

# THE SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

## THE SENATE

*Wednesday, 29th April, 1981.*

The Senate met in the Senate Chamber, Public Buildings, on Wednesday, 29th April, 1981, at 2.40 p.m.

### PRESENT

His Honour Senator the Honourable Sir ARNOTT CATO, M.B., Ch.B., LL.D., (President); His Honour Senator the Rev. G. ANDREW HATCH, M.A., (Deputy President); Senator the Hon. N. A. BARROW, B.A., LL.B., (Minister of Information) (Leader of the Senate); Senator O'BRIEN TROTMAN, (Parliamentary Secretary, Prime Minister's Office); Senator Sir MENCEA COX; Senator H. F. G. ROCHEFORD, B.A.; Senator R. L. FIELD; Senator AARON TRUSS; Senator H. R. LINTON, LL.B.; Senator K. E. HINDS; Senator Miss O. A. LYNCH, B.A., Dip. Ed.; Senator C. I. E. DEANE; Senator K. R. HEWITT, B.Com., C.A.; Senator Mrs. E. M. LYNCH, B.A.; Senator J. D. S. MACKENZIE; Senator Miss M. I. StC. BLACKMAN; Senator J. C. W. WICKHAM; Senator the Hon. D. G. BLACKMAN, (Minister of Labour and Community Services); Senator R. E. BRATHWAITE; Senator N. W. BOXILL and Senator W. O. FRANKLIN, A.I.A.S., J.P.

Prayers were read by Rev. Dr. Lionel Crawford.

### PRESENTATION OF PAPERS

SENATOR THE HON. N. A. BARROW: Mr. President, I have the honour to lay the following:

1. The Annual Report and Statement of Accounts of the Barbados National Bank for the year 1979.
2. Statements showing Net Customs and Excise Receipts for twelve months ended March, 1981.

3. The Caribbean Common Market (Origin of Goods) Regulations, 1981.
4. The Mortgage Insurance (Amendment) Regulations, 1981.
5. The Customs Tariff (Amendment) (No. 5) Order, 1981.
6. The Twenty-fifth Report and Financial Statements of the Transport Board for the six month period ended 31st March, 1980.

### INTRODUCTION OF BILLS

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to give notice of the following:

A Bill to make provision with respect to the Constitution, jurisdiction and proceedings of the Supreme Court of Judicature; to make provisions respecting the administering of justice and for matters incidental thereto and connected therewith.

A Bill to amend the Fire Service Act.

A Bill to amend certain enactments for the purpose of revoking certain duties and tax concessions respecting statutory boards.

A Bill to amend the Property Act, 1979.

Mr. PRESIDENT: Let it be recorded in the Minutes that these Bills have been read a first time.

SENATOR THE HON. N. A. BARROW: At this stage, Sir, I wish to say that I had previously asked the Clerk to circulate the Bill with respect to the Constitution, jurisdiction and proceedings of the Supreme Court of Judicature which item I had hoped, and still hope, I should be in a position to deal with

this afternoon, but there is a very small though significant item relating to the revocation of certain duties and tax concessions respecting Statutory Boards which file was sent to me today, and I was asked if I could see whether members of the Senate would agree to take that matter this afternoon in all its stages. It is a Bill that can be read in less than five seconds and all that it involves really is just what it says, that certain Statutory Corporations enjoy certain tax concessions at the moment and there is a Schedule, and all that the Bill asks is that these be removed from the Schedule. By the time we come to impose on members, members will have had a chance to see the Bill for themselves and will realise that we are not really imposing all that much.

Mr. PRESIDENT: Is the Clerk ready to circulate that Bill? Later on after the Bill has been circulated, we will take the point up and see what members' feelings are on the matter.

#### PUBLIC BUSINESS

SENATOR THE HON. N. A. BARROW: Mr. President, it is our intention that Order No. 7, a Bill to amend the Constitution, be the first Order of the Day. There are, I believe, some seven other items on the Order Paper which we hope to deal with this afternoon. Items Nos. 1, 2, 3 and 4 will be handled by Senator Trotman, Nos. 5 and 6 by Senator Blackman and Nos. 7 and 8 will be handled by me.

Mr. PRESIDENT: If there is no objection, Order No. 7 will be taken as the first Order of the Day.

#### THE BARBADOS CONSTITUTION (AMENDMENT) ACT, 1981

The first Order of the Day was called – to move the second reading of a Bill to amend the Constitution of Barbados.

SENATOR THE HON. N. A. BARROW: Mr. President, no Bill for the amending of the Constitution may be treated as though it is unimportant but in this case there is a difference between this and other amending Bills in that whereas other amending Bills have tended to detract perhaps from the effect of certain sections of the Constitution or to alter them completely, this particular amending Bill is designed to put into the Constitution for the protection of all Barbadians something that was not previously there.

Sir, on the occasion of the passage of the legislation relating to plantation tenancies, I went to some length to point out that our Constitution specifically states that any alteration or modification to the Constitution if we wish to take out a word and put

in another, if we wish to modify it in any way, if, in order, for example, we wish to allow tenants in plantations to own the land at the price which we have decided, it will be some infringement on the rights of the individual land owner, and that has to be done by way of Constitutional amendment.

If, therefore, we wish to provide within the framework of the Constitution something, no matter how important it is for the protection of Barbados, and its customs and its institutions, then, according to Section 49 of the Constitution, there is a specific formula which is to say that on the final voting on that Bill there must be a majority of two-thirds of the membership of each House of Parliament, and, moreover, Sir, it must be stated in the Act that it is an Act for the purpose of amending the Constitution. You will see, therefore, that in this particular case, the Bill will clearly, if passed by the Senate, qualify as a Bill to amend the Constitution.

I do not, Sir, have to introduce this matter at any great length for the simple reason that it is one which is not in any way new to people in public life in this country. In the first instance, Sir, the business of an independent Boundaries and Electoral Commission surfaced in Barbados right at the inception of the discussions with the making of the Constitution and it became an important part of the brief of the Labour Party Delegation which attended the Constitutional talks in London in 1966.

Consequently, in the Labour Party's Manifesto of 1966, in the Labour Party's Manifesto of 1971 and in the Labour Party's Manifesto of 1976, you will find a commitment by the Party of which I have the honour to be a member, a commitment to the idea of establishing an Electoral and Boundaries Commission.

Sir, if I use the exact words used in the Manifesto of 1976, it says, "In particular the Party will seek to establish a permanent Electoral and Boundaries Commission with full constitutional protection to preserve free elections and put an end to a sorry system under which the machinery of elections in the constituencies is largely in the hands of persons known to be supporters of the Government." "A permanent Commission with full constitutional protection." That is why the proposal is that it becomes one of the entrenched provisions of the Constitution.

In our Constitution, Sir, provisions may be changed in one or two ways. Either by an absolute majority vote, that is to say a majority of the membership rather than a majority of the members present and voting, or, in the case where a Clause is regarded as so sufficiently important that it should be changed only after the most

serious and careful deliberation, then there has to be a majority of two-thirds of the membership voting thereon.

You will therefore see, Sir, that in Section 49, sub-section 2 of the Constitution, it states that certain Sections, this section of Section 1, Chap. 2, Chap. 3, Sections 28, 32, 35 — 39, 41, 42, 48 and so on, it says: "A Bill for an act of Parliament under this Section that alters any of the following provisions" and those provisions I have just listed, "shall not be passed in either House unless on final voting thereon in the House it is supported by the votes of not less than two-thirds of all the members of the House."

Consequently, Sir, it is important that this be listed with this Section, Section 49, Sub-section 2, if this Clause is to be entrenched and therefore capable of change only by application of the more difficult of the formularies provided within the constitution for change.

This particular Bill, Sir, seeks to set up an independent Commission and each of the Clauses is of particular significance and, therefore, in introducing this Bill, it is necessary for me to refer to the provisions of each Clause, thankful it is a short Bill.

In the first place, Sir, there is a modification of the language appearing in Section 41 because, Sir, what the Constitution previously did was to simply provide that there shall be laws enacted which will act upon the business of holding elections. What this Law does is to say this is the law and shall have the force of a constitutional provision. Consequently, the language in Section 41 has to be amended in order that the authority should not be just any Law, but by this Constitution.

The Act itself is enshrined in the Constitution as the new Section 41A of the Constitution and we shall refer, Sir, to certain aspects of it in a short while. Section 42, Sir, of the Constitution, this is a Section which appeared in the Barbados Constitution and in the Jamaica Constitution, Sub-Section 2 of it.

It says that no election, or running of the House of Assembly should be called in question on the grounds that the law under which that election was conducted was inconsistent with this Section. By enshrining the election machinery within the Constitution that Section has become modified and a new Section 42 has been provided. It is now apparent that that Section, as it now exists, poses certain problems in the courts. But in fact, the Jamaicans have had to play this one out in the case of *Thompson vs. Forrest* in which the trial judge gave his judgement on grounds other than those that were the substance of the action brought before the court because it was going to raise all sorts of serious Constitutional problems had he applied his mind directly to the

matter raised. Since the case could be decided on another ground, he did precisely that.

But, the general intention of this kind of provision is really to say that because there may be defects in the Law, that is to say that the Law may be regarded as *ultra vires* the Constitution and therefore void, or void of material in particular, then, because of that, one does not wish to void elections because that of course could be a sort of chaos and the way to unseat a Member if elected is to proceed by way of an election petition. The law has never been changed in this country in relation to that and it was not the intention of the Constitution amendment to change that and that therefore led both in Barbados and Jamaica to the provision of this Sub-section which it is said has caused problems in one particular case.

By bringing the Electoral and Boundaries Commission legislation into the Constitution and by remaking that Section 42 that sort of problem, Sir, should now be obviated.

In Section Five of this Bill, Sir, you will see that paragraph (c) of Sub-section 1 of Section 44 of the Constitution is proposed to be deleted. So that is the section that says that if one has committed a felony, or an offence in relation to dishonesty that 10 years must elapse before that person if he is convicted of a felony, or an act of dishonesty, can qualify to be elected as a Member of the House of Assembly. That Section, Sir, with all due respect to a phrase of the Constitution cannot be said to be fair, if we hold that persons who commit offences pay their dues and may re-enter life in the community, we cannot at the same time have a discriminatory provision within the Constitution and, therefore, we have left it for matters of that sort to be taken care of in the usual way in electoral law as they should be and not as a Constitutional bar.

Mr. President, I have wound my way around two aspects of the legislation. One must observe that the formula is a formula that reflects political reality. One notices that the staff which will service the Commission would come directly under the control of the Commission and that the Minister will have the responsibility fully for all aspects of the conduct of elections, including the registration of voters and the delineation of boundaries and, since we do not put man into a position and fix him there, there are shifts in population and there will be an increase from time to time in the volume of population. There is always the necessity for machinery to ensure that these things are kept under review and changed whenever necessary.

The other point is to make a provision for election broadcasting. There are those within our community who have informed themselves as to what the position of one or other political party is, or is supposed to be in relation

to the business of political broadcasts. Let me make first of all the point that election broadcasting is either within the ambit of, or quite separate from, political broadcasting. Insofar as the political broadcasts to which one refers take place during the election period, whether for the period of broadcast that period is defined in terms of the issue, or in terms of nomination day and polling day, as long as the definition is clear and relates obviously to the election period, if we see, Sir, that when the Minister issues a statement before polling day that that is to be deemed an election broadcast, everybody knows what is the time limitation.

Quite apart from that and at different times, except at specified periods broadcasts by political parties, broadcasts calculated to enhance the image of a political party, or to reflect adversely on the image of another political party, such things which are known as political broadcasting can take place and therefore it is necessary to make a distinction between them. In 1970 or 1971, there were initiatives made by the Chairman of Barbados Rediffusion, Mr. Campbell, who is still in fact the Chairman of Rediffusion. We had discussions with both the Democratic Labour Party and the Barbados Labour Party and we came up with proposals generally for political broadcasting. These proposals also included proposals for election broadcasts.

It was not my intention to go into any detail except to point out one thing that where election broadcasts were concerned, page 3 of the relevant document, clause 12(e) says: "In allocating broadcasting time the stations will have to regard to the number of candidates nominated by each political party, but will not allocate any time to a political party that nominates less than twelve candidates; and (f) the political party in power when Parliament was dissolved will have the right to the first and last election broadcasts if it has not less than 18 candidates nominated for election."

I am mentioning those two, Sir, because those are two points which no doubt inform the policy on which the broadcast time was allocated in 1971, in 1976 and will again be allocated in 1981.

In so far as the views of any political party are ascertainable in relation to election broadcasts, that document of Mr. Campbell represents agreement, consensus. When, therefore, we read elsewhere that one party has been making a call for equal time and now is doing something else, with all due respect, Sir, I would just like to say that the assertion is not only not true, but it is a successful attempt to misinform oneself. It just happened that at the time when I read otherwise we had already been working on this matter in the Ministry, because on the initiative of the Broadcasting Authority

proposals were at that time being considered for the allocation of broadcast time. Indeed, what the Authority has been working on were general proposals concerning political broadcasting. So it seems, Sir, that the matter of the party which at the time of dissolution, provided it is showing that it intends to run enough candidates to continue as the Government — it is quite clear that there has been agreement among the political parties, certainly from as early as 1971, as to this formula — and it was concretised in the letter written on the 25th August, 1971 by the Permanent Secretary to the Prime Minister to the General Manager of CBC, which was copied also to the Chief Information Officer, in which it sets out quite clearly that there shall be three election broadcasts of 15 minutes, the first and the third going to the Democratic Labour Party, at the time it formed the Government, the second going to the Barbados Labour Party, and then two 30-minutes broadcasts, the first going to the Barbados Labour Party and the second to the Democratic Labour Party, the party then forming the Government.

Having read what I read about when people were in Opposition what it was they were calling for, I made sure I had the files checked just to see if what I knew to be the case could have been misinformation. I am satisfied that once again somebody has been misled, because it is a perfectly reasonable ploy for Mr. Sandiford to ask for equal time, but Mr. Sandiford was a member of the Government that laid this policy down, and laid this policy down with agreement, even though it was Rediffusion that might have got the agreement, the fact is that it was done with the agreement of the then Opposition, which is today the Government. Therefore, that is clearly a matter of consensus, and I would really hate, Sir, to have the misrepresentation perpetuated.

I believe that neither political party can argue or can quarrel at the continuation of a policy which was agreed to certainly and clearly by all at its inception. What will happen, Sir, is that in the future the Commission will determine what broadcasts there shall be and whether there should be a differential in terms of how many broadcasts each side should have. All I can say, Sir is that it is within my knowledge that that formula of an additional broadcast for the party holding the most seats at dissolution is a formula that is not only established in Barbados, but if one goes through a BBC Handbook and looks at the *aide-memoire* which relates to this matter, one will not be surprised to find it has slightly wider application than just here in Barbados. I am saying, Sir, that this is a formula that is well used, it is well known, and it is a fair formula.

Since this was going to be the last election before the Commission takes over, we did not think it advisable to depart in any material way from what was established

practice, and therefore no thought has been given by us to any changes, except in one particular, and it is this, that while the radio stations and the television station broadcast election broadcasts in prime time and can therefore be said to be giving of their most valuable commercial time free, the newspapers which cannot be said to be giving of their most valuable space free are allowed to advertise, the political parties advertise in newspapers and apart from advertising meetings the political parties do not advertise on radio or television. It is felt that if a reasonable formula can be worked out, that is to say, a formula that will not result in the excesses of American electioneering creeping into this country, which is, who can spend the most money and get the greatest coverage, if there can be some limited amount and such a formula can be worked out without offence, then there may be some limited amount of advertising allowed. That, Sir, is the only departure.

The other point which might appear to be a departure is that a party in order to qualify for political broadcasting must now run a minimum of 14 candidates. The reason for that is obvious, Sir. When it was 12, it was because the House had 24 members, and the idea is that you should show you are a serious party, that is, that you intend to form a Government if you are successful, and therefore instead of 12 which related to 24, the number would be 14. These, I repeat, Sir, represent decisions taken for the elections to be held whenever they are held this year — I am sure they will be held before January 1982.

Before I sit down, Sir, just let me deal with the final question. It is a question which has been addressed very vociferously by those who from 1966 have had the opportunity to introduce legislation for the establishment of an independent Electoral and Boundaries Commission and have not done so, and in the Other Place under whatever guise have shown their opposition to having an Electoral and Boundaries Commission.

It seems to me, Sir, less than genuine for anyone who has had the opportunity to introduce such legislation to turn and look at somebody else who is not only introducing it but enshrining it in the Constitution and say to that person "I must oppose it because you do not bring it early enough". If I understand the argument, the argument is that this should have come first and then the alteration in boundaries should have come. A commission when set up has a minimum of one year and a maximum of five years within which to do its work and to report. The Constitution Review Commission which the manifesto mandated that we set up was established, consulted the people all over this country took its time to do its work, and then, having reported, some of its proposals are becoming law bit by bit.

There is absolutely no way that any practical politician is going to suggest seriously to me that any Prime Minister would have his timetable set by when we can get this legislation through Parliament. The timing of an election is one of the most important political powers of a Prime Minister, and there is no way, Sir, that any Prime Minister operating with even a little bit of commonsense is going to allow his hands to be tied in terms of his time table by waiting first for the machinery which because of quite reasonable and understandable circumstances could not until now be ready. If an election is going to be held and if it is the view of this Party, as it has always been, that where significant population shifts take place then there must be a re-distribution, then that re-distribution had to take place regardless of whether the Commission was ready or not. We are after all dealing with a time period between 1976 and 1981 in terms of such adjustments of boundaries, but when we are dealing with the adjustment of boundaries by the Commission, we are now dealing with it for all time therefore it is open to the Commission in its review of the boundaries to make what changes it will for whatever future elections.

Because we were not in a position to bring the legislation before does not in my opinion mean we should have gone to the polls and then afterwards brought it. We bring it when it is ready like we bring everything when it is ready. I just wish to make the point that if that point was being made in other quarters, even though I know it to be a non-point and even though the answer is precisely the answer I have given, I would treat the point with a little more seriousness than when that point comes from quarters that have had the opportunity for all this time and have done nothing.

Mr. President, the legislation before us is a Bill designed to enhance the rights of all Barbadians, to give greater security to the political system under which we currently exist, to ensure that by doing all that is necessary for preserving confidence in free, fair and democratic elections in this country that this society as we know it ought to be able to go forward from strength to strength within a climate of political stability and with choices open to the electorate, choices posed by persons and by parties which have some common commitment to certain important sets of ideas. In short, Sir, when we talk about enshrining this kind of legislation, we are talking about legislation not only for Barbadians now, but for Barbadians in the future.

I beg to move that this Bill be now read a second time.

SENATOR N. W. BOXILL: Mr. President, I was really waiting to see if some of the members on this side wanted to speak before me because I do not want it to

appear that I want to have this whole show. I want to make it quite plain in my first approach to this Bill that I am not going to vote for it. (Asides) I am not voting against anything by instructions, and I will not have any instructions from you. This is a very serious evening for me. Even if my party had voted for it, I am going to talk the same thing as I would have spoken then, and when it comes to the vote, I would have gone out.

What I would like to know, Mr. President, is what has happened to the churches and what has happened to the commercial community of this country. In 1974 when the Democratic Labour Party was about to make an amendment to the Constitution, it was sent to these people including the churches for their views. Even if their views were not accepted they had an opportunity to air them. This Government came into power on the pretext that it is an open Government. This is the fourth amendment to the Constitution, Mr. President, that this Government is making, and it is not consequential. Do not say "hear, hear"; it is not a consequential amendment to the Constitution. These Amendments have been made to suit certain people, not the majority of Barbadians, and that is why I am not going to vote for it. (Senator the Hon. N. A. BARROW: Like the plantation tenancies.) There is nobody who can use more asides than me. Talking about the plantation tenancies we know who the plantation tenancies will benefit, so do not bring in the plantation tenancies, because you would want me to talk for the whole night.

