have to look and find ways to equalise the pay in the Civil Service. Sir, I believe that our police need to be paid better and I would like to think that when the Government has additional resources that we can start to make better payments and have a better evaluation of what the salaries should be for those key persons in our society. Quite frankly, I think a police officer is in a very vulnerable position. Some of the police officers who put their lives on the line are not the best paid. You are having trouble paying for your car and trouble paying your mortgage, so when somebody offers you a bribe to look the other way it is very easy to take that. I am not justifying it, Sir, I am being very real here.

Hand-in-hand with all of the legislative interventions that we are doing, we also have to look globally and holistically at our entire system. Look at the root causes of corruption. Look at what are the fertilising activities for corruption. Look at where it blossoms. Look at what

sectors are most subject to corruption. Look at the systemic inefficiencies that lead to corruption and let us not just pass the legislation that allows for the investigation, but let us now start systematically to weed out the root causes and to crush the systems that encourage corruption.

Asides.

Hon. W.A. ABRAHAMS: Sir, I am almost afraid when the Honourable Leader of the Opposition thumps me.

Asides.

Hon. W.A. ABRAHAMS: Sir, we have made a good start and we will fulfil one of our promises. I am aware of what the Attorney-General spoke about regarding the rest of the suite of legislation that has to come, and I am confident that by the time we have finished with the entire suite of legislation, Barbados will have that legislative and enforcement framework that will be the envy of the rest of the Caribbean and will allow us to position ourselves back where we want to be and to enjoy once again that reputation which we once had but have lost over the last ten years. All I say, Sir, is that I am very happy to have been able to speak on this piece of legislation, this Anti-Corruption and Anti-Terrorism Bill. It is indeed a step in the right direction. It will keep everyone on their toes from hereon in, and I hope that the resources are there that we can check backwards from where it still applies and punish people who have brought this country to its knees. I am not pointing at any one person or any one class of persons. Sir, I am simply saying that Barbados suffered greatly, so where there is a chance for us to recoup some of what that suffering cost us, then almost even more than the imprisonment or the penalty factor is the restoration.

Sir, we lost a lot in suspect contracts. We lost a lot in, at its best, bad negotiation, and at its worst, outright corruption. We have lost a lot, and a lot of that contributed to putting our country in the perilous financial state in which it was when we came into office in 2018. Sir, if there is a chance to get back any of that money then I would like to think that we should go after it full steam ahead with the resources which we do have. I do not want to enrich myself at the cost of Barbadians, and I do not want anybody to enrich themselves by a lash across my back. The last ten years hurt every single day like the strike across my back, so I am happy to endorse this legislation and I look forward to the rest that will come to put us back where we actually need to be and to restore the confidence not just in our country but in our systems, in our Government and in the policies that informed and once made Barbados the best country in the Caribbean. With those few words, Sir, I am much obliged to you.

Asides.

Mr. SPEAKER: Honourable Member for St. Andrew.

Mr. G.W. PAYNE: Mr. Speaker, I am not in the fortunate position as the Member who just spoke, in that I have only had sight of this legislation this morning. I would have loved to be able to comment in detail with respect to certain aspects of this legislation, but I will be brief and will probably have to do that at some time in the future maybe when we get back to the Integrity in Public Life Legislation.

However, there are certain aspects of this Bill which I am very concerned about. The question of transparency is one that we need to examine and we need to look at more than anything else at this particular point in time. I believe that over 50 per cent of us in this House would not have been in this House if we did not flag the issue of corruption in the manner in which we did in the last election. Mr. Speaker, that connection I find it difficult to understand how we could sort of cap terrorism with this piece of legislation. All of the speakers who have spoken so far spoke to the issue of corruption and maybe it would have been better to have had a separate Bill dealing with the issue of terrorism because nobody has spoken with respect to terrorism. Terrorism has not been an issue in this country at any time even in the early days when the first Prime Minister was in office when we had reason to bring in the Public Order Act. I do not think that terrorism was an issue and I think that we should not have saddled this legislation with the question of terrorism. We should have had two separate pieces of legislation. It defies me why we have combined the two of these. I listened to Members who have been in support of this Bill, and I am 100 per cent in support of anything to alleviate corruption, but Mr. Speaker we have to make sure that we operate in a way that having had the moral authority or having been given the moral authority to deal with the issue of corruption that we do not let down those persons who have put us in a position to deal with corruption. The issue of transparency has been flagged and the question of transparency has been elaborated on in a manner that would tend to justify the composition of the Committee in this regard. Nonetheless, I believe that the same factors which were called to mind at the time when we were dealing with the Electoral and Boundaries Commission of Barbados should have impacted on the composition of this Committee. Now, I read from the Constitution of Barbados with respect to the Electoral and Boundaries Commission. Clause 41A (2) & (3) states, as follows,

“(2) The Commission shall consist of a Chairman, a deputy Chairman and three other members.

(3) The Chairman and two other members of the Commission shall be appointed by the Governor-General, acting on the recommendation of the Prime Minister after

consultation with the Leader of the Opposition, by instrument under the Public Seal, and the deputy Chairman and one other member shall be appointed by the Governor-General, acting on the recommendation of the Leader of the Opposition after consultation with the Prime Minister, by instrument under the Public Seal.”

You cannot have it more transparent than that. Now, this Bill calls for the election of seven Members. I heard Honourable Members speak with respect to the last Administration and how they functioned in Government. I remember having a consultation with the Honourable Member for St. Michael North West in the heat of the election when he was concerned as to his likelihood of success in this election. Those were the days when the issue of corruption was being mooted and not only on the political platforms but in the newspapers and all over the place. I remember telling him, you are the luckiest man in this election, because when you are dealing with corruption you have to understand that the person against whom you are running at the time the Minister of Finance whom every Member lambasted throughout the election. I remember telling him every single night you are going to have at least 31 meetings and 31 people attacking the Minister of Finance. They attacked the Minister of Finance more than they attacked the Prime Minister. People forgot who the Prime Minister was during the last election and we attacked the Minister of Finance day and night, left, right and centre and to a lesser extent the Prime Minister. Additionally, the then Minister of Small Business, though I should not call names in this House but the Member who is now residing in the United States, not of his own accord was not even flagged during those days. Listening to the debate here, we have spoken to the last Government and their corrupt ways and bad management.

Now, looking at this legislation and looking down the road this legislation should have said something, and I am not saying that it does not, as to what would change the situation which operated during the last 10 years the area of the lost decade that the previous speaker just spoke about. Hence, the point that I am trying to make is that in looking at the composition of this Committee it has not changed anything to correct that omission. Let us assume that this legislation was passed a few months before the last General Election, seven Members of the Committee was appointed by the Governor-General on the recommendation of the Prime Minister, leave the Leader of the Opposition out of it, the same Prime Minister who we attacked, the same Prime Minister who was responsible for the mismanagement of the Government in the last election and we would have been unable as a Government having won 30 seats to change anything. I am saying the composition of the Committee does not go far enough. I think that if we are to have a Committee that will be of some substance that will actually stop us from looking at the lack of transparency, well then, it should be selected in a fairly

transparent manner, and I think that the legislation which gives rise to the Electoral and Boundaries Commission is a perfect start. I do not think that we necessarily needed to go to look at the Jamaican legislation, we have the Barbados experience with respect to a similar Committee and the question of the Electoral and Boundaries Commission (EBC) is a perfect start. I do not think that we necessarily needed to go to look at the Jamaican legislation. We have the Barbados experience with respect to a similar committee and the question of the EBC did not come about at a time when there were a lot of instances of election fraud as has happened in other countries in the Caribbean.

However, we were wise enough then to ensure that we put in place legislation that would stand the test of time. I am saying that in the same way the EBC had been appointed in a manner that we can applaud even at this stage that we have had the opportunity to deal with corruption seeing what has happened with respect to the Member of the last Government who presently resides in the USA and what we told the people of Barbados during the last election campaign, we should make sure that we put legislation in place where any new Government would be able to feel proud to make a nomination or to change in circumstances where that person may not be fit to be selected on the actual commission.