Mr. PRESIDENT: I certainly would not allow you to talk for the whole night, but pay no attention to asides, Senator Boxill. Let us get on with the debate.

SENATOR N. W. BOXILL: I would like to respect your wishes, but one cannot afford to respect your wishes when these people are making these loud asides and trying to interrupt me. Let me tell them something. I have debated in the Lower Chamber and now I am in the Upper Chamber, so they cannot take me off my stride. They are not good enough.

When the Democratic Labour Party had suggested an amendment to the Constitution, the members of the Barbados Labour Party went up hill, down ditch, in every glen, dale and vale trying to give the impression that the members of the Democratic Labour Party were interfering with the Constitution and that the next thing you will have is a dictatorship. I am asking, if the Barbados Labour Party did not have a majority, if they would have thought that this amendment to the Constitution was necessary now. But, furthermore, this amendment to the Constitution is tantamount, Mr. President, to someone who has a pig, kills the pig, butchers it and then starts asking people to buy the meat.

They have cut up the boundaries to suit themselves and they were not even ready for that because up to now

they cannot even get 27 candidates. They cut up the boundaries to suit themselves and I was trying to get a picture — Thank you, Sir. This does not show what I wanted to see. If you look at the boundaries where Mr. Philip Greaves will be representing, you will notice that it takes somewhat of a warp mind to have what would appear to be a phallus, a thing cut up inside of a boundary so that people would have to walk over each other to vote for different people. A similar thing has happened in St. Philip.

If you look at this part of the constituency, and I am going to pass it around you will see what I am talking about. It can be a document of the House, Sir, but here it is, the Churches have gone silent all of a sudden. The business people of the community seem to have gone silent. What have they got to be afraid of? Can people's minds be so warped, can they be so blind that they cannot see what is taking place in this society?

I remember in 1974 when the Democratic Labour Party suggested an amendment to the Constitution, Sir, it was for the appointment of Judges in an identical way in which the Chief Justice is appointed and that, Sir, is that the Chief Justice is appointed, I do not know if it has been changed, but when I was a Minister the Chief Justice was appointed by the Governor General after recommendation of the Prime Minister and after consultation with the Leader of the Opposition. If it was so bad that you had to mount a crowd of people up and down with placards giving the wrong impression to this society, why have you not changed it now? You were in power for four years, you have a majority, why did you not change it back? It was so bad but it remains still as it is.

You are making four amendments to the Constitution that you have made since you have been into power and you are only doing it because you have a majority. If the amendment that the DLP made in 1974 was so bad, now is your time to have it reversed. But no, what do you have then, Sir? You have God's watchman who got up in the pulpit and used all sorts of accusations against the Democratic Labour Party and you know why, because the Democratic Labour Party was the Party of the needy and not a Party of the greedy. They were annoyed with the Democratic Labour Party from the time we came into power and we gave free Secondary Education as they had said to agriculture bare-foot women's children, and we have never been forgiven for it.

The Church used all sorts of things. As a matter of fact, every Sunday if it was not Rediffusion, it was CBC to bring over the sermon from God's watchman and he said in one of his sermons, if you can call them sermons, these are the words he used, "*mene, mene, tekkel upharsen*" and that was supposed to mean that

you have been weighed in the balance and found wanting, so what has happened with the scales now, Mr. President? Are they broken or since we have gone metric you cannot find any more people to weigh in the scales?

I speak without fear of contradiction or without fear of anything or anybody but what I want to know is, how come that when the Democratic Labour Party had proposed the Succession Bill, it was because we were trying to catch votes but when the Barbados Labour Party brought in the other Bill which I considered to be a great piece of legislation, I have said it before in the Papers and I will say it here too because I do not believe that there is any such thing as any illegitimate child or any such thing as illegitimate parents either. Who is to tell people when they are to have fun? A child did not bring himself here and the people who get children, all right, that is what they are there for. I am not saying that they must go on propagating if they cannot support their children but this nonsense that you can only have a child when you are married to somebody, you marry to somebody and the next week the wedding has gone through the door you could well have not gotten married, but I agreed with that piece of legislation.....

Mr. PRESIDENT: I am giving the hon. member a lot of latitude but try and keep a little more closely with the Bill in front of you.

SENATOR N. BOXILL: I am dealing with the amendment to the Constitution. Yes, I thank you for that, but I am dealing with the amendment to the Constitution, amendments to the Constitution and this is the fourth. I was not here for the other three, Sir, with all due respect to you, Mr. President. They were saying about us that we had brought down our bit of legislation because we were trying to catch votes so God's watchman was going to make sure that we did not get any votes so he used the pulpit and what was annoying about the whole thing was that he was not even castigated by his fellow priests or even the Bishop.

Now, I am not attacking the Church, but what is good for the goose must be good for the gander and since when we made our one, we made one amendment to the Constitution, we were found wanting and all sorts of things, how come they made four and have not been found wanting?

When I heard the introducer of the Bill talking about what took place in the Other Chamber and so on, then I think he used a remark such as, we bring this legislation when we are ready, I will deal with that later on. The point I am making, Mr. President is that in their Manifesto they said:

"A Commission for the protection of the Constitution will be appointed on which all political parties represented in Parliament would be offered places."

One would have thought that so important a thing as this would have come first, but no, it suited their purpose to cut up the constituencies first to suit them and then you are going to appoint the Commission so it is starting out how I said earlier, you killed a pig, you butcher it and then you look for somebody to buy it.

In Great Britain, Sir, there is a population of a little over fifty-five million people, they have something like six hundred and thirty-five people in the House that works out to approximately 86,342 people that one man has to represent. Approximately is what I said. If this be the case, Barbados is not getting any bigger. We do not have any forest to say that later on, we are going to go into the forest, we move people out to take in some of the wild land, so all you needed, you do not need any more constituencies either, all Barbados needed was a shift in population to suit. That is all it needed, you use your demarcation line at different places and those people who voted for A this time are voting for B this time. The country is not getting any bigger.

But, what have they done? A little place like Barbados with 27 seats, 27 members to represent it. Less than 250 000 people, 27 representatives and do not let anybody try to tell me that when we were in power we cut up the constituencies to suit ourselves. We set up a Boundaries Commission under the then Speaker of the House, who wanted to make even more seats and I was one who opposed it because I do not think Barbados is a country that can hold so many representatives.

The United States, two hundred and something million people, 104 in the Senate and four hundred and thirty-five in the House of Representatives.

Mr. PRESIDENT: Is the Honourable Senator now talking about the number of electoral districts, the number of representatives to the Other Place that should or should not be because that legislation has already been passed. I wish you would confine yourself to the discussion of the recommendation of the Constitutional Review Commission which this thing is all about, the setting up of an independent Electoral Boundaries Commission. The matter of the number of seats has already been disposed of by this Honourable House. It cannot be dealt with in this way, there is another way of doing it.

SENATOR N. W. BOXILL: Mr. President, I was not dealing with it, I was talking about it in passing. I realise that quite clearly, it passed already, so I cannot change it, but I am sure, Sir, I have seen other Honourable Members in here who in reply to me at times have gone far beyond what was on the Order Paper and.....

Mr. PRESIDENT: Just be careful.

SENATOR N. W. BOXILL: Yes, Sir, did you notice how I came back? I am dealing with the amendments to the Constitution, I am dealing with the Constitution being interfered with for the fourth time and as a result of that, I happen to have this. This is by the way, as far as I am concerned. The main point that I am dealing with is that here again we have the Constitution interfered with and all you get from the people who you expect would say something is nothing. Could it be that they were not circularised with the Bill before it came before us? I doubt, Sir. Is this the form of open Government that we would have to be content with? God help us. But, I am very much perturbed when some person because they have a majority can come to the Honourable House of Assembly, call home those who were as far out as Africa and many further out in Australia to make major changes in the Constitution. For what purpose? The purpose of serving a few. These are things that we have to be concerned with.

I am not particularly concerned with the Bill, when I come to deal with the Bill in Committee, I will deal with it in Committee too. I must state clearly how worried I am. On page 11, Sir, well, 10 going into 11:

- (1) "The election of members to the House of Assembly shall be conducted under the direction and supervision of the Commission."
- (2) "The Governor-General acting on the advice of the Commission shall make regulations providing for the election of members of the House of Assembly and the conduct of such elections, which shall, in particular —
  - (a) contain provisions for the division of Barbados into constituencies in accordance with any report submitted under section 41D;"

41(D) Sir says — that is the Constitution. I do not have it here, Sir.

Mr. PRESIDENT: What is the difficulty?

SENATOR N. W. BOXILL: It says here Sir on page 10:

"the Commission, shall make regulations providing for the election of members of the House of Assembly and the conduct of such elections, which shall, in particular —

- (a) contain provisions for the division of Barbados into constituencies in accordance with any report submitted under section 41(D);

On page 6,

"The Commission shall, in accordance with this section, review the number and boundaries of the constituencies into which Barbados is divided and submit to the Minister for presentation to the House of Assembly in accordance with this section reports either —

- (a) showing the constituencies"
- and so forth.

What I would like to know, let us assume then that neither party has an overall majority to change the Constitution and a Boundaries Commission submits what I talked about on page 10? What is the position? You can only change the Constitution if either you have a two thirds majority, or in conjunction with the Opposition. So, what is the position, then, if the Boundaries Commission makes these recommendations, but you do not have a two thirds majority?

What is going to be the position? You see, this was written on the grounds that somebody will always get 18 or 17 seats, but I am not seeing it so. So, you see we are going to run into some trouble right there and then, because as I said earlier, this amendment.....

SENATOR THE HON. N. A. BARROW: May I rise on a point of elucidation, Sir? I think the hon. member is prepared to give way. If I understand the point the hon. member is making, it seems to suggest that recommendations of the Commission relating to review of boundaries, or redistribution of seats, would require some amendment to the Constitution, but I think, Sir, if the hon. member would read it more carefully he would see that this is not the case. What is being entrenched is not the boundaries as they are now, what is being entrenched is the Commission and the law relating to its function, but the boundaries are to be changed by ordinary law. If you read the thing a little bit more carefully I think you would see that.

SENATOR N. W. BOXILL: I thank the hon. member for his point of elucidation. Mr. President, as I said earlier, I am not going to vote for the Bill, not because I do not feel that we should have a Boundaries Commission, but I am not going to vote for it on the grounds that the party in power cut up the boundaries to suit themselves and then came to us to sanction what they have done. This is going in a reverse way, as far as I am concerned. If this bit of legislation had gone on the Statute Book much earlier, I am sure you would not be getting this debate today, because this is something that you would need, but I am also sure that if it had gone on the Statute Book earlier that the constituencies that have been cut up in the way they have been cut up would never have been cut up the way they have been cut up. I

am saying they would never have been cut up this way, because if you had a Boundaries Commission set up, they would have to be a bunch of mad people or a complete set of village idiots to cut up the constituencies in the way in which they have been cut up now.

What the Boundaries Commission most likely would have done, in my view, would have been to shift the population density. If you had too many people voting in a particular constituency, you would put a demarcation line. The Commission would have shifted certain people from certain constituencies from voting there according to the boundary line, you would move the boundary to suit, and that is what the Commission would be there for, but not for the Government because they have an overall majority to cut up the boundaries to suit themselves and send it down here to us and expect us to give them a rubber stamp for it. No wonder, Mr. President, why there was so much lamentation when Senator Franklin and myself came to the Senate and other rubber stamps had been removed, because if people are going to come in here and are going to be afraid to attack what appears to be wrong .....(Asides). They thought that everything they brought before the Senate they could just make some fancy speeches and then sit down and vote for it, but I certainly have no intention of doing any such thing.

I am not going to oppose legislation for the sake of opposing legislation, if legislation is good it is good, but when legislation comes to the Chamber because somebody had a rush of blood to the head and they think they can rush down something quickly, because the next couple of months or so we will have an election, I am not going to support that. I am not going to be any party to that sort of behaviour.

The point I want to stress most, and the point that I got up to talk on first, was how worried I am that up to this present moment this open Government we are supposed to have can change the Constitution four times, and up to now we have not heard one peep coming out of the Church. I must talk about the Church, because the Church holds a great influence on this community. If you want to know about the Church, any Sunday put on your clothes and come out and you will see what happens. Everybody who is somebody goes to Church, or does a little worshipping, so therefore when you get people preaching to these people, and the people get the idea that this fellow knows the road to heaven and he tells them not to do so and so, you must know that the people will follow the Church. The Church has had a great influence on this society for many years, and it still does. (Aside). The hon. member said the DLP cursed the Church. The hon. member does not seem to know that I have said that although the Church has done some sterling work, the Church was also one of the greatest perpetrators of slavery. (Aside). You would have known that, too. I am not as stupid as you are. I do not want

to be constantly interrupted in here, Sir, because I might have to say something that you would have to ask me to withdraw.

Hon. members on the other side seem to think this is a joke. It might be a joke for them because they have the majority, but it would not be a joke for them when the elections are called. I see two hon. members on the other side with great smiles on their faces. But here again is where the business community has fallen down. When the Democratic Labour Party had Philip Greaves as a Senator, Erskine Sandiford as a Senator, Branford Taitt as a Senator and as Ministers of Government in 1971 and 1976, these gentlemen whose names I have called faced the tape. (Asides) George Moe who was the Attorney General faced the tape, and I find it strikingly strange that we have two Senators who are Ministers and who deal with Government Business who do not intend to face the tape.

Mr. PRESIDENT: Let the hon. member try and get back to the question of this Constitution Commission because I am not going to allow more latitude in irrelevant directions.

SENATOR N. W. BOXILL: Mr. President, with all due respect to you, I was only quoting what the Senator said. He said that they brought the legislation when it was ready.

Mr. PRESIDENT: What is that to do with Senators who did not face the tape as you said?

SENATOR N. W. BOXILL: Must I sit down?

Mr. PRESIDENT: Will you please speak on the Bill before us, because you are repeating yourself in various directions, and you are now tending to go completely off the subject.

SENATOR N. W. BOXILL: No, Sir. What I mentioned was, and I have it written down here, "we bring this legislation when we are ready", and this was the introducer of the Bill; so I was talking about being ready for what.

Mr. PRESIDENT: Don't let yourself, Senator Boxill, be distracted by asides. I am trying to keep order and let you finish your speech. You speak on the Bill please. Pay no attention to any asides.

SENATOR N. W. BOXILL: I wish I could. Yes, Sir, I will get back to the Bill. This Bill seeks to amend the Constitution of Barbados in order to implement the recommendations made by the Constitution Review Commission for the establishment of an independent Electoral and Boundaries Commission. Today is the 29th April, 1981. In the manifesto of the Barbados Labour Party of

1976 they said "A Commission for the protection of the Constitution will be appointed on which all political parties represented in Parliament will be offered places. Its function will be to examine the Constitution with a view to ensuring that multi-party democracy is given institutional protection that can effectively prevent its destruction in our country."

The point I am raising, Sir, is that this Bill comes before us too late. This is what they said would have been done after they cut up the constituencies; then they bring this before us and expect us to vote for it. "In particular the party will seek to establish a permanent Electoral and Boundaries Commission with full constitutional protection to preserve free elections and put an end to the sorry system in which the machinery of elections in the constituencies is largely in the hands of persons known to be supporters of the Government."

Mr. President, there is not going to be much for this Boundaries Commission to do now, because the constituencies have already been cut up. They criticised us and claimed that we had gerrymandered the constituencies to suit our purpose, which was not true. Up to now they have not rescinded any of the decisions we had made on the constituency boundaries. These are the same boundaries that you have people contesting seats on. They have cut up St. James, but they have not rescinded the part of St. James that went to St. Andrew, but here it is they come to us now hoping that we will give them a rubber stamp for this. Well, it is true you have the majority, so it is going to pass, but I will sit in my seat and vote "no" on this Bill.

**SENATOR D. S. MACKENZIE:** Mr. President, I do not really have very much to say on this proposed change to the Constitution. Fundamentally I must agree with it as it is a rational and sensible approach to the take the changing of boundaries out of the hands of politicians and political parties. In 1971, I think it was, the Democratic Labour Party not too long before the election changed the boundaries to the resentment of the Barbados Labour Party who were in the Opposition at that time. Obviously when they changed it it should not be expected that they would have changed the boundaries to their disadvantage. One can only assume that it would have been to their advantage. Again, Sir, in this year the Barbados Labour Party have changed the boundaries and have increased the number of seats. This is something obviously that the Democratic Labour Party which is now in Opposition would have to oppose and I can understand why they would feel the way they do, and so the only rational approach to the whole problem is the formation of an independent Electoral and Boundaries Commission. Nothing else can make sense irrespective of which party in the long run brings it.

I would just like to raise one further thing here which I am curious to find out on page 8, and if the

Introducer of the Bill can answer me in his final address I would appreciate it. It says here at the bottom of page 8, subsection (5) "Where any draft made under this section is approved by Resolution of the House of Assembly, the Minister shall submit it to the Governor-General who shall make the Order in terms of the draft" and so on. I notice that there is no mention here that the other arm of the law making process, namely the Senate, would be involved or asked to concur in any such Resolution, as there is no mention that it will be referred to the Senate for concurrence, and I was wondering why specifically the Senate had been omitted or had been treated in the same way that money bills had been dealt with in the past. It seems to be an omission. I do not know why specifically the Senate is not entitled to make any comments in relation to such a Resolution.

The other thing, Sir, that is a little confusing to me is that in this Commission on page 7 subclause (a) says "reports showing the constituencies into which it recommends that Barbados should be divided in order to give effect to the rules set out in the Third Schedule;" If it makes such a recommendation, how does it tie in with section 41(1) of the Constitution which says that the House of Assembly shall consist of twenty-seven, because there has been an amendment from twenty-four to twenty-seven? It is specifically stated in here now and this has not been deleted or being subjected as I understand it to this. "The House of Assembly shall consist of twenty-seven members or such greater number of members as Parliament may prescribe."

It seems that if the Constitution is going to have a self-regulating mechanism for changing itself on the recommendation of an independent Electoral and Boundaries Commission, it is a deviation from the normal process of changing the Constitution and we are building into the Constitution now a method of it changing itself by way of Resolution passed through the House of Assembly. Again, if the recommendation is brought before the House of Assembly — I may be running wrong, Sir, and I am willing to be corrected.

**SENATOR THE HON. N. A. BARROW:** On a point of elucidation, Sir, since the Senator is willing to give way. Rather than allowing this point to go on and then probably creep into other speeches, the point is, Sir, that when the number of seats is raised to 27 or whatever number, that does not act to change the provision in the Constitution.

Section 41 of the Constitution says that the House of Assembly shall consist of 24 members or such greater number of members as Parliament may prescribe. It does not say 27. It says 24. The reason is that the Constitution makers decided that the Constitution should state merely a minimum and that by ordinary Law the number of seats may be increased or decreased but not to less

than 24 from time to time so that it is not a mechanism for self alteration. It is that the Constitution lays down a minimum and ordinary Law as long as it does not provide for less than 24 would be the appropriate machinery for changing the number from time to time.

SENATOR D. MACKENZIE: Mr. President, I thank the Minister for his explanation. He obviously must have an updated copy but mine does not say that the House of Assembly shall consist of not less than 24. It says 24 (ASIDES) Yes, this is true.

The other thing. Did we not by a Constitutional amendment and a vote of two-thirds change this to read 27? I am going wrong, Sir. Anyway, finally, Sir, all I say with regards to this the establishment of an independent Electoral Boundaries Commission must make sense and is a sensible thing for us to do.

I am not sure why it was deemed necessary that embodied in this change of the Constitution it was necessary for us to determine about political broadcasts. I realise that it has endeavoured to cut the cost or to restrict the cost of politics but it tends to be too restrictive and I do not see any reason why it should be embodied within the Constitution.

I am not sure whether the Constitutional Review Commission in fact made such a recommendation but Sir Mencea Cox would be able to clarify that particular question so really in my contribution I would ask whether the Constitutional Review Committee in actual fact made the recommendation concerning broadcasting at electoral times. Thank you, Sir. My contribution was by way of enquiry really.

SENATOR THE REV. A. HATCH: Sir, I want to endorse Senator MacKenzie's point to seek information as to why the Senate at the second stage of the passage of legislation is excluded from discussion and voting on the Report which the Commission will be laying before the Other Place and then submitting directly to the Governor General. This is Section 41D on page 6 and following through.

This is, in fact, a deviation from our practice only recently where when the constituencies were increased from 24 to 27. The legislation was, in fact, laid in the Senate as well as in the Other Place and it will not be a sufficient explanation to say that as the matter concerns the Other Place that is why it is confined to the Other Place and then sent directly to the Governor General because that argument was not used hitherto and is unlikely to be satisfactory in the future. There must be some other explanation and like Senator MacKenzie I would like to know what it is and possibly whether it is constitutional or not to handle it in that way.

Sir, it would seem that the objective of a Boundaries Commission is to remove what is possibly the most controversial and therefore the most contentious issue in party political politics, to remove it from too close an identification with the governing party of the day and I believe that we all support the need to remove this contentious issue from too heavy a party influence.

With this in mind, Sir, on Page 2, 41A, subsection 3, it speaks of the Constitution of the Commission and makes arrangements for the Chairman and two members to be appointed by the Governor-General acting on the recommendation of the Prime Minister and then for the Deputy Chairman and one other to be appointed by the Governor-General acting on the recommendation of the Leader of the Opposition.

If you compare that with Section 41A, sub-section 9 at the top of page 5 it says "At any meeting of the Commission, a quorum shall be constituted if three members are present." Now, one can anticipate that a Parliamentary procedure, established procedure, would be followed by the Commission and that in fact meetings of the Commission will be properly notified and the proper invitations or summonses of the meetings of the Commission would be had.

On the other hand, as we are trying to remove this contentious issue from the realm of contention, I find it a little surprising that it appears that those who will be named by the Government will, in fact, constitute a quorum, that is, three members and therefore presumably have the right to determine the business. I would have felt happier if at least one person appointed by the Governor-General on the advice of the Leader of the Opposition was also necessary in order for a quorum to be had. (ASIDES) That is a good argument. Thank you, that is a good answer.

I would like to raise one other point, Sir. On Page 3, 41A, subsection 5(a) it says at the expiration of five years from the date of appointment. This is the time that a member of the Commission may hold office. My question is that since the Commission undoubtedly has an important role to fill during the lifetime of Government which may be five full years, in for example, of reporting on the need for changes in boundaries or increases in the number of constituencies, nevertheless, one of its key functions is the supervision of elections.

This would mean that if the Commissioners are appointed say, for example, within days of a change of Government, then if the Government runs its full five years within days of the dissolution of Parliament the expiration of the five year term of the Commissioners

would also fall due and this would mean that at a crucial time when the Commission should be overseeing the conduct of elections some of the Commissioners would be due for re-appointment or other nominations to be made. Now what is of worth is that the Cabinet continues until a new Government is sworn in. But, I think anybody would obviously recognise that after the dissolution of Parliament and before an election would be a highly improper time for the continuing Cabinet to make new appointments to this Commission.

Mr. PRESIDENT: Senator Deane.

SENATOR C. I. E. DEANE: Mr. President, Sir, I have very little to say. I certainly endorse what Senator MacKenzie said and as far as my friend Senator Boxill is concerned it is quite true that the Church certainly not within the last electoral campaign and I think with justification because like most people in Barbados, the Church also felt that it was time for a change. I am talking honestly, Sir.

But, all I have to say is that this Bill seeks to amend the Constitution of Barbados in order to implement recommendations made by the Constitution Review Commission for the establishment of an independent Electoral and Boundaries Commission. Whether the cart was put before the horse in dividing the boundaries is a matter of debate and a matter of different things. But, as far as I am concerned, this is a very good measure and I intend to go for it, Sir.

Thank you, Sir.

Mr. PRESIDENT: Senator Cox.

SENATOR SIR MENCEA COX: Mr. President, I would just like to add a few words to what has been said especially the point made by Senator MacKenzie. I am sorry really that the amendment to the Constitution, insofar as seats are concerned was not done by the Constitution itself, but was done by the Representation of the People Act. I find it difficult to follow the manner in that, perhaps I should say from the beginning that the original draft had in it that the Senate would comprise of 21 members which could not be changed unless by a two thirds majority, but as far as the House was concerned, it said it should not be less than 24 which was not anything positive at all. But, it was amended to read not less than 24 or as members of Parliament may agree and the same thing exists, Sir in the Representation of the People Act. So to my mind, as far as I can see now, why the Constitution, the first part of 41 is entrenched, is that you cannot reduce the number of seats unless by a two thirds majority you have and that disjunctive conjunction allows the House to increase the number of seats by a simple majority and it also at the same time is writ-

ten into the Representation of the People Act and the Representation of the People Act may at any time have forty, fifty, you can increase it to one hundred if you care and only by a simple majority. Now, I think that needs to be regularised. I do not see why the supreme law of the land should have in it and in the same clause that if you are going to reduce, you have to have a two thirds majority, you can amend and have as many as you like. I do not like that Constitutional part which says, "or so many", or the Representation of the People Act. I do not like how that is shaped at all.

But, Sir, coming near to the question now that was discussed by Senator Boxill about the number of seats and so on. When the Constitution was debated in England and this is a copy of what went on at that Conference. It says here:

"The Opposition Parties considered that the Constitution should provide for an independent and impartial Commission charged with the duty of supervising the registration of electors and the conduct of elections.

The Government's view was that the existing method of conducting elections in Barbados was satisfactory and that there was no need to include in the Constitution provision for an election Commission.

The Chairman ruled that since no agreement was possible no provision should be made in the Constitution on this point. Both Opposition Parties asked that their dissent be recorded."

Now, Sir, when we turn over, you will find here:

"It was proposed by the Opposition Parties that the Constitution should establish a permanent Boundaries Commission to keep constituency boundaries under review. The BNP considered that such a Boundaries Commission should be a standing Commission of the House of Assembly and that such a Commission should be written into the Constitution.

The Government were unable to agree but accepted in principle that constituency boundaries should be kept under review by a standing Commission of the House of Assembly. They considered that the Assembly itself should be left to set up this Committee and that the Committee should not therefore be established by the Constitution. It was the intention of the Government to take the appropriate steps with a view to securing the establishment of such a standing Committee of the House of Assembly under the Chairmanship of the Speaker to

which the House would be free to co-opt members from outside."

Mr. President, they had ten years after this thing was discussed. As far as I am aware and all members are aware, that Committee was never set up. To say that we have come late is out of the question completely. The question is that the Government has had to do quite a lot of work and there must be at all time priorities, so if they have come at this late moment with a matter like this which is a late thing because it is almost coming to the end of the Session.

I see no reason why it could not come at this time, and there is absolutely no justification what Senator Boxill has said, but as far as the question asked by Senator MacKenzie about the time, the Commission did not lay any time for speaking, what the Commission did, and I must confess that I have read it in several Constitutions, as in Japan you have a timetable and all parties have an opportunity of speaking before the election and so on, they are very strict on that, and also in Malta it is laid down that the Boundaries Commission must regulate this, they must have the full right and they must have the right also to edit what you are prepared to say before you say it. We agreed that it was a good way, because you cannot allow people to go on the television or the media and say whatever they like, because they could at some time put the media in trouble, and also, if the standard of speech is not what it should be, well then it is regrettable to any country.

In so far as this Bill is concerned, I am very glad that it has come before this election, but what I also am not happy about is that the age at which persons vote or should vote or would be allowed to vote is not really at present in the Bill, and I feel that that is something that should be in the Bill. We have been very careful, we have looked at that part where the voting is concerned, and we came to the conclusion, as I have on several occasions long before there was any Constitution Commission, I came to the conclusion that the rights of the people of this country were not well secured in the original Constitution, and that is to say, that we found out that by a simple majority the fundamental basic protection of the people was not there, because by a simple majority the House of Assembly at any time could deprive the voters of their right to vote, and you will see in our recommendation, we made a recommendation that that part of the Representation of the People Act should be entrenched in the Constitution so that the rights of voters will remain there as long as it was not upset by a two-thirds majority of a four-fifths majority, as the case may be.

I am happy to see that that part will be enshrined in the Constitution now and that voters will know, at least for the time being, that their right to vote cannot be

taken away from them overnight, as it were, or by any simple majority. There are other rights, of course, which I hope the Government will no doubt pay attention to, and of those rights, if I may be permitted, Sir, I would just like to mention the right where Parliament cannot extend its life, other than if it is a disturbance or anything like that, or an emergency, for a short time, but not as was done in England in 1716 when the following year they should have had an election and after a group had been started and it appeared as though that group would have captured the Government the Prime Minister and the King agreed to extend the life of the House. There was a three year Session at the time up to then, under the 1694 Act, and they extended the Parliament for four years and brought in seven year Sessions.

Also, the question of the one-party system, which we almost had on the last occasion, we tried to strengthen that too by making it possible that candidates or parties would have to declare before, and two Sessions would have to pass before they would be able to implement any passing of a one-party system.

SENATOR W. O. FRANKLIN: Mr. President, if there is one Senator in this Chamber who does not intend to support this Bill, it is this Senator. I am certain after I have spoken you will see the strong feelings I have and the reason why I am not going to support this Bill. I am further strengthened by the person who led off this debate, and then by Senator Cox, when they brought to my attention that the Opposition in 1966 at the Independence Conference, which included the Barbados Labour Party, was very strong about the Electoral and Boundaries Commission being part and parcel of any Constitution of Barbados, and I find it passing strange that Senator Cox could then go on to say that the reason why this bit of legislation was not brought before was that obviously the party had other priorities. I am certain that there was no other priority in the BLP's mind as far back as 1966 that has taken such position and place as the Electoral and Boundaries Commission which they fought to have included in the Constitution of Barbados, and I find it strange that now it could have taken such a low priority that some 260 Acts, I was told, have passed through both the Other Place and this one before the Electoral and Boundaries Commission Bill.

Mr. President, under normal circumstances, with the proper timing of this Bill, to have had an Electoral and Boundaries Commission to supervise the forthcoming election, and to have had a say in any changes in the constituency boundaries would have found a very willing supporter in this Senator.

I want to give you the stories, Mr. President, of two small villages, one called Brereton and the other one called Ebenezer, and you will see why I feel this way. On Highway 5, eight miles from Bridgetown, there is a village

called Brereton that connects into a village called Ebenezer, either by way of Brereton No. 2 Road, or by Brereton No. 1, which we call the long road and which I used as a boy, or otherwise through Edgumbe Tenantry and then Carrington Tenantry into Evelyn, into Ebenezer. The people of Brereton have always thought themselves as part and parcel of the parish of St. Philip for lots of reasons besides voting. If you ask, Highway No. 5 is the main access road into St. Philip, along with Highway No. 4, and for all the time I know of, as anyone who studied the parish will tell you, the parish of St. Philip was always a very closely knit parish for lots of reasons.

The people of Brereton use the Church Village Church for their worship, they very seldom, unless it is a special occasion, go over to St. John's Church. The school we use is the Ebenezer Primary School and those who do not for some reason want to use that, go up to St. Philip Boys' or Girls'. The health centre that is used by these people is the health centre at Six Roads in St. Philip and not the health centre at Gall Hill in St. John. Similarly the pensioners in Brereton and Ebenezer receive their pensions at the Post Office in Six Cross Roads.

Mr. PRESIDENT: Just a minute. The hon. member is going on in his speech about those boundaries which the Legislature has already adopted. I keep reminding members that that is not what is before us. In fact, if there is anything to justify the passing of this Bill in my opinion, it will be your own argument, the way it is changed and to bring about a change in what you are saying is to pass this Bill and set up this Boundaries Commission. That's in passing. I am not going to allow discussion on what has already been passed in this House. What is before us is the setting up or not setting up of an independent commission.

SENATOR W. O. FRANKLIN: Thank you, Mr. President. As you will notice from this Bill, Section 41D gives the Commission the authority to change the boundaries as it sees fit. My contention, Mr. President, and the reason why I could not support it, is because in my opinion there was adequate time from the stated position of the party in power which I learnt earlier goes back to 1966 to institute an Electoral and Boundaries Commission. I am saying, Mr. President, that there must be some ulterior reasons why it was given such a low priority, and in my opinion the passing of this Bill at this particular time is late, and without any further ado I am saying that for this reason I will not be supporting this legislation.

SENATOR O'BRIEN TROTMAN: Mr. President, the members of the Opposition are in some confusion. They have both made it quite clear that they are not going to vote for the Bill which will establish an independent Electoral and Boundaries Commission. They

have spent most of their time talking about boundaries, therefore one has to assume that they are concerned with the proposed Commission's handling of the boundaries as set out in the Schedules to the Representation of the People Act. Section 3 of the Representation of the People Act gives the Minister responsible for elections, authority by order to change the boundaries of the various constituencies, and I want to make that clear. It is not necessary as we seem to think so far this afternoon to have any Act of Parliament or any constitutional amendment or any such thing, and the members of the Opposition know that, because the week before the 1971 elections the boundaries were changed by Order. They know that the Minister can change the Order, so there is no need.....

SENATOR N. W. BOXILL: Mr. President, on a point of order, the hon. member is not correct. No boundaries were changed the week before elections. Let him stick to the Bill.

SENATOR O'BRIEN TROTMAN: How many days before the elections? I am saying it was one week and until he can tell me how many days it was before the elections, I will say one week.

Mr. PRESIDENT: Proceed. I don't think that is important. The date is not important, the principle is important, not whether it is seven days or ten days.

SENATOR O'BRIEN TROTMAN: It is very important, Sir, that we have the principle changed, whether it be seven days and we call it a week, or ten days and we call it two weeks. The point is that the Minister until now can by order change the boundaries in Barbados. There is no need for any change of any Act. The Barbados Labour Party during the elections of 1966, 1971 and 1976 went to the voters in Barbados on a platform of an independent Boundaries Commission. The Democratic Labour Party in three elections fought against that. They must understand that when you campaign against a party you are campaigning against the total package the party is offering, and they campaigned against the independent Boundaries Commission, so that they are being consistent this evening when they say they are not going to vote for the Commission. We understand they do not want the Commission. The way the Democratic Labour Party sees this matter is for the Minister to issue an order which changes the boundaries, but that is not going to be the way we see it. We have never seen it that way and we are not going to do it that way.

When the people by their votes elected the Barbados Labour Party to govern the affairs of this country, they were in fact giving a mandate, including the Church who almost got abused again this afternoon, including the business people and including everybody in Barbados, to the Barbados Labour Party to establish

an independent Electoral and Boundaries Commission. We had Senator Boxill calling for the help of the Church whom they abused, calling upon the help of the commercial community whom they abused in 1974, and calling for the circulation of the proposed legislation to amend the Constitution this afternoon. But if Senator Boxill was here in 1976 and if he were a candidate in 1976 he would have known that the manifesto of the Barbados Labour Party was circulated and that in that manifesto it was made clear that there would be an Electoral and Boundaries Commission; so there is nothing to circulate again. We circulated it in 1976 and he was in Canada. He is not part of the system here, Sir. He does not live here, he is part of the Canadian society. Sir, there is no need for me to circulate anything. I would only suggest that before Senator Boxill opposes the legislation as he feels he is obliged to, knowing the fate of other people who do not follow the party whip, he must sort out with himself what he is going to tell the people in Porey Spring on why he does not want an independent Electoral and Boundaries Commission.

He criticised the four amendments to the Constitution. He must go to Bennetts Tenantry and tell the people down there why he does not want them to own the house spots which they have been renting for generations. He mentioned four amendments and that is why I felt free to mention the other three amendments as well. I am being advised that Senator Boxill is not a candidate and therefore I should not bother with him. In the 1974 amendments to which he referred and which he said were circulated and the Church was against them and everybody was against them, those amendments had to do with the taking away of people's liberties.

The amendments so far, the four he shouts about as if there is something significant as to whether they were 4, 5 or 10 all had to do with giving privileges and rights to the people of Barbados and that is why the Church is not complaining and nobody else is complaining except for two or nine people, Sir.

The 1974 Constitution, Sir, as far as we are concerned, could have some influence on the independence of the Judiciary that is why the Barbados Labour Party objected and why everybody else objected. (ASIDES) It has not been changed because things are done in their own time. It has not be changed, Sir, because the Barbados Labour Party Government established a Constitution Review Commission which has reported and all the findings of that Commission are being studied and I have no doubt, Sir, that those recommendations which are accepted will be implemented.

Somebody said, Sir, that he is quarrelling about our not passing legislation in five years and wanted to remind

me that his Government offered hotels for the workers and did not give them in 15 years but the workers themselves stopped that because the workers realized that if they had voted for them in 1976 that the hotels would have been empty and therefore the workers would have had to live in the hotels themselves. That is the scheme that they were going to bring about in the system that way. Mass unemployment so that the hotels would have been empty and therefore the workers would have to move into the hotels. That is how they were going to get hotels for the workers but never mind that, Sir.

He said, very wisely, Sir, that there are 635 members in the British Parliament and they have 55 million people and he tried to infer, Sir, that to have three more members in Parliament was a malicious act and a wicked thing to thrust upon the people of Barbados.

We have gone through this already, Sir, but since he was not here I think we should repeat it, although he will be with you when most of us would have left, Sir. The point to be taken is that there is no comparison between the way of Government in Britain and the way of Government in Barbados. The whole question of Local Government is a maze of Councils, Boroughs, Parish Councils and Regional Councils so that to say that there are 635 members in Parliament is not saying anything, if he said he did not say anything.

That is not saying anything because one has to add to that the many other layers of Government including the many thousands of people involved in the system of Government in Britain so it is coming near to ridiculous to comparing Britain and Barbados in that system but if they had not abolished Local Government in Barbados, he might have had a platform to stand on but since he was part of the scheme that voted for the abolition of Local Government in this country, he is therefore in no position now to talk about the number of people who represent people in Barbados. He voted for the abolition of Local Government in Barbados and now is trying to compare Britain with a whole complicated system of Local Government with Barbados. He voted for it, Sir. Senator Boxill voted for the abolition of Local Government, Sir.

Senator Boxill asked a question, Sir, as to whether or not the Barbados Labour Party would have been pressing the amendment for the Constitution this afternoon if we did not have a majority. The answer is "yes". We have been saying that since 1966 at the Independence talks in London. We came back and said it on the platforms in 1966 and we have said it on every platform since then, Sir. Thank you, Sir.

SENATOR THE HON. N. A. BARROW: Mr. President, in what I trust will be a brief reply, let me first of all thank Senator Trotman for dealing with a number of the points which have been raised and therefore saving

my having to deal with those specific points but I had really expected when I came back having had, through no fault of my own, to leave the Chamber for a couple of seconds, that I would have found the second Leader of the Opposition in this Chamber still on his feet and much to my surprise, Sir, I found that Brereton was not in the debate anymore than Sion Hill would have been in 1971 and I would like to look at the map and look at Brereton and look at Sion Hill and see which one would then be accurately described as gerrymandering. It is all in the game, Sir. (ASIDES) Sorry, I meant Orange Hill, not Sion Hill. I was waiting to be corrected but apparently I was not going to be.