I would even go a step further. I believe that in addition to following the lead from that legislation, we as parliamentarians should be given the opportunity of debating in this House the selection of those members or those recommendations to the Governor-General. The question of appointments in some countries such as the USA is a good example, certain important officers come before the Senate and House of Representatives. There are Presidents of the USA who have been disappointed because of their recommendations, not only in terms of Ministers but in terms of judges. I believe that in this situation seeing that corruption took a turn which caused us to make certain pointers in the last election, I think that we should have utilised the opportunity.

I was not in here when the Leader of the Opposition spoke but I believe that no one person should be allowed to appoint seven members to this commission. When you look at what the last Administration did, they extended the life of Parliament to not the eleventh hour but the twelfth hour. They could have appointed their friends. Let us say they had their friends appointed at the last hour. You know that the consultation with the Leader of the Opposition could go through the back door. You have seven members and as I said I do not want to call names, but you could think of seven persons who you consider to be corrupt who probably dealt with the last Administration and having those persons on a committee dealing with corruption, then your hands are tied.

You win a Government with 30 seats. If that is repeated and you have the opportunity of making certain changes but due to the composition of that committee, there is not anything you can do. You are back to square one and I would say that that is one of the major failings of this legislation. It is good that Members could have spoken in terms of this not being a party matter, that we are all in this together and there is no need for us to feel that persons appointed will not be transparent, but we have to make sure that the process works for us.

Another problem I have with this legislation is the power of the Minister because you are appointing an important committee and as I said, I put this committee at the same level as the EBC because of what happened in the last ten years. You speak to the Director-General being subject to the Minister and in many cases, throughout this legislation, it speaks to the Director-General performing his duties under the direction of the Minister. This should not happen. The Director-General should be like a Director of Public Prosecutions (DPP) in some instance. The DPP do not carry out his job under the direction of the Attorney-General. I think that this is a major failing of this legislation.

The Director-General should be able to operate within the confines of what is set out in the legislation. If you need to elaborate with respect to the functions or with respect to the penalties and behaviour of the Director-General to have further disciplinary guidelines, then so be it. Do that. There is the question of the Oversight Committee. You are not only operating within the confines of the Minister but then you have this Oversight Committee for what purpose? An Oversight Committee to do what? An Oversight Committee to do what? I think Sections 5, 34 and 35 deal adequately with respect to the functions of the committee. If it becomes necessary, I think that if you need to elaborate on his functions, then we should do that.

Mr. Speaker, as I said, I have only seen this legislation this morning but I believe that as a Government who just came into office with the confidence of the people of Barbados, with three years into Government there are now people expecting that we would have been able to do something with corruption. We have not done anything. We are now dealing with the legislative framework in order to deal with these issues but we have to be serious. We have to appear to be serious and make sure that what we put in this legislation will have some teeth.

We do not want a situation where the Prime Minister will appoint seven persons to a committee and then you have a new election creating a Parliament with 30 new Members, and anything is possible. If you saw what happened in St. John from one election to the next, then anything is possible but then you are powerless because of the individuals. I am not saying that it will happen but I am

just saying that we have to make sure that we put the necessary legislation in place so as to give the public of Barbados the confidence that we are acting in their interest. Mr. Speaker, with those few words, I am obliged to you.

Hon. D. D. MARSHALL: Mr. Speaker, let me thank all Honourable Members of this Chamber for weighing in on this legislation. I can assure all Honourable Members that all of your contributions were valid and in many instances we had the opportunity and the preparation of the Bill to be able to consider in advance some of these kinds of issues. The issue has been raised on both sides about the ability of the Minister to give general directions on policy matters. This is standard and it is a common thread across the entire panoply of agencies in our statutory bodies. It exists in every single piece of legislation and while I understand that some people may be concerned, it is clear on any interpretation that Ministers are not able to say specifically what to do or what not to do. They are able to give general directions on matters of policy but that has to be construed in such a way as to make it clear that in terms of the day to day functioning of the entity that it does not give an opportunity for instructions to be given. For example, the Honourable Member for St. Andrew spoke about the Electoral and Boundaries Commission and that Commission can be given policy directives. The Fair Trading Commission (F.T.C.) can also be given policy directives as with this one. It does not denude their ability to function with the kind of independence you expect but general policy directions are on par for the course. It is a little reflected on the fact that under Section 79(A) of the Constitution of Barbados the Attorney-General can actually give specific directions to the Director of Public Prosecutions (D.P.P.) in a range of offences and that is in 79(A) of the Constitution and I do not hear anybody baulking about that, but in that Section the Attorney-General can actually give the D.P.P. specific directions in relations to prosecution matters.

Mr. Speaker, this is an opportunity for us to take our policing of corruption issues to another level. I have pointed out the deficiencies in the system, the need for a stronger state apparatus to be able to deal with it, the importance of applying dedicated resources and the importance of having resources that are not easily diluted by virtue of other things that happened and that come up from time to time. I accept that there may be and obviously are some concerns about the legislation. I think though that our imperative is to get it up and running. There are many pieces of legislation that we review over a period. We have set up a Law Reform Commission to actually look at the business of law reform. I do not anticipate that we are going to need to do any tinkering with this in the short term, but there is a lot of work to be done. We need the agency to get going and should there be any glaring deficiencies we will come back and deal with them if that time arises, but at this point in time, it is sufficient for me

to say that I am satisfied that the interests of the public is protected. The Oversight Commission is a critical body. I do not know of any other piece of legislation in Barbados where such an entity exists. It is an important role to play, in fact, a role that would far surpass even the role of an Ombudsman, for example, who might be considered as a person to whom you could apply to look into any kind of governmental abuse. Mr. Speaker, I understand the fact that some Honourable Members, for them it may be a new item coming within their scope, but please let me assure Honourable Members that this legislation is well thought out and I anticipate that we have to now staff the agency when once the legislation is passed and get it up and running but the proof of the pudding, in this case, will no doubt be in the eating and I, therefore, beg to move that this Bill be read a second time.

Hon. K. D. M. HUMPHREY: I beg to second that, Sir.

The question that the Bill be read a second time was put and resolved in the affirmative without division.

On the motion of Hon. D. D. MARSHALL, seconded by Hon. K. D. M. HUMPHREY, the House resolved itself in to Committee, Dr. S. E. Browne in the Chair.

COMMITTEE

Madam CHAIRMAN: This House is now in Committee.

Part I, Clause 1 was called.

Hon. D. D. MARSHALL: Mr. Speaker, I beg to move that Part I, Clause 1 be amended to change “the year 2020” to “the year 2021”. (Inaudible).

Part I, Clause 1 was passed with amendments.

Part I, Clause 2 was called and passed.

Part II, Clauses 3 -- 13 were called and passed.

Part III, Clauses 14 -- 23 were called and passed.

Part IV, Clauses 24 -- 32 were called and passed.

Part V, Clause 33 was called and passed.

Part VI, Clause 34 -- 38 were called and passed.

Part VII, Clauses 39 and 40 were called and passed.

Part VIII, Clauses 41 -- 43 were called and passed.

Part IX, Clauses 44 -- 49 were called and passed.

Hon. D. D. MARSHALL: Madam Chairman, I beg to move that the First Schedule be the first schedule to the Bill.

Hon. K. D. M. HUMPHREY: I beg to second that, Sir.

Hon. D. D. MARSHALL: Madam Chairman, I beg to move that the Second Schedule be the second schedule to the Bill.

Hon. K. D. M. HUMPHREY: I beg to second that, Sir.

The Second Schedule was called and passed.

The Third Schedule was called and passed.

On the motion of Hon. D. D. MARSHALL, seconded by Hon. J. A. KING, MADAM CHAIRMAN reported to His Honour the SPEAKER the passing of one Bill with amendments in Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the separate motion of Hon. D. D. MARSHALL, seconded by Hon. J. A. KING, the Bill as amended was read a third time and passed and cited as the Anti-Corruption and Anti-Terrorism Agency Act, 2021.