Sir, one point which I must deal with very directly is the point raised by Senator MacKenzie and endorsed by Senator Hatch concerning the new Section 41D because it is a point of quite distinct substance in my view. In the Representation of the People Act, the number of seats in the House of Assembly is established and there is also established under that Act authority for changing boundaries by Ministerial Order, such Orders to be subject to affirmative Resolution. Therefore, both the House of Assembly and the Senate take part at present in the changing of the boundaries.

Perhaps, because we had a full debate on the recent recommendations of the Boundaries Commission, members did not get clear in their minds what it was that we had necessarily to have a statutory change about but the change in the Statute had to be made because there is a section in the Representation of the People Act, Section 3, subsection (1) which says: "Barbados is hereby divided into 24 constituencies, the names and boundaries of which are set out in the First Schedule."

"The Minister may by Order alter the boundaries of any constituency surrounding the First Schedule, except that no Order purporting to increase, or decrease the number of constituencies shall be valid."

and Section Three:

"Every Order under this Section shall be subject to affirmative resolution".

In other words, Sir had it just been a matter of varying boundaries, it would have been done by Ministerial Order, subject to affirmative Resolution. We had to take part in that, but we had to take part in more of that because in addition to the Ministerial Order, there was also the division into constituencies of more than 24.

So the Representation of the People Act would have been amended to provide for 27 constituencies. The point made by Senator MacKenzie and Senator Hatch is

that in 41D the Commission will now report on what the boundaries would be and such report shall become operative after resolution in the House of Assembly. That is the general point, I am not getting into specifics, Sir. At the time that point was made, I had not myself seen that, in this Section, the power which was previously enjoyed by the Senate had in fact been removed. In the time I was out of the Chamber, I had consultation with two people, the Honourable Minister responsible and the Attorney General and I was successful in making contact with the Attorney General because I wish to establish that at no point in the deliberations was it a deliberate decision. There were consultations for this legislation and the draft that was used on this particular point is a draft that has found its way into the Law with the result that it is not a deliberate omission and when we go into Committee, I should therefore, Sir, be moving the appropriate amendment, so that the power of the Senate will be restored in this provision.

If you look at the scheme of the Constitution, the scheme of the Constitution is to remove from the Senate control over money matters and this is the standard Westminster Model, but the removal of other powers is not within the scheme of the Constitution.

At this point, Sir, I wish to pay tribute very briefly to the work done by the Constitution Review Commission, as a result of whose efforts, we have before us this legislation this afternoon and I want personally to thank the Chairman of that Commission, Senator Sir Mencea Cox for giving this afternoon what was the effective reply to the contribution made by Senator Boxill. Whatever Senator Boxill might have said, he also quite clearly and consistently indeed, consistent in the voice of the Party he represents stated, restated, emphasised, one might say *ad nauseam* his opposition to this piece of legislation and Senator Cox who had in his hands a document to which I would have referred.....

SENATOR BOXILL: If the Honourable Member would give way, Mr. President. I hate to interrupt him at this stage.

Mr. PRESIDENT: You cannot interrupt him at this stage.

SENATOR BOXILL: On a point of order, Sir.

Mr. PRESIDENT: Let me hear what your point of order is.

SENATOR BOXILL: The Honourable Member said that I oppose this piece of legislation. What I want to point out is that I am not opposing the legislation because I do not want it on the Statute Book, I am opposing it because of the time that it is coming.

Mr. PRESIDENT: That is not a point of order. If you asked to explain your position.....Anyhow, let us go ahead.

SENATOR THE HON. N. A. BARROW: Sir, Senator Boxill's point I take it is, "I want it, but I do not want it now" and for fifteen years, Sir, that is exactly what the Democratic Labour Party said and it is what was said in slightly different language in the Constitution Conference at Marlborough House, except that "now" was not the word used. I am quite familiar with the document to which Senator Sir Mencea Cox referred and I intended in fact referring to it in my reply this afternoon because I will never forget, Sir. And I will never forget it because it is not the authority for this position that the Leader of the Party to which Senator Boxill has the honour to belong has always said that the business of boundaries is a matter for Parliament. He has always said that the business of salaries is a matter for Parliament. He has always said that you do not need any additional machinery for those two things. When therefore the Democratic Labour Party Members tell me that they are opposing the thing now, but they support it, I refuse, Sir, categorically refuse, to take that point seriously. It is a matter of creed within the Party that you do not want any Electoral Commission and you do not want any Boundaries Commission.

I am not, Sir, about to be sidetracked into the recent boundary exercises carried out by members of the Other Place representing both Parties of that Place. I must say, however, that if only in defence of two former Honourable Members of this Honourable Chamber, I would like to take exception to Senator Boxill's comment, "other rubber stamps have been removed." There is a strong suggestion in that comment, Sir, that whereas Senator Connell and Senator Hunte were one set of persons rubber stamps, Senator Boxill and Senator Franklin are another set of people's rubber stamps. I would like to object to and reject both suggestions. I do not think that the two Honourable Senators in here now are rubber stamps, and I do not think that those who were here before were rubber stamps. I believe that in this Honourable Chamber, Honourable Senators act with a certain degree of independence and if as we get near to elections on both that Side and on this side, there is a little more conformity, I am not prepared to suggest that at no time Senator Boxill would have acted with independence. I believe, Sir, that this measure before us is one that would normally be supported by Senator Boxill, but that he knows that it would be alien to the creed of his Party to support it and having witnessed what has happened only recently, he is not prepared to support it and as far as I am concerned, Sir, that shows political wisdom.

Creeping into the debate at another level, Sir, has been the suggestion that the churches have gone silent, whereas the church was very vocal in 1974, 1975 and

1976. I believe, Sir, that the Record should be kept correct on these matters. It is true that some members of the Clergy were quite vocal, but I think that as a Chamber we owe it to ourselves to be correct in this matter, Sir. When the Anglican Church speaks and it was the Anglican Church that was being referred to, I believe, then, it only speaks as a Diocese. What a cleric wishes to say is a matter of individual choice and individual conscience and a normal cleric should recognise that no Bishop can tell a Cleric what to say. It would be a matter of delight Sir, if we could hear Bishop Gomez speaking with the same voice as he spoke as Dean Crichlow, as he spoke as Father Springer, as he spoke as Father Crawford, Sir, as he spoke as Father Broome and I could call a host of names in the Anglican Church and members who are well-known within the political and spiritual life of this country.

I do not think that Bishop Gomez can speak for Dean Crichlow any more than he can speak for Principal Goodridge. He just cannot, Sir. He can speak for Bishop Gomez, and when he speaks on behalf of the Diocese, he speaks on behalf of the Church, but I believe that Senator Boxill must understand the essential difference between having constitutional amendments brought to Parliament after a Commission has consulted throughout the length and breadth of Barbados, sought to understand how people think and then made recommendations on the Constitution. I think the essential difference of doing it that way has to be seen as against the way in which it was done in 1974. I believe that Senator Boxill was himself embarrassed as he sat in the House of Assembly in 1974 and heard the comments made by his leader.....(ASIDES). I am sorry, Sir, he sat in Toronto. I knew there was a matter of 50 or 60 votes one way or the other, but I did not realise they made all that difference.

As he sat, Sir, in Toronto, and he had stories told to him as to how the matter was done, I am sure that somebody of the intrinsic worth of Senator Boxill, somebody I have known for so long, would undoubtedly agree under normal circumstances that if you approach constitutional proposals in the way they were done in 1974 and attack and abuse the Head of the Anglican Church, attack and abuse the characters of members of the Judiciary, and, of course, other Churches, if you do that, Sir, what do you expect? The people who preach on Sundays are people too, and they feel offended and hurt because they have been abused like that, I for one cannot blame them, and I do not believe that Senator Boxill, for all that he was talking today about God's watchmen, I am absolutely sure that Senator Boxill would not abuse the Church in the way they were abused in 1974. To tell you the truth, Sir, when he was talking this afternoon I believe I was the person who said he was no longer running, because I thought he was getting a little dangerously close to the line.

when he asked if people's minds could be so warped that they cannot see what is happening to this society, after making the statement that the Churches had certainly gone silent, and that the business people of this country had gone silent, I was hoping that he was not suggesting that the people in the Church and in the business community had warped minds, and I was really at that point about to say that the Senator certainly, no matter what he said about people who are leading Government Business and were not running for seats, whether they had run in the past or not, I was very happy in fact, he did not go further.

There is, I believe, a point which Senator Hatch more or less answered himself with as he made it, when he was saying that a quorum should not be three because in that case it would mean that those who were appointed on the advice of the Prime Minister could form the quorum, and I understood what he was getting at, because he was indeed getting at what one would call the tyranny of the majority, except that as he went on I think he recognised he was advocating the tyranny of the minority, which is, if anything, a little worse.

I believe, Sir, if you have a Committee or Commission of which three people can form a quorum, that imposes on the other members of the Committee or Commission the responsibility of coming out to meetings and taking their part seriously. If you do it the other way you will have what has happened at one stage during the life of the Parliament of 1971-76 when in the Other Place you could not get the Public Accounts Committee to meet, because although it is not quite the same thing, the tyranny of the minority, the Chairman could call a meeting, but the other members could stay away and thus stop a quorum from being formed, then they could ensure the Committee never functioned, and that was done during that period. In this case, if you allow two to say whether you can meet or not, and give two therefore more authority, more power than three, all that happens is that those who wish to frustrate the work of the Committee, all they have to do is to stay away.

I wish, however, to make one point about this, because I believe it is a little bit of a fallacy to believe that when Committees or Commissions formed in this way sit down, that they divide along partisan lines, and this indeed is one of the reasons why I recommend to anybody to read carefully the Boundaries Commission Report. It was published verbatim. It is extremely important to people in public life that we read that report and we will see how much difference of opinion there was between Mr. Adams, and Mr. Taitt, and Mr. Simmons, and Mr. Craig and Mr. Greaves. Read it carefully and you will see, Sir, that there was quite definitely and distinctly a consensus, and therefore if I live in St.

Judes and St. Judes ceases to be for electoral purposes in St. George and I want to run in St. George, I would have to go and deal with all the members of the Commission, the Committee, and not just make general statements.

I really do not believe that Mr. Taitt and Mr. Greaves would have done that to Senator Franklin, I do not believe it, Sir. I think the ultimate point here is Senator MacKenzie's who said that in 1971 one thing was done by one party and the other party complained, in 1981 we have, as it were, the opposite. There is only one distinction, which is that what took place in 1971 was the publication of an Order without any Committee or Commission having sat, which is a different point, but still I take Senator MacKenzie's point, which is that if you do not set up this machinery it remains for ever in the area of contention. As he says, nothing else can make sense regardless of which party brings it, and that, Sir, is the recommendation for this legislation, and if there are those who therefore still want to vote against it, they must understand that they are flying in the face of common sense.

The final point made by Senator Hatch relates to the fact that members are appointed for five years at a time, I do not believe that there is any formula which you can have where there is a maximum to the life of Parliament but no minimum. I do not believe there is really any formula which you can find that can avoid completely the possibility of which Senator Hatch is talking. We just have to face the fact, Sir, that if a Prime Minister wishes, after three years he might decide to go to the polls, but if you have a seven, or eight, or ten year formula it may just coincide with the time that the appointment falls due, and we have to recognise that it is not always going to be the case that general elections come at intervals of five years or something very close to five years.

In fact, Sir, if you remember, in 1961 the Democratic Labour Party gave a solemn promise that they would be coming back to the polls in three years and they did indeed come back in 1966.

The final point, Sir, has to do with the constitutional amendments. There is a point being made now from the platforms which got into the debate this afternoon. I reject totally that anybody can come in here and argue against this Bill on the ground that we have brought four Bills to amend the Constitution within the four to five year period that this Government has been in office so far. I reject it totally, especially when the person who is making the argument is prepared to go on and try to establish that there is some relationship between his game of mere numbers and the quality of the change which was envisaged in each proposal that has come before Parliament.

In the first place we have brought legislation. This is the fourth time that we have brought a Bill which is an amending Bill. I do not have to refer to any detail to any of the others, but I recall the way in which the Bill to make more certain membership of the Commonwealth went through both the Other Place and this Chamber, because there is absolutely nothing in it that would have alerted anybody to the fact that it required any amendment to the Constitution save for the fact that when the lawyers went through they recognised that because of the way in which one provision in Chapter 2 of the Constitution was worded, then this would have an effect on the Constitution. In other words, it was a piece of legislation which would have passed both Chambers unanimously because it was not regarded as legislation of any fundamental importance, and certainly it was not legislation that was contentious.

In the second place, we passed an Act called the Expatriate Public Officers Pension Act which brought direct benefit to the country and to the people within that pension scheme, a matter of making things tidier and people would get what they deserved a little quicker and with less harassment, not contentious in any way.

The third thing had to do with the Tenancies Freehold Purchase Act, the most revolutionary piece of legislation that this country has passed in its Parliament perhaps ever, and indeed, Sir, something regarded universally as being so socially desirable that persons like Senator Deane whose land would be involved have themselves welcome it. Three pieces of legislation of an amending nature to the Constitution, none of them contentious, none of them upsetting anybody in the community and now we come with the fourth, and of the fourth I can only quote Senator MacKenzie's words again: "nothing else can make sense regardless of which party brings it." And it is contentious only because the Democratic Labour Party starting with the Constitution talks at Marlborough House in 1966 has had a consistent attitude of opposition to this kind of legislation. That is why it is contentious and for no other reason. It is not legislation that has ever been opposed by persons who are not aligned with any particular party, and what is more, even the party that has consistently opposed this legislation has had to find excuses to show why it is opposing it. They can no longer come out and say that they oppose it in principle but are now trying to tell you they are opposing it only because we are now bringing it.

Senator Boxill in part of his speech said that otherwise he would have voted for it, but not now, so even those who are opposed to it are telling you they are not opposed to it; so the only conclusion that I can come to is that even this one is not contentious. Senator Boxill seeks to compare this with the legislation which was brought down in 1974. What did that touch on? It

touched on the independence of the Judiciary in that it proposed a different formula for appointment by involving the political administration directly in the appointment of judges. I am not dealing with the merits. I am merely saying that that sort of thing is bound to be contentious. The amendment also dealt with a reduction of the powers of the Director of Public Prosecutions by making him subject to the Attorney General in certain particular areas. That again is bound to be contentious. The amendment also deals with the method of appointment of certain officers within the Public Service. That I submit is bound to be contentious. I do not see how anybody can play a simple numbers game and try to suggest that the amending legislation of the order brought by this Government is in any way comparable with the legislation which was embodied in the Act of 1974. If anything ever required that it be fully aired, fully discussed and the people be fully consulted before it was brought before Parliament, it was the amending Bill of 1974. What we have is that those who do not understand Constitutions and therefore do not understand when they are disrespecting a constitution sought to bulldoze their way through Parliament, to brush aside those members of the community who would dare open their mouths and let their voices be heard, abuse decent people within the society because as far as they were concerned, the only way towards change was to remove all opposition from in front of them. They have never understood that all that was necessary was to sit down and reason. As the late Homie Corbin used to say, "peaceful picketing" means "come let us sit down and reason together." They did not understand how to picket peacefully. All that they needed was to understand that other people would have a point of view and that this point of view would need to be heard to the extent that what you were doing was something contentious. The more contentious it is the more necessary it is to give people an opportunity to express their views and to see how you can arrive at a consensus.

Sir, I absolutely and totally reject that the approach of this administration towards constitutional reform bears any relationship, any likeness at all to the approach of the previous Government to constitutional reform. I also reject that what we are doing can be compared merely by trying to use some numbers equation. Mr. President, I have already spoken much too long.

The question that the Bill be now read a second time was put to the Senate and agreed to, the Senate dividing as follows:

AYES: SENATORS THE HON. N. A. BARROW and D. G. BLACKMAN; SENATORS O'BRIEN TROTMAN; Sir MENCEA COX; K. HINDS; R. BRATHWAITE; R. FIELD; Miss A. LYNCH; H. ROCHEFORD; A. TRUSS; H. LINTON, THE Rev. A. HATCH; J. WICKHAM; K. HEWITT; Mrs. E. LYNCH; D. MACKENZIE; Miss M. BLACKMAN; C. DEANE — 18.

NOES: SENATORS W. FRANKLIN and N. BOXILL - 2.

Mr. PRESIDENT: The "Ayes" have it.

On motion of SENATOR THE HON. N. A. BARROW, the Senate resolved itself into Committee on this Bill, SENATOR THE Rev. A. HATCH in the Chair,

SENATOR K. HINDS: Mr. Chairman, I beg to move that the Bill be taken as read.

The question was put to the Senate and agreed to.

Clauses 1 and 2 were called and passed.

Clause 3 was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I would like to propose that Clause 3 be amended as follows: On Page 7, line 2 - all the amendments will fall within 41D, Sir - delete "The House of Assembly" and substitute "each House".

Page 8, para. 3, Sir, "The Minister shall lay before the House of Assembly", delete "House of Assembly" and substitute "each House".

Paragraph 4, Sir, delete "The House of Assembly" in lines 3 and 4 and substitute "either House". Delete "that" in line 5 and substitute "each", and the final "House of Assembly" on line 7 should be deleted and again "each House" should be substituted.

Paragraph 5 "Where any draft made under this Section is approved by resolution of the House of Assembly", delete "House of Assembly" and substitute "each House".

Paragraph 7, line 6 "has been approved by resolution of the House of Assembly" delete "the House of Assembly" and substitute "each House".

Those, Sir, would be the amendments to 41D so that it should now be clear that the position where the resolution is subjected to affirmative order would be in fact be the position that would continue.

Mr. CHAIRMAN: Senator Boxill.

SENATOR N. W. BOXILL: Mr. Chairman on page 6(3):

"Notwithstanding the provisions of this Section the Governor General acting in accordance with the advice of the Commission may subject to the consent of the Prime Minister confer powers and

impose duties on any public officer or any authority".

Take out one of the ofs.

Mr. CHAIRMAN: Senator Rocheford.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, I just have one question to ask the Honourable Minister and that is on page 8 subsection 4, it says:

"Where the motion for the approval of any draft made under this section is rejected by the House of Assembly, or is withdrawn by leave of the House, the Minister shall amend the draft and lay the amended draft before the House".

What I wanted to find out from the Honourable Minister is does the Minister amend this draft without reference to the Commission? Is it in his power to amend the draft without reference to the Commission, or does he have to go back to the Commission to get an amended draft?

Mr. CHAIRMAN: Senator Barrow.

SENATOR THE HON. N. A. BARROW: I am trying, Sir to see if I can find a full answer to Senator Rocheford's point, but I am afraid that is going to take me perhaps more time that I have right now.

Now, that Section, Sir, is dealing with how do things get before Parliament. It is the Minister who has to bring them before Parliament. This is the same really as an Order and therefore needs a Resolution of Parliament for it to become effective. The actual set of circumstances I think ought to make it very clear what it is that is anticipated that the Commission has made a set of recommendations, but that Parliament rejects these recommendations. Parliament therefore indicates what changes it would wish in these recommendations. So, in practical terms, unless the draft is changed, along the lines indicated by Parliament, there is no chance of this getting through.

So that, if we look at it in a practical scenario we can see right away, it is not a matter of whimsical exercise by a Minister, otherwise it can be rejected against him.

Mr. CHAIRMAN: Senator Boxill.

SENATOR N. W. BOXILL: Mr. Chairman, before we go on to change this Bill on page 11, Section 2-42(2). I think I made this already.

Mr. CHAIRMAN: That is the next Section Senator Boxill.

SENATOR N. W. BOXILL: I am sorry.

Mr. CHAIRMAN: Senator MacKenzie.

SENATOR J. D. S. MacKENZIE: Mr. Chairman, just a quick question for my own clarification to do with Section 5 again, Sir, if I may ask the Honourable Minister if he could answer:

"Where any draft made under this section is approved by resolution of each House."