GOVERNMENT NOTICES (RECOMMITTED)

Hon. D. D. MARSHALL: Mr. Speaker, I beg to give notice of the following:

1. Appropriation Bill, 2021.

2. Resolution to two parts that:

(a) the House empowers the Chairman of Committees to designate the Committee Room of Parliament as the place where examination by the Standing Finance Committee of the Head of the relevant ministries is to be conducted; and (b) for the purpose of the examination of the Estimates that the Member moving the particular Head and speaking in reply be allowed to make that presentation virtually from the said Committee Room.

FIRST READING OF BILLS (RECOMMITTED)

Hon. D. D. MARSHALL: Mr. Speaker, I beg to move that the Appropriation Bill of 2021 be read a first time.

The question that the Bill be read a first time was put and resolved in the affirmative without division.

GOVERNMENT BUSINESS (RECOMMITTED)

ORDER No. 4

Resolution that this House:

(a) *this House empowers the Chairman of Committees to designate the Committee Room of Parliament as the place where examination by the Standing Finance Committee of the Head of the relevant Ministry is to be conducted; and*

b) *for the purpose of the examination of the Estimates that the Member moving the particular Head and speaking in reply be allowed to make that presentation virtually from the said Committee Room.*

Mr. SPEAKER: The Acting Leader of Government Business.

Hon. D. D. MARSHALL: Mr. Speaker, Honourable Members of the Chamber, this particular Resolution arises as a result of the arrangements that we had made for the Sitting of Parliament in part virtually and in part by physical presence. You would well recollect that in our last two Standing Finance Committee debates on the Estimates the Honourable Minister who was moving the Head and was responding to the Head had the benefit of the curse of being physically in the Well of the Chamber together with his senior officers so that the Parliament could have a solid exchange not just with the Minister but also with the officers who are charged with the responsibility of carrying out the day-to-day duties. Obviously, with the COVID-19 protocols in play at this location, it would be wrong for us to have a large number of public servants gathering in this small area as the Well, we would be betraying the people of Barbados who we have pledged to lead also by example. The arrangement that is being proposed and that this Resolution attempts to capture is that the Minister moving the Head and his staff will be located in the Committee Room of Parliament at the opposite end of this Floor and in that Committee Room, Mr. Speaker, there would be established the facility so as to enable those individuals, the Minister and his staff, to participate virtually in the debate of Parliament but still within the precincts of Parliament and I think that is a safe and wise compromised.

The Committee Room of Parliament is very slightly smaller than this particular room and we are satisfied after consulting with officials from the Ministry of Health and Wellness that we can more than adequately deal with any physical distancing protocols in that place and therefore Parliament is being asked to agree that those officers and the Minister can participate from the Committee Room and still be participating fully and actively in Parliament in a virtual way and specifically that the Honourable Member moving the particular Head and speaking in reply be allowed to make that presentation virtually but from the

Committee Room. As I said it arises as a natural consequence of the COVID-19 restrictions. We hope that we do not have to labour under these restrictions for too long but we believe that it would be wrong to turn back from what we were doing over the last few years. It would be wrong to have established a regime of more transparency and accountability where public servants actually come and give account together with their Minister to move back away from that position and this we believe is a fair and safe compromise so that the business of Parliament can be continued in the way that we want to continue while having due regard to the importance of adhering to COVID-19 protocols and minimising the risk of the spread of COVID-19.

Mr. Speaker, I beg to move that this Resolution do not pass.

Hon. J. A. KING: I beg to second that, Sir.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

SUSPENSION

Hon. D. D. MARSHALL: Mr. Speaker, I beg to move that this Sitting be suspended for ten minutes today.

Hon. J. A. KING: I beg to second that, Sir.

The question that the Sitting do now suspend ten minutes was put and resolved in the affirmative without division and Mr. SPEAKER suspended the Sitting accordingly.

RESUMPTION

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

ORDER NO. 3 – RESOLUTION TO MOVE THAT THE HOUSE RESOLVES ITSELF INTO STANDING FINANCE COMMITTEE TO CONSIDER THE GRANT OF SUMS OF MONEY FOR THE SERVICE OF THIS ISLAND.

Mr. SPEAKER: The Honourable Member for St. Joseph, you have the Floor.

On the motion of Hon. D. D. MARSHALL, seconded by Hon. J. A. KING, the House resolved itself into Standing Finance Committee on the Bill. Dr. S. E. BROWNE, Chairman of Committees, in the Chair.

Madam CHAIR: This Honourable House is now in Standing Finance Committee.

STANDING FINANCE COMMITTEE

RESOLUTION TO GRANT THE SUM OF \$17 655 386 FROM THE CONSOLIDATED FUND AND TO PLACE IT AT THE DISPOSAL OF THE GOVERNMENT TO SUPPLEMENT THE ESTIMATES 2021-2021 AS SHOWN IN THE SUPPLEMENTARY ESTIMATES NO.10/2020-2021 WHICH FORM THE SCHEDULE TO THE RESOLUTION.

HEAD 33

MINISTRY OF HOME AFFAIRS, INFORMATION AND PUBLIC AFFAIRS

\$5 489 320.

Madam CHAIR: The Honourable Member for Christ Church East Central, you have the Floor.

Hon. R. R. STRAUGHN: Madam Chairman, thank you very much. I do promise to be as brief as possible, while not giving away for comprehensiveness. The matter before this Honourable Chamber is to provide the Ministry of Home Affairs, Information and Public Affairs with Supplementary fund to address a couple of very critical matters relating to its operations. The first one relates to the Prisons. Madam Chairman, as you are aware, the reason we are on curfew is that we had a significant outbreak in COVID-19 earlier in the year. The Prisons was impacted and therefore as part of the response in terms of security of that facility the Government engaged, in terms of its quarantine exercise, to bring that situation under order and therefore the sums being requested here for that particular program for the Prisons relates to the quarantine exercise that took place between the Hilton, as well as Sun Group Hotel, which were the two facilities that were used accommodate prison officers during the time in terms of the management of the COVID-19 pandemic outbreak and therefore the Ministry is being given \$942 940 to be able to settle those clearly unexpected sums with respect to that.

Madam Chairman, the second Supplementary relates, critically, to the Government Printery and the investment required to be able to replace what perhaps has been the Printing Press at the Government Printery, to be able to pretty much upgrade the facilities to be much more efficient and digital in its process and therefore these sums are critical with respect to allowing the Printery to be able to do a more efficient job as it relates to Government's operations. We should also appreciate that while we are modernising the Printery itself has also to be modernised in order to help to deliver better services, to be much more cost-efficient and lesser time and therefore the investment here is to be able to help to replace the sums of money with respect to that. Madam Chair, I now beg to move that Head 33 in the amount of \$5 489 320 stand part.

Hon. J. A. KING: I beg to second that, Ma'am.

The question was put and agreed to in the affirmative without division.

Madam CHAIR: The Honourable Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Madam Chairman, I will be equally brief or perhaps do even better than my learned friend, the Honourable Member for Christ Church East Central. Madam Chairman, I had a query as to whom this money was due and for what specifically at program 243. The questions were answered, but I have a comment with respect to the Old Prison -- not the new Prison. I have said this before. I continue to have a concern and I speak -- of course, the Honourable Speaker cannot speak in this place for himself and his constituents -- but I wonder with respect to the upkeep of the Old Prison and I fear that if we do not properly so do it could constitute a public health threat for the people of Station Hill, Deans Village. Of course, I do not have access to the place but I am told that it in a terrible state of disrepair and [that it is] getting worse. I just want to put that on the record that I believe it is a matter to which some attention should be paid, with the COVID-19 pandemic health threat which we now have, with the dengue threat which we now have. We do not want to add to that and have a specifically localised situation where perhaps because of the pervasive presence of rodents in that big, unoccupied and unused property, then we have a problem for the people of Station Hill, Deans Village and Hindsbury Road. That I asked for some focus on behalf of the Honourable the Speaker who cannot speak for himself.

Madam Chairman, with respect to the Ministry of Home Affairs, Information and Public Affairs, I know the request specifically relates to equipment and machinery, my question goes a bit distant from that but certainly in relation to the operations of this Ministry, I have noticed the Government has been utilising the services in relation to its COVID-19 pandemic briefings and updates, persons still referred to as Ambassador, I am asking for some clarity as to her status. I am asking for some clarity as to her status because she was our representative at the United Nations. I am asking, if it is not impolite to do so, for some information as to how she is being remunerated because it bothers me that in 2021 the Government is not able to find somebody who is already employed in the information sector in Barbados -- at Government Information Service; the Government is not able to find among its complement of Members in this Honourable Chamber -- 29 of them -- somebody who could speak to these issues in a properly clear way so that Barbadians can understand. Also if we have to bring somebody from abroad, [then] bring their assignment to an end, (if that is the case), and pay them for

the services they are rendering, (if that is the case.) I am just asking for information.

Madam CHAIRMAN: The Honourable Member for Christ Church East Central, you have the Floor.

Hon. R. R. STRAUGHN: Madam Chairman, I will not respond directly to the Honourable Member but I will indicate that clearly the Ministry of Foreign Affairs and Foreign Trade will articulate the status of the Ambassador, but suffice it to say, I will leave that matter to the Ministry of Foreign Affairs and Foreign Trade to be addressed. Madam Chairman, I take the Honourable Member's contribution with respect to the Old Glendairy Prisons to which the Honourable Member referred. That matter is receiving the attention of Government but as you would appreciate at this very critical time COVID-19 pandemic has meant that we have had to suspend some of the things that we would have loved to do, and therefore at the appropriate time we will be able to have it addressed accordingly. Madam Chairman, with those few words I beg to move that Head 33 stand part.

The question that Head 33 stand part was put and resolved in the affirmative without division.

HEAD 35

Ministry of People Empowerment and Elderly Affairs in the amount of \$1 216 107.

Madam CHAIRMAN: Honourable Member for St. Thomas.

Hon. Miss. C.Y. FORDE: Thank you very much, Madam Chairperson. I want to refer to Head 35 in the amount of \$1 216 107 as an amount for the National Assistance Board. Ma'am, as we are all aware, the National Assistance Board has been functioning for more than three-and-a-half decades and the institution has served Barbados well. It looks after the most vulnerable in our society, particularly the aged, but at times those who have disabilities as our workers go to the various institutions across the island, particularly private homes, to be able to offer services. As a result, it also has under its guardianship the housing of senior citizens who are living in there institutionalised, meaning particularly the Clyde Gollop Centre, the Vauxhall Senior Citizens' Home, Lancaster House and of course the Jorris Dunner Centre where seniors went on a daily basis before COVID. We are all under lockdown now, but that facility offers the services to help to keep our aged more active.

Ma'am, the number of funds we are asking for are for multiple reasons. I know that the Home Helpers, in particular, are just over 150 but they serve over 1 000 recipients on a weekly basis; and of course 200 of those

recipients are bed-ridden so we know the arduous task which the Home Helpers have, and with COVID coming in it has really put a serious dent in the finances of the institution because COVID would not have been budgeted for. That amount would have been budgeted for the personal protective equipment (PPE). Therefore, I am asking for these funds for the National Assistance Board. The Ministry of People Empowerment and Elder Affairs is seeking to have the funds for the National Assistance Board to be able to extend our services to the end of the financial year looking after the maintenance of the operations of that institution.

Ma'am, we are asking for some funds for the National Insurance Scheme (NIS) to the tune of \$441 200.73, and this is as a result of us being unable to do the payments to the NIS from October 2020 to March 2021 because of the insufficient budgeting of the whole aspects. Indeed, we will have had to work in order to get funds to help us to pay for the PPE and to help run us through those periods when it was most difficult last year. Indeed, again this year we will have to continue to follow the protocols, so we have that obligation to the NIS and then we also have the funds for our travelling officers. There are nine of them and they have not been able to receive their funds for a three months but have been sojourning in this country day and night attending to formal reports of emergencies and so on in order to carry out their duties. These funds which we are asking for are to help them to get back on their feet.

Ma'am, indeed a section of it also is with reference to those who are retiring. You would appreciate that the cohort of workers there would be persons in their 50s and 60s because that institution would have started, I believe, around 1981 or that general period, so most of the staff there would be female and they have reached the stage where many of them have retired. Unfortunately, there have been some deaths. Two persons died during the period of their responsibilities which they were serving to the institution, and their benefits have come in for their estates. That was not anything that would have been planned for in the budget because we cannot tell when someone will die. The funds are helping in terms of their estates as well as six persons who have retired. Ma'am, you would appreciate that many Barbadians suffer from non-communicable diseases and so on, and while they would have been glad to work, many of them would have been medically boarded. When the medical board determined, they too came up and that was to the tune of \$441 915 to be paid to those individuals.

Ma'am, the other aspect of it has to do with the utilities. The institution, specifically the administrative office, would have been closed during the period when we had some challenges early in the COVID outbreak, so we had to do some additional spending, especially with the sanitising of the institution and other things regarding

social distancing. Those would have incurred some funds. Also, at Lancaster House, the Vauxhall Centre, Clyde Gollop Centre and Jorris Dunner Centre -- particularly the first three -- persons have been living under lockdown, and more resources had to be used to deal with gas, electricity, water and so forth. Those costs have escalated, so the amount we are asking for in relation to utilities is \$68 369. 43. I am not going to detain the Chamber at this time, but the bigger part of it has to do with the supplies and materials to the tune of \$30 248.21, where in terms of the persons who are in the institution, particularly the Home Helpers, they have to go into homes, as well as recipients on whom this will impact when the Home Helpers are carrying out their duties. Therefore, we have had quite high expenditure in making sure that the PPE is made available to them as they went on their various duties; and that amount has been over \$30 248, as well as other aspects of it. The whole amount is just over \$100 000.

Ma'am, you would appreciate that as time has gone on within the last few months we had to be particularly responsible but we have to pay the vendors who have been giving the supplies, and so we are asking for this amount of \$1 216 107 from Head 35 to go towards the payment of the vendors as well as to settle all of the other debts for the security, for the utilities, for the transportation of the workers who should have benefited as well as for all of the other challenges with the pensions and so on. Ma'am, I wish to ask that this \$1 216 107 stand part in relation to the National Assistance Board.

Madam CHAIRMAN: Thank you.

The question that Head 35 stand part was put and resolved in the affirmative without division.

HEAD 81

Ministry of Transport, Works and Water Resources in the amount of \$365 000.

Madam CHAIRMAN: Honourable Member for St. John.

Hon. C. McD. GRIFFITH: Madam Chairman, this \$365 000 is in relation to the upgrade of the South Coast Sewage Treatment Plant, and it is being used for professional services, particularly engineering and procuring consultants' contracts. I will not detain the House any further, Madam Chairman. I beg that Head 81 to the tune of \$365 000 stand part.

Madam CHAIRMAN: Honourable Leader of the Opposition.

Bishop the Hon. J.J.S. ATHERLEY: Thank you, Madam Chairman. I understand the haste of the

Honourable Minister in the Ministry of Water Resources and I know he is watching the time, but I thought he would have taken at least another minute to give us a little bit of an idea of what is happening with this South Coast Sewerage Project. I see a heavy emphasis on a Vineyard project. Every time I look at my television, I see the charming face of the Honourable Minister who just spoke, talking about carrying water into St. John, St. Joseph and St. Andrew. All of that is good and I wish him success, but we do not want to forget and I cannot forget the South Coast Project. I thought you would have taken a minute to give us some insight, perhaps when he is wrapping that up, what is the latest on the South Coast Sewage Project. The last time I asked this question I was given a very satisfactory answer by the then Minister. What about contamination possibly of the waters of the South Coast because of the runoff of sewage into the ocean.