Am I correct in my understanding that this part of the Constitution is part of the entrenched Constitution and therefore, a two thirds majority would be needed to pass the Resolution, or just a simple majority. (ASIDE) A simple majority.

Mr. CHAIRMAN: Senator Barrow.

SENATOR THE HON. N. A. BARROW: Sir, once more on that point because earlier that was in fact, the point I was dealing with. What the Law here does is to entrench the Commission. It can only do this effectively by entrenching the Law relating to the Commission. But, what happens is wherever you need a Resolution, or whether you need legislation to give effect to the Commission's work, that is done by ordinary legislation.

The effect of entrenchment is that we cannot come along tomorrow morning and say that unless we remove it by a two thirds majority vote, that Commission shall not exist, or work which in the Constitution is properly of that Commission, can be done by somebody else. If you try to pass a law now that says to give to another Body the powers which within the Constitution are given to the Commission, it would mean circumventing the Constitution. That other Law would be deemed by a court to be *ultra vires* the Constitution. Once the Commission has that job, that is the job of the Commission and not of anybody else.

Senator Boxill had drawn to my attention, but did not want to move it himself the amendment on page 6 or paragraph 3 where it says at the end of line 7:

"or any authority of"

We delete "of" because at the beginning of line 8, it says:

"of the Government for the purpose of the discharge of any of the functions of the Commission."

So, I move that that Clause be so amended.

The question that Clause 3 stand part was put to the Senate and agreed to.

Clause 4 was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, Sir, I beg to move that Clause 4 stands part.

Mr. CHAIRMAN: Senator Boxill.

SENATOR N. W. BOXILL: Mr. Chairman, I just want to move clarification on this point. On page 10 going into 11:

"The Governor-General, acting on the advice of the Commission, shall make regulations providing for the election of members of the House of Assembly and the conduct of such elections, which shall, in particular —"

The point I want to ask is this. Let us assume that there is some reason why we do not have an election like an uprising, a storm, or something like this, but the time has passed for election. Calling an election as far as I know is the prerogative of the Prime Minister, he and he alone. Can the Commission call on the Prime Minister to call an election?

Mr. CHAIRMAN: Senator Barrow.

SENATOR THE HON. N. A. BARROW: Sir, other provisions are made in the Constitution for that. As a matter of fact if we look at the Section of the Constitution entrenching Parliament, we will see that in the Constitution itself. I will find it, Sir, but in the meantime, Sir, let me make the point.

The Constitution provides for the life of Parliament and the Constitution also provides how the life of Parliament is to be terminated. All that happens is that where these matters were left to ordinary law, we are now entrenching within the Constitution the Commission which will carry out these functions. These are the functions relating to setting up and running an election, preparation for it and running of it. As to the timing of it, I am afraid, Sir, that the Rt. Hon. Member for St. Thomas, will still have the responsibility.

The question that Clause 4 stand part was put to the Senate and agreed to.

Clauses 5 to 9 inclusive were called and passed.

The Schedule was called.

SENATOR THE HON. N. A. BARROW: I beg to move that the Schedule be the Schedule to the Bill.

The question was put to the Senate and agreed to.

On the motion of Senator the Hon. N. A. BARROW, the Senate resumed and the Bill was reported as having passed the Committee with amendments to clause 3. Mr. PRESIDENT resumed the Chair.

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to report the Bill as having passed the Committee with amendments to clause 3, a number of amendments designed to maintain the position where the Senate is part of the legislative process for Resolutions for this purpose, the purpose of changing boundaries.

The amendments, Sir, are as follows:

"Page 7, line 2: delete "the House of Assembly" and substitute "each House".

Page 8, paragraph (3): delete "the House of Assembly" and substitute "each House".

paragraph (4): delete "the House of Assembly" in lines 3 and 4 and substitute "either House".

paragraph (4): delete "that" in line 5 and substitute "each".

paragraph (4). delete "the House of Assembly" in line 7 and substitute "each House".

paragraph (5): delete "the House of Assembly" and substitute "each House".

Page 9, paragraph (7): delete "the House of Assembly" in line 6 and substitute "each House".

I move, Sir, that the Bill as amended be read a third time forthwith.

The question was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: I beg to move that this Bill do now pass.

The question was put to the Senate and agreed to.

Mr. PRESIDENT: The Clerk will record the votes now as for a Division.

AYES: Senator the Hon. N. A. BARROW, Senator the Hon. D. G. BLACKMAN, Senator Sir MENCEA COX, Senator K. E. HINDS, Senator R. F. BRATHWAITE, Senator O'B. TROTMAN, Senator Miss A. LYNCH, Senator A. TRUSS, Senator H. R. LINTON, Senator A. HATCH, Senator J. C. W. WICKHAM, Senator K. R. HEWITT, Senator Mrs. E. LYNCH, Senator J. D. S. MacKENZIE, Senator Miss M. I. BLACKMAN and Senator C. I. E. DEANE — 16.

NOES: Senator W. O. FRANKLIN and Senator N. W. BOXILL — 2.

Mr. PRESIDENT: The AYES have it. This Bill, as amended, has now been passed and the constitutional requirement of a two-thirds majority has been met. The Clerk will take the necessary steps to send a Message to the Other Place regarding the amendments.

SENATOR THE HON. N. A. BARROW: Mr. President, the two Items standing in the name of Senator the Hon. Dr. Blackman, Items 5 and 6, I propose that these be the next two Orders in that order, and then if members have had a chance to have a look at the very short Bill which had been circulated this afternoon, I would like to move the suspension of the relevant Standing Order to deal with that in all its stages.

#### THE SUGAR WORKERS (PROVIDENT FUND) (AMENDMENT) ACT, 1981

SENATOR THE HON. D. G. BLACKMAN: Mr. President, this is a simple piece of legislation.

SENATOR W. O. FRANKLIN: On a point of privilege, Mr. President. That Bill was not included in the Papers sent to me, I do not see it in my Papers at all.

Mr. PRESIDENT: Just a moment. Have hon. members not been circulated with a copy of this Bill? I do not understand this. There seems to be some question as to whether this Bill has been circulated to hon. members or not. Are there any hon. members who got the Bill? It is my understanding that hon. members have not received this Bill, nor the Bill on the Order Paper that deals with the Police Act. If that is so, I am sure the Minister will not wish to proceed with these Bills without members knowing anything about them.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, I do not wish to proceed with the Bills until such time as members have received copies and are in a position to study them.

SENATOR THE HON. N. A. BARROW: Mr. President, there is, I am aware, one very short Bill in addition to this one which has now been circulated, and I wish to apologise for the fact that these Bills were not circulated, but at the same time it is only fair that I say that it is not through any fault of this side that they have not been circulated. While I believe that when members see the Provident Fund amendment which is to give effect to a budgetary proposal I believe they will feel able to deal with it, I would not wish to venture any prediction on the others, but in the meantime while the Clerks try to get the Bills into members' hands, I am

proposing that Senator Trotman take Orders Nos. 1, 2, 3 and 4 in that order.

**RESOLUTION TO APPROVE COMPULSORY  
ACQUISITION OF LAND AT CHEAPSIDE,  
ST. MICHAEL**

**SENATOR O'BRIEN TROTMAN:** Mr. President, we have in this Chamber debated several acquisitions relating to the development of the building of the new Post Office and the development of the area surrounding that Post Office. The Resolution under consideration seeks to acquire two portions of land immediately north of the new post office, both belonging to a Mr. Leo Leacock, where it is proposed that the car parking facilities for the new post office be extended to these new areas. There will be some parking as I understand it, in the building itself at ground level, but it is considered that parking should be provided for the public in a way which is not now provided in the present Post Office, and therefore it is considered that these two sets of land should be acquired for that purpose.

I believe that the road which runs between the Post Office and the two sets of land will eventually also form part of the car park facilities for the post office, because as I understand it, there will be no real need to have a road between the post office and what in fact are at present Mr. Leacock's properties. The post office itself is slightly behind schedule as I understand it, and completion for that project is due some time in late 1982, so that there will still be a lot of construction work going on for the next year or so on the new site. We have had several problems, labour, breakdown of equipment and other things which have caused some delay in the work on the new post office, but it is estimated now that the move in date will be some time in late 1982.

I beg to move that the Senate concur in the Resolution.

**SENATOR THE REV. A. HATCH:** Sir, it is not clear which plan we should be looking at, and I am somewhat confused by the Minister's statement that the car parks are to be to the north of the Post Office. If that is correct, it is generally agreed that it would be extremely bad town and country planning because it would be across the road. Looking at the map I see that property in the name of Leacock is to the east on the market site, and I hope that this is what the Minister will be referring to, because one of the arguments, and you will forgive me referring to windows to the sea once again, used against parking for windows to the sea being across a main road is that it would be bad planning for people who wish to enjoy windows to the sea to have to park across a main road and then cross over to get to the windows when they happen to be narrow. So I hope as

that is an argument used against windows to the sea in that context we will not by planners be asked to accept that people go across a busy main road to get to the post office. I therefore suggest that there must be something wrong and that this spot is not north of the new post office.

**SENATOR H. F. G. ROCHEFORD:** I wanted to say, Mr. President, that I heard Senator Trotman mention the question of roads being abandoned. I have noticed that in that same area a road blocked off and I have always understood that we had to have legislation for abandoning public highways, and I have not seen legislation come for abandoning some of these highways.

**SENATOR O'BRIEN TROTMAN:** To deal with Senator Rocheford first, the street, to which he referred is not I believe abandoned in the way we talk about abandoning the road for example between Cave Shepherd and Norman House. The road is not being used for safety purposes.

Heavy pile-driving is going on, heavy equipment is being used and it would be very dangerous to have people walking within a couple of inches from the building so that the road is not being used but I would not say that the road is abandoned, Sir.

In the case of Senator Hatch, Sir, please do forgive me. I see we have a problem with geography. We know exactly what we are talking about but somehow, in driving in that area I seem to have lost my sense of direction. I seemed to have thought that it was slightly North of the Post Office. The map there shows quite clearly that it is East of the Post Office so it is my lack of sense of direction in that area that has caused the confusion. (ASIDES) I will not be caught this afternoon, Sir.

The question that the Senate concur in the Resolution was put to the Senate and agreed to.

**RESOLUTION TO APPROVE THE COMPULSORY  
ACQUISITION OF LAND AT THE JUNCTION  
OF FONTABELLE AND LAKES FOLLY, ST.  
MICHAEL, FOR THE PURPOSE OF  
ROAD IMPROVEMENT**

The Second Order of the Day was called — To move the passing of a Resolution to approve the compulsory acquisition of land at the junction of Fontabelle and Lakes' Folly, St. Michael for the purpose of road improvement.

**SENATOR O'B. TROTMAN:** Mr. President, Sir, I am sure I know where this one is. If you drive down the Fontabelle/Lakes' Folly area after the Senate adjourns, Sir, you will notice that there is a tremendous

improvement in the road in that area and that several portions of land have been acquired for the widening and general beautification of the Cheapside/Fontabelle area.

It is hoped, Sir, that somehow to coincide with the new Post Office there will be a completely new approach to Bridgetown from the Kensington Oval area. I am not going to get into East and West and that sort of thing, Sir, and it is hoped, Sir, that the confusion which existed at Lakes Folly and the Redman Drive area etc. would be somehow relieved and the motorists would be able to use the area properly.

This is the last spot of land which has to be acquired for that purpose. I believe that it came late because there was some revision on the thinking as to exactly how the streets were laid out and the pavements put down and that sort of thing and that is why it was not included along with earlier acquisitions.

I beg to move, Sir, that the Senate concur in this Resolution.

SENATOR N. BOXILL: Mr. President, Sir, just let me ask one question. Why do we have to constantly acquire these places compulsorily? You cannot negotiate with the people instead of bringing them before us? I know that the Act was brought when people did not have proper titles and so on. (ASIDES) Oh that is it? Thank you.

Mr. PRESIDENT: Well, I am afraid I did not hear what was going on. You cannot do it this way. I do not even know what the answer is.

SENATOR THE REV. A. HATCH: Sir, there has been some concern expressed in the Press and amongst what generally may be referred to as Conservationists about the demolition of buildings in Cheapside. The same kinds of concerns were aired in the Chamber with regards to the proposed construction of the Law Courts.

I believe that what was suggested at that time in regard to the demolition of buildings to make room for the Law Courts is the issue being raised by those who have spoken about the need, and written to the Papers and the Magazines about the need to preserve the historical and traditional vernacular architecture of Barbados of which Cheapside had been a reasonably good example.

I think the solution that was suggested was that well ahead of compulsory acquisition which is now coming in any case, when the road has already been widened and many of the buildings demolished and therefore even if we were to reject it at this stage it

would be absolutely nothing as the damage has already been done, but if, way up front, all major development plans such as this road into Fontabelle, the public was apprised of the major development and given the opportunity to make their minds known.

For example, a question that I have heard asked repeatedly and I ask myself and I am sure there are good reasons but we are never told what they are. The question is, why is there not a one-way system up or down Fontabelle which would have permitted for the retention of buildings of some historical significance.

What we are recommending is that when major physical development plans are envisaged, the public is apprised in the early so that, not that we would obstruct major development plans of the country, but at least we are apprised and get the opportunity to register some concern. We would feel a lot happier about it.

I have not got particularly involved in whether the buildings in Cheapside needed to be preserved, or were worth preserving or not but I do not know the answer, for example, as to why a one-way system of roads was not considered.

SENATOR O'B. TROTMAN: Mr. President, Sir, the question of conservation in fact was taken into consideration and if we look at the map which I circulated, one would see that in fact there is a proposal to demolish part of the building which now stands on the land which Government is acquiring and there is a proposal to retain the wall section of that building. I do not know the history of that building but for some reason I know that was taken because I was part of the group that looked at the area and I know that there is a firm proposal that the entire building should not be demolished but only in so much as it is necessary to widen the road and, in fact, I think that is partly why it was late because a study had to be done as to how best to get that done so that the Ministry is not totally unaware of the feelings of the conservationists.

One more thing, Senator Boxill — I almost forgot him. There are two reasons really why we have to do these constant acquisitions. One is the question of titles and secondly, it allows the Government to go ahead and do work while negotiations are being carried out between the Crown Solicitor and the owners of the land otherwise one would have to wait until the negotiations are completed before work can be done.

The question that the Senate concur in this Resolution was put to the Senate and agreed to.

**RESOLUTION TO APPROVE THE COMPULSORY  
ACQUISITION OF LAND AT HAGGATT HALL  
— CHAPEL GAP AND MAPP HILL,  
ST. MICHAEL, FOR THE PUR-  
POSE OF ROAD IMPROVE-  
MENT**

Order Number Three was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Haggatt Hall — Chapel Gap and Mapp Hill, St. Michael, for the purpose of road improvement.

**SENATOR O'BRIEN TROTMAN:** Mr. President, I have circulated the plans dealing with what is commonly known as the ring road. It is now being described as the Samuel Jackman Prescod access road, but it is the same road we are talking about.

Some time, I think just before the Christmas recess, Sir we dealt with Resolutions acquiring the land on the southern side of Highway Five and the Resolution under consideration now seeks to acquire the lands on the northern side of Highway Five for the same purpose of constructing the ring road. The ring road will eventually be funded by the IADB hopefully and at present the studies are being carried out as to exactly how the airport, Top Rock to Wildey and Warrens could be properly put together in one good road.

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

The question was put to the Senate and agreed to.

**RESOLUTION TO APPROVE THE COMPULSORY  
ACQUISITION OF LAND AT INDIAN GROUND,  
LANDS END, ST. MICHAEL, TO FACILITATE  
THE EXCHANGE OF THAT LAND FOR  
OTHER LANDS AT PASSAGE ROAD,  
ST. MICHAEL, FOR HOUSING AND  
COMMUNITY PURPOSES**

Order Number Four was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Indian Ground, Lands End, St. Michael, to facilitate the exchange of that land for other lands at Passage Road, St. Michael, for housing and community purposes.

**Mr. PRESIDENT:** Senator Trotman.

**SENATOR O'BRIEN TROTMAN:** Mr. President, Sir, the three Resolutions before this is another Supplementary Resolution as a matter of fact, some time ago, we discussed this matter of the exchange of lands between Plantations Ltd. and the Crown to acquire the properties owned by Plantations and to do an exchange between the Crown.

As I understand it, Sir the Ministry of Sport is having a look at the land which is being exchanged at Passage Road for the purpose of a gymnasium and I believe Sir that the Ministry is being advised by the Chinese as to where the gymnasium should be and that sort of detail. The Resolution therefore seeks to establish a gymnasium in Barbados when that is concluded.

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

**Mr. PRESIDENT:** It is proposed that the Senate concur in this Resolution..... Senator Rocheford.

**SENATOR H. F. G. ROCHEFORD:** Mr. President, I am very concerned about these Resolutions which I had hoped that Senator Trotman in his introduction would have resolved. The Schedule does not indicate whose land this is we are acquiring. We did pass the Resolution here exchanging the two pieces of land already. I am not sure whether this means we are now exchanging these lands. We are exchanging?

**Mr. PRESIDENT:** Senator Boxill.

**SENATOR N. W. BOXILL:** Mr. President, I am even at a bigger loss than Senator Rocheford, because he was here with the first bit of exchange. I was reading this thing, I have read it over and over, I am not au fait with who is giving what and where. I know that it is lands at Indian Ground to be exchanged for lands at Passage Road. It really is not specific.

**Mr. PRESIDENT:** Senator Trotman.

**SENATOR O'BRIEN TROTMAN:** Mr. President, it appears to me as if it is the same piece of land we were talking about earlier. As I understand it from the briefing, it appears to me that when earlier we agreed to the exchange of the lands, at that time there was a proposal to have a housing development at Passage Road and therefore, we were exchanging the land at Spring Garden with Plantations Ltd. who owned the land at Passage Road.

There is now a change of use and apparently that is what we are trying to get finalised because there will no longer be a housing development as originally agreed here. That would now give way to the gymnasium and other sporting facilities.

**SENATOR H. F. G. ROCHEFORD:** On a point of explanation, the Resolution does say houses as well.

**Mr. PRESIDENT:** Since there seems to be some discrepancy would it be easier, unless the Honourable Minister can explain would it not ease the situation if the thing could be postponed until it is cleared up. I am not

throwing any suggestion if the Honourable Minister can explain it to the satisfaction of the House.

SENATOR J. D. S. MacKENZIE: Sir, the only thing that passes my mind is that perhaps, I think, the first Resolution we passed, I think the land is the property of the Government and maybe they are doing this because they do not have title deeds to it and going through legislation possibly they might be able to boycott having to look up those title deeds. That is the only thing I can see would make sense of this Resolution. They are trying to establish ownership.

Mr. PRESIDENT: You are going all over the place now. Senator Hinds.

SENATOR K. E. HINDS: Mr. President, I was going to add to the confusion really because sometime ago there was mentioned in the news media that the land at Passage Road might be used for the purpose of the gymnasium and there was talk about resiting the service station and all that type of thing and within recent time I have been hearing talk about housing. I am wondering now really if the land is not going to be used for housing instead of the gymnasium.

SENATOR O'B. TROTMAN: Mr. President, what I am trying to make clear is that the acquisition itself.....

Mr. PRESIDENT: The Addendum explains it.

SENATOR O'B. TROTMAN: The reason set out in the second paragraph of the Addendum does make it clear that the reason for the acquisition was to have the title properly done for the Crown, but the point I was raising is still valid, because I have discussed the matter with the Ministry of Lands and there is now a sort of fluid situation as to what will be done. Where the Resolution says definitely housing, the Chinese might say that is where they will put the gymnasium, and therefore one might want to change one's mind, so it is not a conflict as such between houses and a gymnasium, it just gives leverage as to what will be done eventually.

The question that the Senate concur in this Resolution was put to the Senate and agreed to.