Madam CHAIRMAN: Honourable Member for St. John.

Hon. C. McD. GRIFFITH: Thank you Madam Chairman, just to note for the Honourable Member that plans for the project are well in advance. The water at that location that you are concerned about is usually tested every week so there are no issues in relation to that. In term of the loan, we are in the stages of finalising that to have the project up and running. Hence, really and truly, work on the South Coast plant is actually happening in earnest and in a short time you will see the results of that Sir. I beg that this Head stand part.

The question that Head 81 stand part was put and resolved in the affirmative without division.

HEAD 83

MINISTRY OF AGRICULTURE AND FOOD SECURITY IN THE AMOUNT OF \$1 689 925

Madam CHAIR: Honourable Member for St. Lucy.

Hon. P. R. PHILLIPS: Madam Chairman, I will not perhaps be as quick as the Honourable Member for St. John, but just to let the House know in the Throne Speech last year, her Excellency did refer to the Lears Urban Land Lease and Food Security Project. This is the project between the Government and a landowner who is interested in the agricultural increase in terms of food production. It is a public-private partnership between Government and C.O. Williams. There are 100 acres of land that will be brought into agricultural use for the stimulation of increased food production. In the first instance, 77 acres will be for agriculture and another 23 acres would be for livestock rearing which is designed to create investment opportunities for Barbadians and generate employment and of course increasing the agricultural food production and

enhancing food security. Of course, we have to put in some roads and so on in this project. First, we run similarly to the Spring Hall Land Lease Project for about 100 persons with each person getting approximately an acre or so. This particular project basically would be to increase Barbados's food production and so on and this fund is being sought to jumpstart that project at Lears. With those words, I beg to move that Head 83 in the sum of \$1 689 925 stand part.

Madam CHAIRMAN: Honourable Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Thank you Madam Chairman. For obvious reasons we would be always willing to support any effort that serves to increase our food production so we can have a better level and sense of food security and food sovereignty and of course reduce imports. We will be supportive of that and especially in a context where smaller people are being benefited by utilisation of traditionally large lands under the privileged use of others who have benefited historically.

However, in recent times I have been hearing a lot of boasts about the level of food production in Barbados and the fact that agricultural output relative to food production has gone up by x percentage, 16 or 18 per cent, I do not quite recall fairly around that. There is a view in Barbados that we have not necessarily seen an increase in the level of food production performance of this year over last year or the year before or the year before, but in fact, what has changed is that we are now taking a different approach to measurements and quantifying so that what has happened is that we have seen a change with reference to that and not necessarily a change to the actual food production and agricultural output in terms of increase. Now that view might be wrong and I am sure the Honourable Minister is in a position to tell us in categorical terms that that is not true and that the level of output at that stage is "x" as opposed to last when reckoned "y" and the measures used to quantify are not what is indicating the difference.

Madam CHAIRMAN: Honourable Member for St. Lucy.

Hon. P. R. PHILLIPS: Madam Chairman, the agricultural sector in this COVID environment, when our report would suggest that this sector was the only sector in the economy that performed last year an increase. At the end of June last year we had about 16 per cent increase in production but the overall production by the end of the year was about 1.9 per cent. Now, we are doing various things in this particular area. We are pushing livestock production. We have a feed program that we will soon be launching in terms of a third cohort. We have increased in terms of our farmers with more farmers joining in more acreage. I do not remember the figures off the top of my head now, but coming into production as we move on in this particular

sector of the economy. However, we will give a fuller, sounder report soon, perhaps further in this debate next week when we speak to the performance of agriculture in the entire sector during the course of the Estimates to date.

The question that Head 83 stand part was put and resolved in the affirmative without division.

HEAD 86

MINISTRY OF HEALTH AND WELLNESS

IN THE AMOUNT OF \$609 749 AS AMENDED

Madam CHAIRMAN: Honourable Member for the City of Bridgetown.

Lt. Col. the Hon. J. D. BOSTIC: Thank you, Madam Chairman. The Supplementary that is being sought by the Ministry of Health and Wellness is to facilitate the payments to two contractors who are working on the community clinics in St. Andrew and St. Joseph. As this Honourable Chamber would recall the two community clinics along with the community clinic in St. Thomas were closed early last year because these facilities did not have the physical capacity to facilitate the delivery of healthcare services within a COVID environment, in terms of the space layout and so on. However, going back a bit, the two clinics at St. Andrew and St. Joseph were due for closure when the Barbados Labour Party assumed office and as Minister of Health and Wellness, I really could not let that happen since that would have been inconsistent with the Government's policy of taking healthcare into the communities. This has been part of our strategy for the last three years or so which included, of course, things like the Community Healthcare Officers working with the QEH for diabetic patients in particular.

It also included working with the Ministry of People Empowerment and Elder Affairs and the community workers who were looking after the elderly. This all part and parcel of that so that when we decided to refurbish the two clinics in St. Andrew and St. Joseph, we had approached this Honourable Chamber for funding which was approved but subsequently we recognised that it was insufficient in that we had to do a complete rewiring of both facilities. A lot of electrical work had to be done, including the installation of ducts and also the provision of electronic access for those two facilities.

This is why we had to come here seeking the funding in the amount of \$609 748. 66. This for us is a very important thing because the people of St. Andrew and St. Joseph really were deprived of these facilities for over one year. Even in the case of St. Joseph during the pre-COVID-19 period when the facility was still being used, several rooms were not available because they were not in good

condition. As a result, healthcare was being compromised such as changing bandages and other things which could not have taken place within that environment. We felt it necessary to have these two facilities brought up to par and we will work on St. Thomas later so that the communities that benefit from those services would be able to continue to benefit rather than having to trek all the way to Maurice Byer, Eunice Gibson or Glebe polyclinics, or not all.

This for us is a very important thing, Madam Chairman because these community clinics have really provided yeoman service to the people of those communities. In speaking to the Medical Officer of Health at the Maurice Byer Polyclinic who is responsible for providing the services at St. Joseph and part of St. Andrew as well but that comes under Eunice Gibson Polyclinic, for example, indicated to me that there are generations of persons from those communities who would have passed through the clinics. There were people who came there as babies and the clinic was now able to provide services for as young adults having their children. The community spirit and integration where the General Practice Nurse knew the names of all the persons that came was something very special.

We believe strongly as a caring Government that that is something that ought to be maintained. In keeping with our Manifesto pledge and our promises to the people of Barbados, and in this case to the people of St. Andrew and St. Joseph the work has started and we expect that in a few weeks that those two properties will be returned to the people of the two parishes and that we would be able to continue those services.

With those few words, I beg to move that Head 86 with amendments stand part.

Hon. C. Y. FORDE: I beg to second that.

The question that Head 86 with amendments stand part was put and resolved in the affirmative without division.

HEAD 87-

MINISTRY OF EDUCATION

TECHNOLOGICAL AND VOCATIONAL
TRAINING- \$1 734 237

Hon. R. R. STRAUGHN: Thank you very much, Madam Chairman. The sums of money being appropriated for the Ministry of Education in a few instances really reflect the impact that COVID-19 has had on education. It is important to note that the Government responded in the first instance to ensure that while our children were able to return to school that we made provision with respect to the

new programme which engaged a number school monitors to facilitate the good practice of physical distancing and following of the protocols within our schools once in session.

The sums being appropriated here specifically for that programme, Madam Chairman, is to provide for the payment of NIS contributions with respect to those persons engaged in that programme. Obviously, it allows them to be able to benefit from any of the claims that they may have to make during their term of employment with the Ministry of Education. Madam Chairman, you would recall that this is one of the responses to bring back a level of normalcy. We hope that with the reduction in COVID-19 cases going forward that we can get our children back to school as quickly as possible and continue to provide under this programme.

There are two other measures I will speak to very quickly but are equally important. Under sub-programme 278 for Special Schools, provision is being made here with respect to a grant to the School House for Special Needs. It is instructive to note, Madam Chairman, that the Government of Barbados provides a range of grants to institutions but School House is perhaps the only entity that does not currently receive support from Government but COVID-19 certainly has had an impact on the ability of persons to do the appropriate fundraising to support the services provided to the children. I think I have already indicated this to the Chamber but I should indicate this for the record that my son does attend the school.

The reality is that they have had a significant time with respect to the impact of COVID-19. During the first term of this academic year, it continued to provide daily services to all the students and only when the lockdown occurred in January they resorted to online schooling, but this is to support the good work that the School House for Special Needs are doing. Let me just take the opportunity to indicate that in our conversation with the Ministry of Education and more broadly with respect to the Ministry of People Empowerment, we are looking at a much more comprehensive response to special needs and what is required not just from the educational perspective but certainly in terms of the Ministry of Health specifically as it relates to the provision of dental services for persons with special needs, especially the children.

Even in this environment, it obviously requires a very peculiar intervention. Therefore, we hope that in the near future we will be able to bring that comprehensive policy in place to ensure that no one is left behind with respect to what is taking place not just as it relates to COVID-19 but certainly with respect to the provision of all these services we anticipate will be required for those persons. The sums of monies are to give some support to the school, as well as under the Tertiary Programme the

Codrington College equally has had a quite tough time in the circumstances.

I am sure that the Honourable Member for St. Michael West would support the Government coming to aide of an institution with respect to being able to ensure that as an institution like any other institution providing valuable services to the public that we can ensure good service can continue in the short-term. The reality is that these three requests are almost a direct response to the impact of COVID-19 not just within the context of our primary schools but certainly within the context of these other two institutions which have been delivering good work in the communities; one at the tertiary level and in the case of School House being able to provide educational services to a number of students with special needs in the country.

So with those few words, Madam Chairman, I beg to move that Head 87 in the sum of \$1 734 237 stand part.

Hon. K. D. M. HUMPHREY: I beg to second that.

The question that Head 87 stand part was put and resolved in the affirmative without division.

HEAD 92 -- MINISTRY OF ENERGY, SMALL BUSINESS AND ENTREPRENEURSHIP IN THE AMOUNT OF \$6 875 756

Madam CHAIRMAN: The Honourable Member for St. James Central.

Hon. K. D. SYMMONDS: Thank you very much, Madam Chairman. As William Shakespeare would say, "Since brevity is the soul of wit, and tediousness the limbs and outward flourishes, I will be brief."

The first aspect of this Supplementary, Madam Chairman, is subprogramme 0157 which is seeking to secure, on the behalf of the agency for micro Enterprise development what we commonly known as FundAccess, the sum of \$6 500 000 for financial assistance towards micro- business being facilitated during the period of National Pause. Madam Chairman, you will recall that this House of Assembly would have, probably about a month ago, approved the sum of \$3.5 million for a similar purpose. You would equally recall, Madam Chairman, that in order to mitigate the effect of the pandemic there was a closure of business in Barbados which took effect from February 03, 2021. Again, Madam Chairman, the effort to mitigate the financial impact arising from the closure on small business was the reason why we came before \$43.5 million and it is in furtherance of that matter that I am now here today.

Madam Chairman, I suppose I should say that the Ministry is indebted between when I first was here and now to the Ministry of Information, Science and Technology for partnering with us in order to establish a seamless document way of making sure that we were able not only to facilitate the numerous applications that we have had but to process them to verify their legitimacy and to deal with the matter of disbursements. I would want, Madam Chairman, to speak specifically to the question of the substance of how the money is being spent -- because I think that is what most people are interested in -- for the period beginning 3rd February and continuing to 17th February which is the first two weeks of the period of National Pause. We would have received 6 122 applications as of 8th March and today is the 9th so that was as of yesterday, 3 407 persons were paid and as of yesterday 86 persons were awaiting disbursement pending the completion of the verification process so that would give you, assuming that all went well with those 3 493 people who would have benefited from this financial assistance programme of the Government. The total amount disbursed thus far, Madam Chairman, is \$2 000 080, which is for the first two weeks of the period of National Pause, obviously, the disbursement process continues. There are some entities that would only have been closed during the first period, then there are those that were allowed to reopen and others had to remain closed during the extension and continuing until now so that for the avoidance of doubt a Barber, for example, remain closed from the beginning right up until today and continues to remain closed and all those Barbers who were entitled at the beginning continue to be eligible for the \$250 every week until when they are allowed, by the directive, to reopen. Equally, since that time, we have settled with the Minister of Maritime Affairs and Blue Economy the expansion of the programme to include those people in the fishing industry so fishermen and fish vendors are also now included. Madam Chairman, the sum that continues to be available at this point is \$1 420 000, but you would recognise that in the context of 6 122 applicants that is insufficient and that is the reason why I am here today, to seek the supplementary.

I suppose, Madam Chairman, I should also be a little bit more specific with regards to the categories of workers or categories of beneficiaries: Beauty Services made 832 verified applications and by Beauty Services I am referring to Hair Stylist, Nail Technicians, Barbers as I alluded to before, and in that category we have paid \$416 000. People involved in the food services sector, for example, operators of canteens, operators of delis, would have made 462 applications for that first two-week period and in that regard, we paid \$231 000. Taxi Operators: We received 280 applications for taxi operators for the first two-week period and in that regard we have paid \$140 000. Shops: We received 289 applications which have been verified with regards to shops for that first two-week period and

again, Madam Chairman, they would have received \$433 500. Bear in mind that with regard to the shops, they were entitled to be paid at the rate of \$500 a week as opposed to the \$250 that were for every other category and with regard to vendors, Madam Chairman, we received 964 confirmed and verified applications from the vending community and they would have benefited thus far for the two weeks for \$482 500.

Madam Chairman, the other aspect of this Supplementary refers to the Division of Energy and Natural Resources which is also a part of the Ministry of Maritime Affairs and Blue Economy and at programme 114 of that Division's accounting code we requested \$375 756 and that sum, Madam Chairman, is to assist us in being able to make disbursements to property owners in Barbados with regard to the payments that have to be made to them for what is loosely called royalties, but we prefer to call it the petroleum quota and as you know, Madam Chairman, there are some properties where Government is doing the necessary drilling, et cetera, and people are entitled to be compensated for the use of their land and the resource is taken therefrom and that is part of what this sum of money is about.

I am obliged, Madam Chairman, and I ask that this Head stand part.

Hon. Miss C. Y. FORDE: I beg to second that, Madam Chairman.

Madam CHAIRMAN: The Leader of the Opposition.

Bishop J. J. S. ATHERLEY: Madam Chairman, it seems to me the Honourable Member is saying to us that with respect to disbursements under the Micro-Enterprise Development Programme, that is offering assistance to small businesses during the national lockdown period. The achievement to date is about 50 per cent of persons who have been subsidised or assisted with the monies disbursed thus far means that they have about 50 per cent of persons or businesses which have not yet been reached. I just wonder if the Minister is satisfied as to the rate of pace at which the disbursements are being made. I know there must always be a concern over verification process, et cetera, but is the Ministry satisfied with the rate of pace at which the disbursements are being made. I ask that because I get a lot of calls, I meet people or people meet me on the street, on the top of Broad Street or the middle of Swan Street and they are wondering what has happened with this assistance that we have heard about. If the Minister is in a position to say that his Ministry is satisfied with the rate of pace of disbursements or what might be the challenges apart from having to go through a careful verification process.

The other thing is, listed categories which have been supported and he mentioned taxis. I do not know how far that has gone among taxi operators.