#### SUSPENSION OF STANDING ORDER

SENATOR THE HON. N. A. BARROW: Mr. President, I had earlier intimated that there was a matter for which I would seek the suspension of Standing Order 45(2) in order to proceed with it in all its stages, and it has been circulated now for a little while, and if we could have some indication as to whether there is any objection, because it is really a very simple and straightforward matter and if there is no objection I would like to proceed with it at this stage before going on to Order No. 8.

Mr. PRESIDENT: Is it your pleasure that this Bill be proceeded with? There is no objection, you may move the suspension of the Standing Order.

SENATOR THE HON. N. A. BARROW: I beg to move that Standing Order No. 45(2) be suspended.

The question was put to the Senate and agreed to.

#### THE STATUTORY BOARDS (REVOCATION OF DUTY AND TAX CONCESSIONS) ACT, 1981

SENATOR THE HON. N. A. BARROW: Mr. President, some Statutory Corporations enjoy exemption as a matter of course from Customs duty, and indeed some do not only enjoy exemption from Customs duty but from other taxation. The effect of this, Sir, is that the true costs of their operation are therefore not accurately reflected, so that where some are operating in areas in which persons in private enterprise need to operate, and operate successfully in order to pay dividends to their shareholders, these may be operating in similar areas with tax concessions, concealing the true cost of the operation and therefore getting an unnecessary bonus.

There is another aspect of it, which is that it means that there is a loophole which I know has on the odd occasion been used. One of my first experiences with a tax concession to a Statutory Board involved the discovery of a downright illegal practice, and therefore this is one of the means by which one can get away from certain kinds of inducements to certain kinds of people.

As I said, Sir, it is a very simple and straightforward matter, and therefore I never thought that members would hesitate once they had seen it to deal with it one time this afternoon.

I move that this Bill be read a second time, Sir.

SENATOR J. D. S. MacKENZIE: Mr. President, if I may just make a couple of comments here. Looking at the particular Statutory Boards that are involved, the Caves Authority, Parks and Beaches, Barbados Port Authority, Insurance Corporation of Barbados, and so on, the Caves Authority and Parks and Beaches are financed to a very large measure still by a vote from Parliament and from the Government purse, and it seems to include those at this point in time seems a little bit premature to me, because if they were allowed to get on their feet first it would make more sense at this moment in time.

I also notice an absence — and I am not absolutely sure of my ground here, Sir, as it only came up this afternoon — but I notice the absence of a Corporation called the BMC that loses so much money that it would put all of them in the shade, and I believe that that one operates

on the basis of duty concessions and things purchased as well.

I was just wondering, Sir, it seems to be taking money for things and then putting more money through vote. In other words, we pay duty on materials and equipment that we use and then you have to vote more money in order to buy what is required, and the money is going from one pocket into the other in Government. Perhaps the reasoning and the rationale behind this is to try to make them a little more efficient and self-supporting, and maybe Parks and Beaches and the Caves Authority and so on may have to resort to actually making charges and receiving payment for the maintenance of certain work that may be government's so this may be the reason why if they are going to be charging Government for maintenance work and for work done they should not enjoy the concession. But they seems to me to be a little bit too hasty for some of these instances and I do not think as I said before that all of the Statutory Boards that should be there are in fact there.

SENATOR THE HON. N. A. BARROW: Sir, if I take Senator MacKenzie's point, not all Statutory Boards enjoy the privileges. That is the first point I am dealing with. The Boards which we are dealing with here do however all of them have a commercial side. Some of the Boards are exempt under the old legislation, like for example the Caves Authority, Parks and Beaches and so on, and some are exempt under Part II of the First Schedule of the Act, Cap. 66. The point I am making anyway is that the Barbados Marketing Corporation had its exemption under this authority, would also be listed here. All of those including the Barbados Marketing Corporation which have a commercial side are losing these tax concessions, so that the hon. member need not worry about the B.M.C. unduly. What he wants is in fact what he is getting. However with regard to the Caves Authority and the Parks and Beaches, the fact is that the Caves Authority is being equipped fairly expensively and so on and is supposed to operate as a commercial undertaking. We do not put in that kind of equipment and then encourage them to run at a loss, and Parks and Beaches itself does have a commercial side and we have just re-organised the whole management of the Parks and Beaches with the expectation that it will now be able to put some thrust into the commercial side, so that all the people like Senator Wickham who cannot get anybody to cut his grass and to do a good job on his premises and improve the general environment at Atlantic Shores, will be able now to simply call Parks and Beaches and have a first class job done. We cannot tell them to go commercial and at the same time continue to give them these concessions.

The question that the Bill be read a second time was put to the Senate and agreed to.

On motion of Senator the Hon. N. A. BARROW, Mr. PRESIDENT left the Chair, and the Senate went into Committee on the Bill, Senator the Rev. A. HATCH in the Chair.

On motion of Senator H. F. G. ROCHEFORD, the Bill was taken as read.

Clauses 1 and 2 were called and passed.

The Schedule was called and passed.

On motion of Senator the Hon. N. A. BARROW, Mr. PRESIDENT resumed the Chair, and the Bill was reported as having passed the Committee without amendment.

On separate motions of Senator the Hon. N. A. BARROW, the Bill was read a third time forthwith and passed.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, a short time ago I had indicated my reluctance to proceed with Item No. 5 in view of the fact that the relevant Bill had not been circulated to hon. Senators. It is my understanding that this Bill has now been circulated to Honourable Senators, and given the fact that it is a very short measure without any complications, I am wondering whether I could secure the agreement of hon. Senators to proceed at this time.

Mr. PRESIDENT: This particular Bill is on the Order Paper, so if you would move formally that Standing Order No. 45(2) be suspended and hon. members agree, then we can proceed.

SENATOR THE HON. D. G. BLACKMAN: I beg to move that Standing Order No. 45(2) be suspended.

Mr. PRESIDENT: There is a little confusion here. The Bill which we dealt with was not on the Order Paper, the Statutory Board's one, and it was circulated today. It was read a first time and Senator Barrow moved the suspension of Standing Order No. 45(2) so that the Bill could be dealt with in all its stages. For an abundance of caution which the lawyer in Senator Barrow would appreciate move formally that Standing Order No. 45(2) be suspended so that this Bill can be dealt with. I am getting just as bad in my head now. This one that we dealt with was not on the Order Paper, the Sugar Workers one and that is why we have to suspend. This one is so that if members indicate that with the short notice they would approve of this Bill being dealt with, we do not need to do any further suspension. That is pretty clear now.

Is it your wish that this Bill be proceeded with today in view of the short notice we have had of the Bill? (Assent given.)

THE SUGAR WORKERS (PROVIDENT FUND)  
(AMENDMENT) ACT, 1981

Order No. 5 was called — to move the second reading of a Bill to amend the Sugar Workers' (Provident Fund) Act.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, the measure before us seeks to amend the Sugar Workers' (Provident Fund) Act, Cap. 271 which provides *inter alia* that a fund be set up in order to pay certain sugar workers a pension as well as funeral benefits.

When a few weeks ago the Minister of Finance made his Budgetary proposals, included among these proposals was one to increase the pension of sugar workers paid under the Act from \$5 to \$7.50 as well as to increase the funeral grant from \$100 to \$200.

I beg to move that this Bill be now read a second time.

The question was put to the Senate and agreed to.

On motion of SENATOR THE HON. D. BLACKMAN, the Senate resolved itself into Committee on the Bill, SENATOR THE REV. A. HATCH in the Chair.

On the motion of SENATOR ROCHEFORD, the Bill was taken as read.

Clauses 1 to 3 inclusive were called and passed.

On motion of SENATOR THE HON. D. BLACKMAN, the Senate resumed and the Bill was reported as having been passed without amendment and Mr. PRESIDENT reported accordingly.

SENATOR THE HON. D. BLACKMAN: Mr. President, I beg to report that the Bill has been passed in Committee without amendment and move that it be now read a third time forthwith.

The question was put to the Senate and agreed to.

Mr. PRESIDENT: Senator Blackman.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, when I spoke for the first time this afternoon, one of the two Bills, this is Item Six, these amending Bills which I did not proceed with because it was not circulated has now been placed in the possession of all Honourable Senators and I am seeking leave of to deal with it immediately if it is agreeable to the Honourable Senate. It is not very long and it is presumably non contentious.

Mr. PRESIDENT: I will take the pleasure of the House.

The question that the Bill be proceeded with today was put to the Senate and agreed to.

Mr. PRESIDENT: Senator Blackman.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, this Bill seeks to create a new division within the Royal Barbados Police Force which would have responsibility for the recruitment of Traffic Wardens whose main duties would be the control of parking of cars in the car parks including the issuing of receipts for parking fees, the supervision of street parking including parking meters, the regulation of traffic generally at school crossings and on occasions where there is heavy traffic concentration the performance of such other duties connected with the enforcement of traffic laws, as may be determined by the Commissioner of Police.

Mr. President, the rationale for this legislative proposal is based upon the clearly demonstrated need for a service of this kind. Indeed, in 1975, the YWCA in celebration of International Women's Year undertook a project whereby they provided a warden service at various schools in the country. The success of this project clearly demonstrates the necessity for the system of having an organised Traffic Wardens being put on a proper basis. At the same time, it is envisaged that the establishment of a Traffic Warden Division with the Police Department would free members of the Constabulary from non Police duties which have been in the past multiplying to an extent as to interfere with the proper Police functioning of the Force.

I think that the measure is self-explanatory and it is unnecessary for me to amplify upon it any more. I therefore beg to move that it be read a second time.

Mr. PRESIDENT: It is proposed that this Bill be now read a second time. (PAUSE) Senator Boxill.

SENATOR N. W. BOXILL: Mr. President, as the Honourable Member who introduced the Resolution has said it is not controversial, but I would like to add something to it before it is passed. I hope that the Honourable Minister responsible for Communications and Works, or Traffic or whoever the person is would not think that all of Bridgetown has to be paid for parking. They have to leave out certain places where people can park free for less than an hour or two so defined parking for an hour, or parking for an hour and a half, or whatever the case may be because Barbados is a very small place and you do not have a lot of places where people can really park. People are parking all over the road. At the same time you do not want to make this into a Police

state by saying that every little corner, or every little place that people can really park. For instance, I see out there in front of the bus stand, there is a wide area where people can park and vehicles can park up and down and they have marked just in front of the building over there, "No parking" there. It is a bit burdensome on people who come into town and you cannot get into the parking lots to park because it is already filled up, people want to come to pay a bill, gas bill or water bill that you park there for two or three minutes and I do not see why you cannot park there for a limited time.

The next thing is this. I would like to know if these Wardens will be allowed to issue parking tickets. I would hope so. Apart from that, I do not think that there is anything else, Sir. Ask for certain areas to be left out so that people can park, first come, first served, but it should be restricted not somebody come and park a car there for a whole day and prevent people who come in for a short time from getting somewhere to park. You want it for one hour, two hours or whatever and the wardens would know how to work to suit.

Thank you, Mr. President.

Mr. PRESIDENT: Senator Linton.

SENATOR H. R. LINTON: Mr. President, I just want to say a few words on this Bill. I was hoping some time ago that this particular provision would have been reflected in the Road Traffic Act which I believe will come to us at a later date. Be that as it may, this legislation is most welcome. I trust that it is part of our complete revamping of what we now experience in the Traffic Court here in Bridgetown and I want to support my friend Senator Boxill in terms of the parking tickets.

I cannot see why for all these minor traffic offences indeed Traffic Wardens cannot be allowed Mr. President to issue fixed fines. We go to the Traffic Court every day Mr. President and we find motorists who have committed minor breaches of the Road Traffic Regulations having to wait for a long time sometimes finding a lawyer to defend them when they want to plead guilty and this sort of thing.

Another matter that I suppose we will get an opportunity to speak on when the Road Traffic Bill comes before this House, it may come when Senator Brathwaite and probably myself are in another place. (ASIDES) When it does come.... Senator Boxill may not be there or here Sir, when it comes Mr. President, I trust that we will get away from the system where the Police Court and Accident finding.... Sorry, Mr. President, Senator Blackman will be with me as well. We find that the Police go to an accident and they

immediately determine who is the guilty party and they bring an action against that person only to go to court and find that that person was not the negligent party at all.

I think the time has come when the Police ought not to be asked to be judge and jury. If there is an accident and it is serious enough to merit the charging of someone, then all parties involved in the accident ought to be charged and let the court decide who is the guilty one. I trust that this piece of legislation is just the beginning of a whole revamping of what we are now finding taking place in the Traffic Court. I no way intend to be critical of this piece of legislation at all, I just hope that I will have a chance to speak on it in great depth.

The final point I would like to make on it, Mr. President, is this, that I trust that it will utilise the services of the greater part of our unemployed female population. I want a proper training programme instituted for them so that they do not appear to be officious and they just want to report you or fine you for reporting and fining's sake. I want them to be trained in certain aspects of human psychology, I want to see a certain level of intelligence demonstrated among the Traffic Wardens who I expect and I hope will largely comprise the female population. If there is any shortage of properly qualified females in Bridgetown where the system will be implemented first, I will endear the authorities to come to St. Philip South where I have a large untapped reserve of intelligent female prospective Traffic Wardens.

Thank you very much, Mr. President.

SENATOR Miss M. I. StC. BLACKMAN: Mr. President, I was relieved when the Hon. Minister in introducing it said that it would include the Wardens at school crossings, because this is the particular aspect that we have been working on, so I am very relieved to hear that it does include these people. However, Sir, there are just one or two other things.

One hopes that with the introduction of this scheme for the parking areas we will have some relief from the nuisances who threaten to damage cars all the time and who get very abusive if one does not give them cash for looking at you, not for doing anything to your car, but just because they have been in the area when you drove up and parked a car, and you can be thoroughly abused. Certainly in the Church Village area it is not uncommon.

The other thing is that in that Church Village area — I do not suppose it relates to the functioning of the Traffic Wardens — but it certainly does not make traffic in that area any easier now that the passage from Church

Village through to Roebuck Street is completely blocked off. I know there is supposed to be construction there, but I do not know that it has to block the road. In any case, the Traffic Wardens in that area one hopes will be able to relieve the nuisances and stop the offensive language that we are submitted to when we try to park in that area.

Thank you, Sir.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, at the present time the Commissioner of Police and the Ministry of Communications and Works are carrying out an experimental survey with respect to citywide parking. At the end of this exercise then I believe that those involved will come up with the best possible plan which will take into consideration many of the problems raised here, including the establishment of a zone where free parking for very short periods is available.

At the present time there is a category of worker known as a Parking Attendant employed under the Police Department. It will be possible that all those Parking Attendants otherwise qualified would be absorbed into the new warden services that this Bill seeks to establish.

Mr. President, the Traffic Wardens will be expected to issue parking tickets to violaters and it is hoped that this authority will be available to them when the new Road Traffic Bill, a comprehensive Road Traffic Bill, which is now being prepared, becomes the law. I think that all of the problems that have been raised here by Hon. Senators are receiving active attention by the Ministry of Communications and Works as well as the Commissioner of Police, and I believe that this Bill will go a long way toward establishing order on the road.

The question that this Bill be now read a second time was put to the Senate and agreed to.

On the motion of SENATOR THE HON. D. G. BLACKMAN, the Senate resolved itself into Committee on the Bill, SENATOR HATCH in the Chair.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, I beg to move that the Bill be taken as read.

The question was put to the Senate and agreed to.

Clause 1 was called.

SENATOR THE HON. D. G. BLACKMAN: Mr. Chairman, I beg to move that Clause 1 stand part.

SENATOR N. W. BOXILL: Before you move Clause 1, Sir, I wanted to mention something but I had forgotten it, so I think this is the best time to mention it.

We have some road crossings, markings in the road where people can cross, and this is really a facility and not a right. I am hoping that it can now be made a right and a facility. That means that if pedestrians indicate that they want to cross the road, they can do so by pointing their hands across the road and the traffic must come to a halt. Right now, as it is it is not a right, the people can run across the road willy nilly and somebody will come into collision with a vehicle and it could spell doom for them. They might be right, but they might also be dead. The point is, if you make this now a law that where pedestrians have been seen to assemble at this point to cross the street the vehicle should come to a stop to allow the pedestrians to pass across the street.

I hope the Minister will take this into consideration when they are dealing with this later on.

SENATOR THE HON. D. G. BLACKMAN: Mr. Chairman, I have lived in Canada where this is supposedly the law of the road. It works in some cases, but in the vast majority of the urban centres, certainly in Toronto where Senator Boxill and I once lived, this particular rule is honoured in the breach more so than in the observance. It is a good idea, but it presupposes a level of courtesy that I am not aware is in existence in any part of the world where there is a heavy flow of traffic.

The question that clause 1 stand part was put to the Senate and agreed to.

Clause 2 was called.

SENATOR THE HON. D. G. BLACKMAN: Mr. Chairman, I beg to move that Clause 2 stand part.

SENATOR MISS M. I. BLACKMAN: Mr. Chairman, this section mentions the question of the persons to be appointed as traffic wardens. There have been people working at school crossings, under a scheme started by the Y.W.C.A. as mentioned by the Hon. Minister and who have been in this scheme for five or six years, and I just hope that when appointments are considered some consideration will be given to those people, and if possible if they can be absorbed into the scheme that they will get some consideration for the services which they have been rendering to the community on a voluntary basis for many years.

SENATOR H. R. LINTON: Mr. Chairman, I just want to say a quick word about that. Whereas I am not opposed in principle to having the existing voluntary traffic wardens, if you may call them that, absorbed in this new scheme, I would wish to see them go through any test that all other traffic wardens have to go through and let them pass that test. The reason I say that is this: we have one or two crazy ones at the moment

who should not even voluntarily be guiding children across the street, and I would go so far as to point out — well I will not call the name — that by a school coming near to Queens Park that person ought not to be directing children at all, and I would like him to go through a test, whether it is a mental test, a physical test or an academic test or what have you, and I would not want them absorbed in the scheme willy-nilly unless they go through that test, Mr. Chairman.

SENATOR THE HON. D. G. BLACKMAN: Mr. Chairman, it is the intention by the policy makers who are responsible for this Bill not to exclude any person from competing for the available jobs. Parking attendants as well as traffic wardens under the Y.W.C.A. scheme are free to apply and doubtlessly their experience will place them at an advantage over other applicants if they are qualified in other respects. Under Section 3 it is clearly stated that appointments will be made in accordance with section 94 of the Constitution which means that the power of appointing traffic wardens will be that vested in the Police Service Commission; so when Senators obliquely enter pleas here for patronage of some kind, I would like to make it plain that it is a matter for the Police Service Commission.

The Ministry however has laid down some criteria which will be applied in the recruitment of persons to these jobs. There is an age qualification, persons between 19 and 45 years of age for general traffic wardens and persons between 19 and 50 years of age for school wardens. There will be the usual character test, medical fitness, physical fitness and an educational level must be reached as demonstrated by the ability to pass an examination administered by the Commissioner of Police and the usual nationality status. If the existing wardens and parking attendants can satisfy the criteria which I have just enumerated, then it would be possible for them to be favourably considered by the Police Service Commission.

The question that Clause 2 stand part was put to the Senate and agreed to.

Clause 3 was called.

SENATOR THE HON. D. G. BLACKMAN: I beg to move that Clause 2 stand part.

SENATOR R. FIELD: Mr. Chairman, just one point I would like to draw to the attention of the Senators. I hope when this is being implemented under the new Road Traffic Act that some look will be given to Clause 3(2)(b) on page 3 "to collect and account for parking fees." It is usual that a lot of these funds do not find themselves into the Treasury, and I hope that those persons responsible would ensure that proper methods would be adopted

in order to see that these funds reach safely to the Treasury.

SENATOR H. F. G. ROCHEFORD: My only point is to indicate that we still spell metres "meters".