I heard no mention of the ZR operators, Route Taxis Operators, those persons who are at the level in the provision of public transport through private owned means or private operated means, and I wonder what is the position with them. Are they included or not included and if they are excluded what is the basis for their exclusion because we have in fact gone through in the last month a serious lockdown which would have impacted them. You cannot lockdown the country and do not expect that it would not affect transportation which you have categorised as an essential service and expect to be on the road to get essential workers to their jobs. The numbers have been totally down with respect to people out there commuting public and what is the position therefore with the ZR people and the people of that ilk who provide from privately operated interest a public service of transport.

Madam CHAIRMAN: Thank you. The Honourable Member for St. James Central.

Hon. K. D. SYMMONDS: I thank the Honourable Member for his question, Ma'am, and I say in cathedra, inside this House of Assembly, that which I have said ex cathedra, outside of the House of Assembly, in speaking to the Press generally.

The fact of the matter, Ma'am, with regard to the question of the speed of the disbursements, is that I have made it very clear that I wish with all of my heart that we could go faster but I indicated to this House when I first came here that part of the challenges we face even as early as at the very start of the process was the unfortunate practice of some of our fellow Barbadians to seek to abuse what is really an effort on the part of the Government to do that which is unprecedented certainly within this hemisphere and if I was to go a little bit further, that which has been set now as an example for Great Britain to follow.

Those who follow these matters internationally, Ma'am, would realise that the Chancellor of the Ex-Chequer in England has now sought to model on that which we are doing in Barbados, a package of assistance of a similar nature. The fact of the matter, is Ma'am is that it is a very difficult thing to achieve because of the fact that you have to ensure that people who are benefitting are genuinely involved in the area that they claimed to be involved. In some instances, it is an easier thing to do because you have existing registration processes. In reality and practice, Ma'am, in most cases the registration process is very inadequate. In some cases, in some types of operations there are some people who are still doing registration by writing in a book so you have to then do a

physical check to make sure that these people are doing that which they claimed to be doing.

There is no centralised registration in Barbados. One of the things that I am going to treat to as we evolve - I am going to come with the legislation anyhow looking at relooking and rethinking the micro, small and medium-sized business sector in this country - is to try to get people to register their businesses and to bring some order to the structure that now exists. Ma'am, for example, if I look at the fishing industry, my Ministry would have responsibility for this disbursement and my Ministry would have the responsibility for treating these folks in the fishing sector as business persons but they are registered with the Ministry of Agriculture and Food Security to do something under the jurisdiction of the Ministry of Maritime Affairs and the Blue Economy. Similarly, the people who are vending on the beach. These are legitimate business people or entrepreneurs in their own right but they are registered with the Ministry of the Environment and National Beautification to do something under the jurisdiction of the Ministry of Maritime Affairs and the Blue Economy, so it is an effort that must now take place to bring a form of order to a process that has obviously bothered this country quietly for a long time but COVID-19 as with everything else has laid this bare. Madam Chairman, I hope that explains to the Honourable Member the challenge that we face.

Madam Chairman, as I said we have brought on additional members of staff. We have dedicated persons who for example may have been doing reception type work and so on to now come and work with the team that is trying to do all of the background verification but it is unfortunately made a more tedious process by the instinct of some of our fellow citizens to try to abuse the goodwill of the State.

With regard to the question of the ZR drivers, route taxi drivers, Ma'am, I want to say here and now that I recognise that the community of persons driving public service vehicles are legitimate business persons in their own right. Where the distinction was drawn is because all of these people who are benefitting by way this financial assistance package of the Government are benefitting. After all, their businesses were brought to cessation. Cessation only has one meaning, it was brought to a halt. The fact of the matter is that under the COVID-19 directives persons in the PSVs sector, Private Service Vehicles Sector, were still allowed to operate and Ma'am, are still allowed to operate and therefore we cannot treat them on equal footing as you would to the vendor who was told stay home, you cannot sell, you cannot ply your trade, nor you cannot treat to them on equal footing, Ma'am, as you can to the person who is a cosmetologist who was told do not go to work, do not open your doors, have nobody in there, do no business, and so therefore while those persons are still in that state of

affairs there are materially different from that which the PSVs sector has experienced.

Madam Chairman, I do not say that likely in here because I want the Honourable Leader of the Opposition to know that last Friday at 10.30 p.m. I ended a meeting with that sector on Zoom, the meeting would have begun around 7.00 p.m., and I indicated to them that I fully understand and appreciate what their challenges are but I do not think that this package or this relief package is the best possible route to assist them and therefore what I have asked for them to do and to come back to me on within two weeks from then is to get together among themselves and let us as the Government and I as the representative of Government have the benefit of a clear understanding of what some of their major priorities are with regard to how best we can lift that sector up and transform it in the way in which it needs to be transformed.

Now, let me say equally, Ma'am, and very briefly too that the challenge here is that it is a two-way street and therefore matters relating to law enforcement and matters relating to the views of the insurance sector, et cetera have also to be taken into consideration, but I give the House the undertaking that I will with the Minister responsible for finance in the Ministry of Finance rethink and rework a programme of policy which we can look at with regard to this important aspect of public transportation in Barbados.

I am obliged to you, Ma'am, and beg to move that Head 92 stand part.

The question that Head 92 stand part was put and resolved in the affirmative without division.

On the motion of Hon. D. D. MARSHALL, seconded by Hon. J. A. KING, MADAM CHAIRMAN reported to His Honour the SPEAKER the passing of one Money Resolution with amendment in Standing Finance Committee and Mr. SPEAKER resumed the Chair and reported accordingly.

On the motion of Hon. D.D. MARSHALL, seconded by Hon. W.A. ABRAHAMS, the Bill was read for the first time.

On the separate motion of Hon. D.D. MARSHALL, seconded by Hon. W.A. ABRAHAMS, the Bill was read for the second time.

On the separate motion of Hon. D.D. MARSHALL, seconded by Hon. W.A. ABRAHAMS, the Resolution was read for the first time.

Hon. D.D. MARSHALL: Mr. Speaker, I beg to move that the Resolution now be agreed to.

Hon. W.A. ABRAHAMS: I beg to second that, Sir.

The question that the Resolution be agreed to was put and resolved in the affirmative without division.

ADJOURNMENT

Hon. D.D. MARSHALL: Mr. Speaker, that concludes our business at Parliament for today. I hoped that we would have been able to finish before now but Government Business and public affairs do take precedence. We hope everyone will get home safely before the curfew hour expires. Mr. Speaker, let me indicate that the Estimates Debate commences on Monday of next week and the Estimates have been laid electronically so that Members will have it within the next few hours, I believe. With those words, I beg to move that this Sitting be adjourned until Monday, March 15, 2021, at 10 o'clock in the morning.

Hon. W.A. ABRAHAMS: I beg to second that, Sir.

The question that the Sitting do now adjourn until Monday, the 15th Day of March, 2021, at 10 a.m. in the forenoon was put and resolved in the affirmative without division and MR. SPEAKER adjourned the Sitting accordingly.

CONTENTS

MINUTES

Hon. D. D. MARSHALL.....	2
Hon. J. A. King, 2.	

GOVERNMENT NOTICES

Hon. D. D. MARSHALL.....	2
1. Resolution to grant the sum of \$17 655 386 from the Consolidated Fund and to place it at the disposal of the Government to Supplement the Estimates for the year 2020-2021, as shown in the Supplementary Estimates No.10/2021.	

FIRST READING OF BILLS

Hon. D. D. MARSHALL.....	2
Dr. the Hon. W. F. Duguid, 2.	

ORDERS OF THE DAY

SUSPENSION OF STANDING ORDERS

Hon. D. D. MARSHALL.....	2
Dr. the Hon. W. F. Duguid, 2.	

GOVERNMENT BUSINESS

ORDER NO. 1 – SECOND READING OF THE ANTI-CORRUPTION AND ANTI-TERRORISM BILL, 2021.....	2
Hon. D. D. Marshall, 2, 4; Hon. J. A. King, 8; Hon. Miss C. S. V. Husbards, 8; Hon. C. E. Jordan, 11; Hon. K. D. M. Humphrey.	