SENATOR THE HON. D. G. BLACKMAN: Mr. Chairman, I believe that the practice of what is felicitously known in other societies as *babal* has not yet made its way into the public service of Barbados. It is true the reports of some Commissions have identified the infelicities which took place in a previous administration as well as other improprieties, but I believe that it would be wrong to make generalised inferences from those isolated cases, those isolated excesses which have occurred according to Duffus and Hanschell. I believe that the regulations of the Government take adequate precaution in ensuring that the revenues collected are dealt with in a proper manner, and I can see no basis whatsoever for the apprehensions which have been expressed. I think that our financial procedures have always recognised, as the financial procedures of any well run business have always recognised, the possibility of leakage, and over a period of centuries the leakages such as they were have been very few and far between.

The question that Clause 3 stand part was put to the Senate and agreed to.

On motion of Senator the Hon. D. G. BLACKMAN Mr. President resumed the Chair and the Bill was reported as having passed the Committee without amendment.

On motion of Senator the Hon. D. BLACKMAN, the Bill was read a third time forthwith and passed.

#### SUSPENSION OF SITTING

SENATOR THE HON. N. A. BARROW: Mr. President, I move that the sitting now stand suspended until Monday, May 4, 1981 at 2.30 p.m.

SENATOR D. MACKENZIE: Mr. President, Sir, on the Order Paper we have passed 8 of the 9 things. In fact, 7 of the 8. I would like to enquire what is the necessity to come back on Monday rather than on the Wednesday, which is the normal day. I personally find it an inconvenient time to come back.

SENATOR THE HON. N. A. BARROW: Mr. President, the reason I am suggesting that the sitting be suspended until Monday is that in the Education Bill, debate on which is likely to take some time, there are matters which have to go back to the Other Place and at the same time we are expecting, Sir, a new Road Traffic Bill to be ready which will have to be passed almost immediately because it will be needed to be

brought into operation for the new licensing year so there are Bills which are due to come before us which will keep the pressure on us up until whatever date there is ahead of us and we do not particularly wish to be caught.

If members particularly wish to go until the Wednesday, we can but it just means that the sittings would indeed be long and drawn out and I believe it would be better to take some of the pressures off by at least getting rid of two of the substantial measures before us now.

SENATOR D. MACKENZIE: Mr. President, the inference is then that we will be coming on Monday and then again on Wednesday because if the one Bill is not already passed the Other Place it would not pass until Tuesday.

SENATOR THE HON. N. A. BARROW: Sir, if you will permit. When we have finished the Education Bill which may be the only thing we could get done on Monday if the debate really runs, we are going to have to send that back to the Other Place because they are amendments which have been circulated here. We then have, and there is a list of amendments to the Supreme Court of Judicature Act which have been circulated here, we then have the Supreme Court of Judicature Act to do in addition to the two or three other matters of which notice was given of this afternoon.

If the Road Traffic Act comes up for debate it is going to push a number of things out of the way and this is why I am making it this way so that we may, in fact, find ourselves clearing the thing on Monday and on Wednesday and then back again just to do the Road Traffic Act, if nothing more.

Mr. PRESIDENT: Well, I will put the question. Do I understand the present position is that you are not moving for an adjournment?

SENATOR THE HON. N. A. BARROW: No.

Mr. PRESIDENT: Any other members wanting to speak on this question of whether we suspend the sitting until Monday or adjourn on the usual course? I am at the disposal of the House.

SENATOR H. F. G. ROCHEFORD: I would say, Sir, that the Supreme Court of Judicature Act is not on this Order Paper. The Education Act is on this one. I understand that one of the reasons for Suspension is that we would not need to have a separate Order Paper, but if you want to do the Supreme Court of Judicature Act, that is not on the Order Paper.

Mr. PRESIDENT: I think that difficulty could be met even if we suspend it to complete the Order Paper and the hon. member could ask the permission of the Senate at that time to deal with the Judicature Bill and if members were in that mood, then they could do it.

I think that on the whole in view of real business piling up it may be just as well to suspend until Monday and get the Education Bill out of the way and anything else that members feel like doing.

The sitting will be suspended until Monday 4th May, 1981 at 2.30 p.m.

*On Resumption:*

Mr. PRESIDENT: This sitting is resumed.

#### EDUCATION ACT, 1981

The Eighth Order was called — To move the Second Reading of a Bill to repeal the Education Acts Cap. 41 and Cap. 41A and to provide for a co-ordinated and effective system of education related to the needs of the people of Barbados, the registration of private schools and for related matters.

SENATOR THE HON. N. A. BARROW: Mr. President, in introducing an Education Bill which is as comprehensive as this one, it is possible either to **speak** for a long time and to go into many of the **interesting** and intricate aspects of education and **related matters** or indeed to **speak** for a very short time and to **concentrate**, therefore, on what the Bill seeks to do.

It is the latter course, Sir, that I hope to adopt this afternoon, because I believe that we should not lose sight of the fact that what this Bill is about is providing for a framework within which this policy will be taking place. It is necessary, therefore, for me to advert to the fact that education as evolved in Barbados, and indeed one will find throughout the Caribbean and in many, many countries was not first of all a matter of State responsibility. The former provision for Education was not a matter of state initiative or the state providing initiative whether on the part of those who saw it as an extension of their own religious mission as the Churches tend to or whether they saw it as the need to provide for poor whites or whether they saw it as a need to provide for poor persons generally. There were always those who were prepared to establish Education endowments and hence Education as a privately funded matter was the Order of the Day rather than Education with any significant inducement of State funds in any such Organisation.

It means therefore that when we come to the 20th Century concept of Education as the right of every individual, education as the primary responsibility of the

State, education as a tool in the overall planning for a developed society, when we come to these modern concepts, we therefore find that we are trying to operate with the massive injections of State finances, the provision of structures by the State and the system within which this is being done is an archaic system geared to respecting, honouring and perpetuating what you will, the old established history of the situation rather than the present day dynamic realities.

I am not, Sir, at this point going to deal with the primary schools even though it might be outside the area of knowledge of some of us that even primary school education at one time was not free. I am going to look briefly at the Secondary Schools, how they came to be established, the Secondary Grammar Schools because largely that is where the reference is sometimes and the respect for the history rather than the recognition of these dynamics is most evident.

The Boys' Foundation School established under the will of Captain Francis Williams, 1709; Harrison's School, established under the will of Thomas Harrison, 1733; Codrington Grammar School, established by the Codrington Foundation, 1745; Codrington Grammar School came to be known later as the Lodge and by some account claiming the Foundation to go back to 1721, I believe; the Alleyne School in 1785 established under the will of Sir John Gay Alleyne.

My note says the foundation of Queen's College is even shrouded in greater antiquity since tradition says that it originated under a Charity School in the latter 17th Century under the will of Henry Drax, the Drax family being establishers of sugar and still the owners of the oldest Plantation in Barbados.

Lord Combermere established a central school for boys, central, Sir, not because it is in the constituency of St. Michael Central, but that is what it was called. It is now known as Combermere.

The Act of 1878 gave the first official recognition to Grants in Aids and it became established that once a Secondary School was officially recognised, it became a beneficiary of a Grant in Aid. The Alleyne, Coleridge and Parry Schools were all under this status in 1880. Then came the Act of 1890 which paid special attention to these Grant Aided Schools and particularly for the administration of Harrison's College, Lodge and Queen's College and Scholarships and Exhibitions thereto; that Act which enshrines the odious distinction between First Grade Schools and Second Grade Schools.

Fees in 1890 ranged from £5 to £15 a term and indeed, Sir, when School Fees were abolished in 1961/62, these School fees for that time would have been something like \$24 at Lodge School and Harrison's College,

\$21.60 at Queen's College and I believe even \$6 or \$8 everywhere else, that brought the Treasury the princely sum of \$180,000 which was why it was easy at a single stroke to do what in fact was highly desirable, to do away with school fees altogether.

As I said, it was highly desirable to do away with school fees altogether and the fact that it did not contribute anything significantly to the Treasury made it possible for it to be done, as it was done, at a single stroke.

The schools added to the list since the passage of the 1890 Act, the Christ Church Boys' Foundation in 1906. Alexandra in 1894, St. Michael's Girls' in 1926, now the St. Michael School and the Girls' Foundation in 1928 – Girls' Foundation and Boys' Foundation are of course now the Foundation School – these schools came to be regulated by the schemes in which the Governing Bodies exercised executive power for the administration of the schools. These schemes can operate as long as people are sufficiently well disposed as to make them work well, but, the plain, simple, common fact Sir is that education in Barbados is no longer administered in grant aid to schools. There is not a single one of the older secondary schools that is in any different position from the newer secondary schools in that there is not one of them that if financial support were withdrawn tomorrow morning would not collapse entirely and therefore the present day fact is that these institutions like the newer secondary schools are almost totally, I would say totally Sir – I would say totally because the one or two small endowments that they have really do not matter – financed from the Treasury and this form of financing must bring with it accountability to those who are charged by the public with responsibility for administering such monies.

It is a significantly different position when a school or any institution seeks assistance in order to continue its operations from when a school or any such institution can operate only because the public purse is open and provision is made therefrom. I believe, Sir, that is a very important distinction which one has to bear in mind.

The second thing, Sir is that the responsibility for planning and developing an effective system of education is a political responsibility vested constitutionally in a Minister. A system of school Government which therefore permits any institution to operate any school or similar institution publicly financed and wholly dependent on this public finance, to operate as though it were answerable to no one and as though it did not have to tailor its decisions to fit within the ambit of national education and policy. Such a system of Government of schools cannot merit our support.

Let me, Sir, make a specific reference. It has to be a matter for the national planners and for the Minister, therefore, whether schools in Barbados will write the CXC, or whether they will continue to write Cambridge examinations until Cambridge stops dropping hints and just merely, crudely and openly says, "We just do not want to have anything to do with you". It has to be a matter of national policy what educational direction is going to be taken and it is therefore ludicrous in the extreme for any headmaster of any school whether or not supported by his Governing Body to take such action as to suggest that he, and he alone, or he with the backing of his Governing Body will determine whether his students will write the CXC. If anybody wants to practise such lunacy he ought really to be invited to go and raise his funds and run his own institution. That to me seems to be the only answer to that kind of thing.

It would appear, Sir, that within this context the other schools, people operating within this system and managing and directing the affairs of other older schools understand clearly that they have to operate within the ambit of national policy and, consequently, I am unaware that there are any reports of dissatisfaction in this way. But the fact, Sir, that even a single school is able to be such a worry and a frustration and a bother simply by standing on legal ground and refusing to recognise reality is a clear factor that these unworkable systems must be done away with.

Sir, we submit that these are essentially matters of policy, the basis on which students may be admitted to any school. The curriculum ensuring that it is tailored to meet the needs of the society, examinations, Sir, and also, Sir, a whole number of other things which are clearly matters of public policy. But, taking those three specifically, it must be a matter of public policy with each one and therefore, we cannot continue a system in which that responsibility is given to any single headmaster of a school with or without his Governing Body's support.

What this Bill also seeks to do, Sir, is to remove this dichotomy that presently exists between secondary schools and indeed between the older secondary schools and the primary schools in that it will provide the machinery for the creation of a single, unified Teaching Service. The fact that it will be appointed under the provisions relating to the Constitution relating to the Public Service Commission does not mean that this will not be the case because there are proposals relating directly to the Public Service Commission and its function which are to ensure that the teachers are treated with a very separate service deserving a special and speedy treatment.

All teachers, Sir, will be appointed in the same way, even though the Act will of course make provision for the transitional arrangement whereby those who are already

in the Service and were appointed under the archaic dispensation, will continue to have a slightly different status from that of the new appointees, but it will mean, Sir, that as time progresses everybody will come to be appointed in the same way and be subject to the same rules and regulations, etc. Indeed, Sir, that is really the only difference between these schools at present, in that while the newer secondary schools have Boards appointed by the Minister and come pretty clearly within the area of authority, the older secondary schools have these Schemes of Government by which a Board of Governors may be a law unto itself and the employees of those schools are employees of this Board, but they all have teachers paid on a common scale from the public purse, graduate scale if they are graduates, non graduate scale if they are non graduates, trained teachers scale if they are trained teachers, and so on. Every single teacher is paid according to the same basic rules on the same salary scale and from the same public source.

In addition, Sir, if the child at 11 is given a certain sum of money towards assisting his parents in providing him with school uniforms, as is now the case, you do not get more or less if you go to Harrison College than if you go to Parkinson. As far as I am aware, Sir, as long as you have been granted your 11 plus place you will receive your grant under the scheme.

There are Heads of Departments functioning in the newer secondary schools as well as in the older secondary schools. There are Headmasters and Deputy Headmasters. All of these people are required to be qualified in the same way and all of them are paid according to the same rules and from the same source. There is not a single building that goes up in any of these schools save by a grant from the Treasury or provision from the Treasury, no desk, no piece of equipment. It therefore must make sense, Sir, that a system should be devised which brings all these schools under one system of management, and therefore, all of them will now have Boards of Management appointed by the Minister, and those Boards of Management will be charged with the performance of certain day to day services, but they will no longer be the employers of the teaching staff, the teaching staff will become employees of the Crown in all schools and not only in some.

Perhaps, Sir, I should close by making reference to one final point, and it is this. A lot of people when they look at measures which are unifying measures assume that this means some sacrifice of standards, some levelling down in the institutions, because they cannot see that when you bring people to the same level you can do so other than by carrying everybody down.

Sir, I believe it is only appropriate that I should say that if what has been happening in Lodge School, and the recent attention Lodge School has got, and if there is any justification in the criticism often heard that among the older secondary schools it is probably ranking No. 9 right now, if that is so, and this is a school which I believe used to rank rather higher up the order — I believe that they are some who regarded Lodge School as ranking No. 2. I think Senator Blackman on my right thinks that, Sir, he apparently thinks Queen's College was a better school, and he may be right, Sir — the fact of the matter is that whether it ranked No. 1 or No. 2, it is not going to make a lot of difference. It ranked rather higher than 9, and I understand that for a lot of the parents it is now the ninth choice. I now gather, Sir, that parents do not want their children to go there.

What I want to say, Sir, is that it must not be mistaken by the Press, by members of the public, and particularly by members of this Chamber, it must not be mistaken for any effect of any policy of this Government. The policies of this Government are to set a desirable norm and try to bring people up to that, so what has happened at the Lodge School has happened in spite of the policies of the Government. I would wish to make that point very clearly, Sir. Just let me put it this way. What has happened at Lodge School in terms of the lowering of standards, it is difficult to believe is not in some way related to the general atmosphere of confusion that one senses as one gets into any discussion with people who either have children at that school or who have to work there, or who have even just heard or read about it. I think there is an all-pervasive atmosphere of confusion, of a little that is a little wrong that we do not regard as too normal, and if a school like that is going to be — and I am not going to say restored to its normal position — I am going to say that if a school like that is to be taken hold of and made to play its proper role within the educational system, I believe that it can only be got to do this when the framework for the administration of educational policy is one such as to be reflected in this Bill, where the powers are clearly laid out, where you know what the Minister's responsibilities are, where you know what the Chief Education Officer is supposed to do, where you know what a Board of Management is supposed to do, everything quite clearly laid out. It tells you what a private school, the few that exist, if they are not conforming to the standards the Minister considers they ought to be, it says how he must behave towards those schools, and it tells you what rights those schools have. Ultimately those schools can take him to court if he goes closing them down without justification. The powers are all laid out, the rights of people are laid out and well protected within this Act.

I believe that this Act is significant, therefore, in that it seeks to introduce a sensible ordinary framework within which national planning for education may go

forward, and within the policies for education in this country may be given effect. It provides, Sir, machinery for the first time for the Minister responsible for Education to exercise that responsibility in relation to secondary schools without fear of any — they are not necessarily reactionary — people who do not seem to think too clearly or too well to erect these stumbling blocks, erect these — I am trying to find out what Senator Blackman would call them. Anyway, Sir, I am sure I am right that this Act ought to eliminate the opportunity, the scope for the activities of troglodytes.

Mr. President, we cannot in 1981 continue with the legislation of 1890. We have decided that the area of land law in the 80s required new legislation. The amount of law reform which has been given effect by this Chamber and the Other Place indicates quite clearly that this is a Government that understands that the social applicability of laws requires that they be kept under review and updated from time to time. Education can be treated no differently, and whereas when Senator Boxill rises he will no doubt, if he does indeed, refer to the fact that the Democratic Labour Party, true to their promise in the manifesto of 1961, did produce an Education Act of 1962, I think it is called the new Education Act of 1962 according to the words of the 1961 manifesto, but they produced it in 1975, the fact is that they were unable to get an Act on the Statute Book that they could bring all into operation, and it tells you something about how contentious this area is to deal with.

One of the things that some of the teachers objected to was registration of teachers. We have dropped that out. What a number of teachers wanted was a separate Teaching Service Commission. The Minister of Education by hard discussion and reasoning persuaded members of the teaching profession that there was another way in which they could have a unified service without imposing on the country still another Commission when you have a Public Service Commission, a Judicial and Legal Service Commission and a Police Service Commission, and one proposal which seems to be the one we are giving effect to is that if we make the Chairman of the Public Service Commission full time and make the necessary provision, then the teachers should be properly looked after, and this seems preferable to setting up another Commission in which, maybe because of the scarcity of manpower to do that kind of job, you may just have found this is transferring the delay from here and putting it over there.

Mr. President, this is legislation again for the 80s. The 1890 legislation just cannot apply to schools today. We need comprehensive legislation. This is what we are offering before this Senate this afternoon, and I therefore have every pleasure in commending this legislation to this Honourable Chamber.

I beg to move that this Bill be read a second time.

SENATOR J. WICKHAM: Mr. President, I had not hoped to be, as it were, opening the batting on this matter, but since I feel reasonably strongly about the role and purpose of education in the country, I really have no hesitation in saying the few things I have to say. I have no quarrel with the Bill as it stands. Its purpose to provide for a coordinated and effective system of public education related to the needs of the people of Barbados and for the registration of private schools and private educational institutions and for related matters is sufficiently comprehensive and miscellaneous to cover all possible aspects of education.

My particular gripe on this occasion is that the passage of this Bill or the presentation of this Bill to Parliament does not seem to provide the comprehensive and profound look at education which I had hoped. We have a system of education in Barbados which has earned a number of plaudits throughout the Caribbean for its quality. The society, the community, the spirit of the times for which the Barbados system of education was valid simply no longer exists. There was a time when a master of Harrison College could boast on speech day and he did it every speech day, that Harrison College provided a system of education which was equivalent to the best of English public schools. Now it had seemed to me then and it seems to me now that such a boast is totally irrelevant to the needs of Barbados, and in fact such a boast should disqualify a school from serving the needs of Barbados.

The British Public School system was designed to provide servants of an Empire, to provide children with those qualities which would serve them to pursue the aims of an imperial system. That that system should be regarded as the goal of a colonial system seems to me absolutely ridiculous, and yet we go on looking at education as if the periodical inscription of a number of names in gold letters on a school for a number of Barbados Scholarships is the goal of our education. It cannot be. What such a system does is merely really to perpetuate the old system of class, colour and status. Is that the kind of system which we want to perpetuate? I should think not. We are living in an age where we see an advance in the need for technology. Cheek by jowl with that system we are living in a society which still regards the technician as somehow inferior in status.

Now somehow or other we have to marry these. We live in a system where we see every day in the newspaper and hear everyday on the radio and on television mispronunciations and misuse of words. All these are products of our educational system. We have to understand what we are doing when we emphasise one side of education at the expense of the other.