RESUMPTION

ORDER NO. 1 (resumed)

Bishop J. J. S. Atherley, 14, 15, 17, 20; Hon. I. A. Weir, 17; Hon. K. D. Symmonds, 19, 20; Hon. W.A. Abrahams, 23, 24, 25, 27; Mr. G.W. Payne, 27; Hon. D. D. Marshall, 29, 30; Hon. K. D. M. Humphrey, 30.

GOVERNMENT NOTICES (RECOMMITTED)

Hon. D. D. MARSHALL.....	30
--------------------------	----

FIRST READING OF BILLS (RECOMMITTED)

Hon. D. D. MARSHALL.....	30
--------------------------	----

GOVERNMENT BUSINESS (RECOMMITTED)

Hon. D. D. MARSHALL.....	31
Hon. J. A. King, 31.	

RESUMPTION

ORDER NO. 1 (resumed)

ORDER NO. 3 – RESOLUTION TO MOVE THAT THE HOUSE RESOLVES ITSELF INTO STANDING FINANCE COMMITTEE TO CONSIDER THE GRANT OF SUMS OF MONEY FOR THE SERVICE OF THIS ISLAND.....	31
Madam Chair, 31.	

STANDING FINANCE COMMITTEE

HEAD 33

MINISTRY OF HOME AFFAIRS, INFORMATION AND PUBLIC AFFAIRS

Madam CHAIR.....	32
Hon. R. R. Straughn, 32, 33; Hon. J. A. King, 32; Bishop J. J. S. Atherley, 32.	

HEAD 35

Hon. Miss. C.Y. FORDE.....	33
----------------------------	----

HEAD 81

Hon. C. McD. GRIFFITH.....	34
Bishop J. J. S. Atherley, 34.	

HEAD 83

Madam CHAIR.....	34
Hon. P. R. Phillips, 34, 35; Bishop J. J. S. Atherley, 35.	

HEAD 86

MINISTRY OF HEALTH AND WELLNESS

Lt. Col. the Hon. J. D. BOSTIC.....	35
Hon. Miss. C.Y. Forde, 36.	

HEAD 87-

MINISTRY OF EDUCATION

Hon. R. R. STRAUGHN.....	36
Hon. K. D. M. Humphrey, 37; Hon. K. D. Symmonds, 37, 38; Hon. Miss. C.Y. Forde, 38; Bishop J. J. S. Atherley, 38; Hon. D. D. Marshall, 39; Hon. W.A. Abrahams, 40.	

SUSPENSIONS.....	14, 31.
------------------	---------

ADJOURNMENT.....	40
------------------	----

Hon. D. D. Marshall, 40; Hon. W.A. Abrahams, 40.

SPEAKERS IN THIS ISSUE

ABRAHAMS, Hon. W.A.

ATHERLEY, Bishop J. J. S.
BOSTIC, Lt. Col. the Hon. J. D.
CHAIR, Madam
DUGUID, Dr. the Hon. W. F.
FORDE, Hon. Miss. C.Y.
GRIFFITH, Hon. C. McD.
HUMPHREY, Hon. K. D. M.
HUSBANDS, Hon. Miss C. S. V.
JORDAN, Hon. C. E.
KING, Hon. J. A.
MARSHALL, Hon. D. D.
PAYNE, Mr. G.W.
PHILLIPS, Hon. P. R.
STRAUGHN, Hon. R. R.
SYMMONDS, Hon. K. D.
WEIR, Hon. I. A.

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EDITORIAL NOTES — NOT PART OF THE REPORT

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

EDITORIAL QUERIES

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

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

Q2. Order No. 1, heading. The order is headed ‘SECOND READING OF THE ANTI-CORRUPTION AND ANTI-TERRORISM BILL, 2021’, while Hon. W. A. Abrahams calls it the ‘Anti-Corruption and Anti-Terrorism Agency Bill’ and the Bill passed is cited as the ‘Anti-Corruption and Anti-Terrorism Agency Act, 2021’. Printed as in the source.

Q3. Order No. 1, Committee, Schedules. Hon. D. D. Marshall moves that the First Schedule be the first schedule to the Bill and it is seconded, but no line records that it was passed; the record goes on to the Second and Third Schedules. Printed as in the source.

Q4. Order No. 4. Hon. D. D. Marshall’s speech ends ‘I beg to move that this Resolution do not pass.’, after which the question ‘that the Resolution do now pass’ was put and agreed to. Printed as in the source.

Q5. Order No. 3, after Standing Finance Committee. The procedural lines after the report read ‘the Bill was read for the first time’, ‘the Bill was read for the second time’ and then ‘the Resolution was read for the first time’ before the Resolution was agreed to, although the business was a Resolution under Supplementary Estimates No. 10. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The House of Assembly met in a hybrid physical and virtual sitting at the Worthing Corporate Centre on Tuesday, 9th March, 2021 at 10.00 a.m., with Mr. Speaker in the Chair; prayers were taken by Rev. Father Mark Harewood. The Minutes of 5th March were deferred. The Attorney-General, Hon. D. D. Marshall, Member for St. Joseph and Acting Leader of Government Business, gave notice of a Resolution to grant \$17 655 386 under Supplementary Estimates No. 10, and the Liquor Licences Bill, 2021 was read a first time.

Under Order No. 1 Mr. Marshall moved the second reading of the Anti-Corruption and Anti-Terrorism Bill,

2021, which would set up a standalone agency to investigate corruption and terrorism, working with the Royal Barbados Police Force and accountable to an Oversight Committee. He said whistleblower and anti-corruption legislation had been sent to Integrity Barbados for comment. Hon. Miss C. S. V. Husbands, Member for St. James South, related the Bill to the work of the Ministry of Foreign Affairs and Foreign Trade, and Hon. C. E. Jordan spoke on the damage corruption does to a nation and the need for education.

After lunch the Leader of the Opposition, Bishop the Hon. J. J. S. Atherley, Member for St. Michael West, welcomed legislation against corruption, quoting Sir David Simmons on personal integrity, and questioned the medicinal cannabis industry; Hon. I. A. Weir rose on a point of order that no licences had been issued by the Barbados Medicinal Cannabis Licensing Authority. Hon. K. D. Symmonds, Member for St. James Central, said the Leader of the Opposition had used the debate ‘to make a clamour for political patronage’; the Speaker found no point of order when Bishop Atherley objected. Hon. W. A. Abrahams and Mr. G. W. Payne, Member for St. Andrew also spoke, Mr. Payne raising concerns about transparency and the appointment of the Commission. Mr. Marshall replied and the Bill was read a second time. In Committee, Dr. S. E. Browne in the Chair, clause 1 was amended to read ‘the year 2021’, and the Bill passed as the Anti-Corruption and Anti-Terrorism Agency Act, 2021.

Mr. Marshall gave notice of the Appropriation Bill, 2021, which was read a first time, and moved Order No. 4, a Resolution allowing the Standing Finance Committee to examine Heads with the Minister speaking virtually from the Committee Room, which passed.

Under Order No. 3 the House went into Standing Finance Committee. Hon. R. R. Straughn moved Head 33 for the Prisons and the Government Printery and Head 87 for school monitors’ NIS contributions; Hon. Miss C. Y. Forde moved Head 35, \$1 216 107 for the National Assistance Board; Hon. C. McD. Griffith moved Head 81, \$365 000 for the South Coast Sewage Treatment Plant; Hon. P. R. Phillips moved Head 83 for agriculture; Lt. Col. the Hon. J. D. Bostic moved Head 86 for the community clinics in St. Andrew and St. Joseph; and Mr. Symmonds moved Head 92, \$6 875 756, including \$6 500 000 for FundAccess to assist micro-businesses during the National Pause. All passed and the Resolution was agreed to.

Mr. Marshall noted that the Estimates Debate would begin the following Monday, and the House was adjourned until Monday, 15th March, 2021 at 10.00 a.m.

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