It may not be too late, Mr. President, to correct these deficiencies, but unless we look at it more carefully it may very well be. The Barbados system of education was designed to serve the needs of a community which was separate and distinct from all its fellow members in the Caribbean. There is absolute need in my view to make sure that our system meets the regional needs of the Caribbean. There is absolute need for a comprehensive articulation of where we are going, what our education system is designed to provide for the next 20 or 30 years. That opportunity in the framework of this Bill has been lost. However, there is a possibility which I would come to a little bit later.

In connection with the educational needs for a developing country like Barbados and the purposes which our planning policy in education must serve, I would like to draw the attention of the Senate to the words of a recent visitor to Barbados, Professor Zachariah who is an Expert on the needs of Education Policy Planning in developed countries.

What I am going to read, Mr. President, is a quotation in the *Sunday Advocate News* of May 3, and Professor Zachariah is reported to have said "The function of Education whether formally in the home, Church or workplace is to transmit the personal values, social norms, the occupational skills and the political and religious perspectives of the adult generations." He referred to the transmission of the cultural heritage, of the primary aim of education and it attributed the transformational function of education to the relatively new experience of nationalism.

Mr. President, we are living in a society which is laying great emphasis on material possessions and much of the structure of our education is to provide people with jobs so that they can earn money. I myself am not satisfied that that can be the only or the alternate aim of education. I cannot, of course, articulate it as if I were an Educational Expert but as I look around the World and our community I see a number of people who have no education in the formal sense or very little but who have made important contributions to our society, and important contributions to themselves. I mean that they are happy at their work. They do things which are valuable and they have earned the respect of the community. There is something like that which has to be enshrined in our educational policy.

Mr. President, I want to draw attention to the establishment within the terms of this Bill to the National Advisory Commission on Education. Section VI Paragraph 3, page 10 reads:

"(a) on such matters connected with education as the Commission thinks fit, and

- (b) on such matters connected to the functions of the Minister under this Act as the Minister refers to it."

I want to suggest that this National Advisory Commission on Education in Barbados is the body to which I would look and to which the community is entitled to look for fundamental and comprehensive policies on the educational needs of this country and I would urge the Leader of the Senate to draw this observation to the attention of the appropriate Authorities. There are several people in this community who are very concerned about the quality of education and the role which it is playing in shaping the character of our society for the future.

There are very important problems to be ironed out. There are problems with the two other languages in the regional area. There are problems of technology versus classical tradition. There are problems of the role of education in creating a classless society. There are problems with education which make people need to see what they can do in this society without any self disregard. There are problems of the role of culture and the Arts which are very little provided for in the system.

These are the matters which I would think such a Commission as provided for in this Bill might well attend to and I hope I can look forward with some confidence to this kind of exercise being one of the priorities which the National Commission should attend to. Thank you, Mr. President. *(Applause)*.

SENATOR Mrs. ENID LYNCH: Mr. President, one of the most relevant comments made here was that by the Minister leading the Chamber when he hastily brushed aside the Primary School as not requiring comment because here we see reflected the main point of the argument which I will present that this Bill is the framework. What the Minister sets out to try to accomplish through the framework is fairly obvious.

The Bill mistakenly states it will provide for a co-ordinated and effective system. Co-ordinated, yes, effective is questionable because what the School can do is what the community allows it to do and I feel that in preventing measures of this kind and in setting about making a framework we make, at the same time, certain assumptions, namely, that the society accepts the basic philosophy underlying what this framework would seem to indicate.

Does the community really believe that all the children in Barbados should have the same opportunities as their own children? Do they really say that what the best and wisest parent wants for their own children is what we should want for all children because unless we are making the same such statement then, what I see already emerging is a system which has got to be operated by Teachers

coming out of a society which does not really accept what the system purports to make possible.

So we have a great task to educate the community in general as to what the Minister sees as the system of education suitable for Barbados and to hope that they really accept it because if they do not, the inner life of schools, which is what we should be looking at, will contradict what the Law seeks to achieve.

I think that some of this is happening already. I will begin with the primary school because I think that this is where we are going to build and maintain the cohesion in the society. At one time, there was the idea that certain kinds of children would go to primary school and certain other children would go to secondary schools and there was a preparatory department in secondary schools, so that some children did all their primary education in the older secondary schools. That of course was changed and the preparatory department was removed, but although the preparatory department was removed, those children did not of necessity have their education in the primary school.

In fact, what has happened in my own life time is that the primary school has come to serve a narrower group of children than it did in my own time. In that respect, we went backward rather than forward. It is here I think that we should begin to correct what I think was a step backwards. It happened and I think the community hardly registered it. In the two moves. One was when the new Director of Education introduced the concept of age grouping which was not clearly understood and was applied a little unimaginatively and the other one, the Common Entrance Examination which made parents feel that they had to send their children to the schools where they would be most diligently coached in order to obtain the highest marks which would place them in the most desirable of the secondary schools. Those two things are the things I think, plus the fact that some people became better off — tended to cause the primary school to serve a much narrower group of people in the society than previously. I think that this has to be redressed if we are going to have a good future.

Our primary schools should be good schools. We are capable, we have the resources both human and financial to provide a good system of primary education for all of our children. There will always be some people who feel that they want their children elsewhere. We cannot prevent that, but no parent should be able to say with justification that he really could not send his child or her child to a Government primary school. I think that this is an aim which we should pursue, it

is one which is very near my heart and which I hope to see before I depart this life because unless we are going to make good primary schools, we are not going to be able to bring the children of the country together at their most impressionable stage and since children learn so much from each other and we do not give the less privileged child any chance at all to learn from his or her peers.

I went to school with children who came from a very different sort of home from which I came. It may be that that is responsible for my understanding of all kinds of people in the society and I think that this kind of understanding is what we should be working for and therefore, I was a little disappointed that the Honourable Minister passed so quickly over the primary school because we have not yet completed that task. Sometimes, we are inclined to rely too heavily on grandiloquent language, statements and philosophy and so on. You will find those, Mr. Wickham in documents like something going before UNESCO. You are asking for some funding for and one of those documents came into my hands and I think the philosophy was spelt out. Plus the fact, the the National Development Curriculum Development Council does have a philosophy for the primary school. It has almost completed the philosophy for the secondary school. It does not have the tertiary institutions, but you are going to see these philosophies and be able to comment on them.

There have been general statements about a system which aims at seeing that every child is educated to his full potential, but these things sound very good and very well, but the important thing is how do we go about achieving these lofty aims? Sometimes it is good to have a few specific aims which you carry out. You can be fooled by a broad, general statement which really is not being protective and which sometimes we have not got the money to do. We do have the means human and financial to provide a sound, good, primary education at primary schools for all our children because this is the most important stage. Things which go wrong here may never be corrected. This is the most important stage.

We cannot build on sand, we must build upon the sound systems of primary education which all our citizens can have. One thing I noticed too about the primary schools is the fact that fewer and fewer male teachers are in the junior sections of the primary schools. Infants usually have women teaching them, but taking into account the kind of prevailing family pattern which we have in Barbados something should be done to encourage male teachers for some period even if it is not longer than five years. You may not expect them to spend their whole teaching life, but I think we need to have some male teachers because we have a co-educational system and the little boys need to have some men

in those schools. They are handled all the time by women usually at home and when they come to school I think that the presence of male teachers in those junior sections in sufficient numbers would have a good effect. The boy sees someone that he hopes that he can copy.

I do not know whether you would have to induce the males by any sort of salary concession. I would make it a special qualification for people who have ideas of filling administrative posts in education that they should spend some time in primary schools because they know the whole system and this might encourage some men with ambition in the field of education to spend a few years in these primary schools.

Now, as soon as we say education in Barbados everybody now thinks that we are talking either about secondary schools, or the Common Entrance Examination almost immediately appears in our argument, but the secondary schools really pose now the greatest problem, because though people are all saying that they would like the Common Entrance Examination removed, I do not think that the community is prepared for what is going to result when that examination is going to be removed, because although it has not yet been explicitly stated, I assume that what we will then get is a non-selective secondary school. This means that teachers have got to be prepared for dealing with a very much wider range of intelligence and they have got to see their work, or to put it this way, the community must now measure the success of a teacher, or measure the success of a school not only by the examination results which that school produces.

I have always questioned the attitude of schools holding up their most able students, when in fact these are comparatively few in the school, and if you have got a hundred children who have passed the G.C.E. and you have 1400 children in the school, then in that year group you should have to count for many more than that hundred. In short, we must come to realise various kinds of excellence and reward them accordingly, and the school must be as proud of its not so able students who have grown up into adult life and are coping successfully, rather than saying these are the number of Barbados Scholars we have produced, or these are the number even of G. C. E. candidates that we have produced. I want to know what has happened with the slowest people, what has happened there, and there should be some method of encouraging some of our more able teachers to be doing research and recording their work with some of these children, whereas what we are getting is that people who have got university degrees feel that it is a waste of their time to do any work at all with the least able children.

Now, I am not saying that these teachers must spend all their teaching life, or all their teaching time, but certainly the Susan Isaacs, and the MacMillans and the Montessoris and so on were extremely able people, but what they have given us in education is insight into the way that the youngest children learn, and we have people now doing outstanding work with retarded children, children who are extremely slow. We need people of high ability to do research of this kind, and how are we going to get work of this kind if our most able teachers feel that this kind of work is beneath them? This is what I mean when I say that the school will only do what the community lets it do, because the teachers are going to come out of society with these same prejudices and these same ideas about what the teacher is about, and one of the reasons I believe that the status of the teacher has tended to fall is because the teacher himself has been looking at his work far too narrowly and has not really conveyed to the community how highly skilled and how creative a job it is.

Now, the Minister said something about not levelling down, that you can sort of create this unified system without any levelling down. What in fact has been happening is that with the creation of these schools we have considerably widened the demand for teachers. We need a lot more teachers than we needed before, and therefore on a purely numerical basis I think we are going to be hard put to it to find the quality of teachers we required in the numbers that we require. We are a small community and we have got to face this, that we are trying to do a great many things at the same time. This means that our teacher training has got to be as good as we can make it.

I note, for example, that although we are creating a unified system, the teachers of the newer secondary schools for the most part are trained in the same training institution as teachers of the primary schools. The graduate teacher is usually trained elsewhere, so I think we have to look at this question too of training the teachers for this co-ordinated system in a similar way. You cannot put the teachers from the newer secondary schools to be trained in one place and the teachers from the older secondary schools to be trained somewhere else. We have to look at this very carefully.

I have noted that in spite of this levelling up our leading citizens, Ministers included, are not often seen — and I am going to be careful here, because the fact that I have not seen them does not mean that they were not there — but our leading citizens, and I could go as far as His Excellency the Governor General, though I do not mean this to be any criticism of him, the President of the Senate and Ministers (and so forth), we do not see these people very often.....(ASIDE). Well, I cannot say that because I go, so ordinary Senators seem to be doing their bit, but what I want to say is that if we are going to say

that we are levelling up, we have to give the schools who are now building certain traditions a chance to build their traditions. The community may not be giving these schools a chance to build their traditions, and I say this because I noted the Minister's comment about the fifth form schools. He called them second grade schools and his comment implied that it was a bit invidious to have those kinds of schools, but I think that the creation of those kinds of schools was a stroke of genius. We could not afford to have sixth forms all around the place of a proper standard, but certain schools went as far as the G.C.E. and then you passed these students on to the schools that had sixth forms.

A process began by which as soon as a fifth form school produced a sufficient number of fifth formers of good quality, they were allowed to have a sixth form, so that the great ambition of every fifth form school was to do well enough to acquire a sixth form. This, however, was arrested when the Community College was built, and then those of us who had the fifth form schools were told, "we are not going to give you sixth forms, you must pass them on to the Community College, or to a sixth form school," but we know perfectly well in Barbados, you do not have to tell people in Barbados what the fifth form schools have produced in Barbados.

You should not have to tell people. If you look at any list of Barbados Scholars you are likely to find a number of them have been transferred from the fifth form schools to sixth forms and they have been able to take their places quite comfortably among people who went nowhere else but the sixth form school; so I do not see any point in feeling that the fifth form school was some kind of shameful creation. If you want to study the social history of Barbados and what has happened in this country, you will study the fifth form school. The fifth form school has made a tremendous contribution to the development of Barbados. As a matter of fact, I would say wherever you see jobs where people are working very hard, you are fairly certain they have come from one of the fifth form schools, because there were only three or four sixth form schools. So first of all the leading citizens of the country should appear from time to time at the functions of these schools. Human nature being what it is, although I have told a number of them that I do not think it matters and if anybody wants to come to my Speech Day I would invite them, if certain people go to certain functions at certain schools and they do not go to the functions of schools of the same standard, here again is how the community can negate what the law seems to say.

There are times when the achievements of these schools are not made public. You might hear about them, but the media does not take notice of what is being achieved at Ellerslie School or Parkinson School or St. Leonard's School as they do of some of the others and

these schools have had some quite outstanding achievements that nobody knows anything at all about. I know that the Junior Nation does its best and that it is writing about what these schools do, but then the Junior Nation is only read by children in the secondary schools themselves. It is not going out to the public. They have not done us the honour. I have been done the honour because I get a copy, but I do not think grown people in the community get a copy of the Junior Nation, but I do know of achievements in these schools which receive no comment at all in the media, and therefore what I am saying is that the community itself is telling us that regardless of what the Minister says the community is not accepting the basic philosophy of this Act.

I have seen one of these schools do something which was most commendable. I have not seen it mentioned anywhere, and that is, that they so interested themselves in the community around the school which had many problems that the school itself was able to reach out to that community and to help in the solving of those problems. I think the Minister of Community Development might know about this, but on the day when I was going in to their Speech Day, a little way from the entrance a group of so-called rastafarians were having an exhibition of their art as well. Their attitude was that the school was having something, the school was exhibiting its art and they were exhibiting their art outside, so when you pass to go into the school you saw them out there showing their art. This simple thing indicated something of an understanding, some sort of communication between the school and the area around it.

Now this is work which should have received a lot of comment, but I do not think anybody even noticed it. So these schools have got to get their chance to build a tradition. What is the use of a parent saying I am not going to send my child to that school although it is nearest to me, I want to send it to a school which has already built its tradition. If everybody wants to send their children to the schools that have already built their traditions, how will the newer schools get a chance to build their traditions, because they would not be getting the number of able students which will enable them to build a certain tradition. Of course it is possible to build excellent traditions which do not rely entirely on academic achievement, but I must say the academic achievement is what people can most readily understand. Our greatest need at the moment is however not so much for that, because I feel that we have sufficiently proved that we can teach bright children to do well. What we have not learnt to do is to take the child who is not clever and who has a difficult home background to realise that the function which the school has got to render there is not only an academic one, it is largely social. You have got to solve problems which are not directly related to academic learning if the child has to learn at all. Very often the child does not learn for

reasons which lie outside the school, and for reasons which a teacher may feel that is not my job. In short, as soon as we begin to talk about secondary education for all, you begin to talk about a teacher who sees the whole child and who realises that the school is going to be the central service and the school is going to have to direct the parent and the child to the services which happily the Minister looking at me will have to provide and which the child must use or the family must use in order that the child may be able to make the best use of the school situation.

We need to realise that the whole ethos of the school, the whole school environment touches the child, and the one thing which we should be able to guarantee every child is that his basic right — now you hear a lot about rights — but the basic right of the child is human affection, that once you have got enough food to keep him alive, the thing the child needs most is human concern, and we should be able to guarantee that every child will be in school. I see this Act provides for compulsory education and I asked a question about this in 1977 and I did not get an answer because it seems to me that getting our children into school was far too basic and important a thing to have us wait from 1968 or 1970. The first draft Act I saw was in 1970, the first mention I saw is in the report here of 1968 which said that the Act was being prepared, and this is 1981 which means that we have waited over ten years for this Act to appear, and all the time that we have been waiting for this Act to appear children have been on the street foraging when they ought to have been in school, and our juvenile delinquency rate has risen and we are content to wait. This is so important an Act that my main criticism of it is that it was too late in coming. We should have felt that this was something we could not afford to wait on.

We even passed an Act in 1975 and did not worry to proclaim it so they did not seem to be the urgency about this matter which I think it deserved, not only from this Government but from the predecessor so I think that we have got to realise while we are cheering this Act that we have a lot of work to do in the community before what the Act intends will result.

I notice that we have moved to a co-educational form of organisation and I would like to warn that this greatly complicates our task. You have got a School now that is more complexed in its organisation especially if we adhere to the principle that boys and girls should have their opportunity of choosing whatever subject whatever he or she wants rather than having boys subjects and girls subjects.

Depreciation and maintenance of a school is not an easy thing and it is my feeling that these schools are too large. A school of 1,400 is a very large school for a child who is slow and disadvantaged. They are the ones who suf-

fer. They can go into schools, get lost in the shuffle and come out again.

We see people at 16 having left school and perhaps efforts to get them into the Skills Training is difficult because they have already got themselves attached to some deviant group. They have been loafing around and so I hope that whatever our plans are for their Skills Training that by the age of 14 what children are doing in schools will have a fairly strong functional content because at 14 in the Older Primary Schools, the Elementary Schools, when a boy came out of school at 14, he went straight into apprenticeship. He went into a job. He was a man immediately at 14, when he did a man's job when he came out at 14.

Now he has to go out at 16 and be waiting around and I think that we have got to try to cut down this period of waiting around so that he leaves school with well defined goals. He knows where he is going and he has well begun his Vocational Training and he is ready for work. We have got to do something about this preparedness for work.

He is going to be in school where he is going to see his brother or his older friends coming out with GCE's who are going to be Doctors and Lawyers and he may well feel that that could be his destination too. He is going to the same school and he feels that he should have the same destination and so all these are things which we should be looking at very carefully. I note that although the schools all have Industrial Art Wings, it seemed to me that those children who are going to proceed to examinations in subjects got into the rooms and then the slower children could not get enough periods in the room because they first looked after those who would be offered technical subjects for examination so obviously we will have to look a little bit more carefully at this to see how we can provide with reasonable cost, perhaps more simpler equipped rooms for the other children who would not be proceeding to examinations in the subjects but who should be ready for apprenticeship when they come out of school, ready to go into work but we have to go down that period between the child leaving the school as almost an adult and hanging around for some time before embarking on life's work.

Now, the Minister mentioned quite correctly the historical significance of some of the tensions which we see. The Lodge School perhaps exhibited it more clearly than others because the Lodge School's special history and perhaps transition into the 21st Century might be more difficult for that institution than for some of the others but a history of that school has been written and I think that before anybody speaks about what is happening there now, they should read that history because we may be in danger of repeating certain aspects of it, especially Chapter 9, and we have to understand the history if we are to understand what has happened there.

All the various Older Secondary Schools had their own Act. Each one had an Act for that school and a scheme of governing. Somewhere around 1948 there was an attempt to make a little co-ordination of the Acts and there was some improvement in the Governing Bodies. For example, I was at St. Michael at the time and I remember that the staff had a representative, not a teacher, but somebody to represent the staff on the Governing Body.

If anything went wrong we could speak to our representative on the Governing Body. We had an old boy or an old girl, somebody from the Old Scholar's Association of the School on the Governing Body. It was an attempt to widen the sort of representation on the Governing Bodies and there was a certain amount of bringing certain schemes of Government making them similar but Headmasters usually, Headmistresses did not seem to worry about it so much, clung to the fact that they were operating under a certain Act. That Act had not been repealed. That is why I said this Act was too slow in coming.

If this Act had come 10 years ago, we would not have had the problems now that we are having at the Lodge School and therefore the Schools felt or the Headmasters felt or the Governing Bodies felt that this was the Act which they were operating on, the Act of 1890 or earlier. This is the Act. Never mind that this is 1981 and the schools then were grant-aided but the Act said that the Head had the power over the Curriculum and everything was handled by the Head and he said, I am operating under this Act.

There was a time when the Director of Education could not interfere at all with what the Governing Body did so that these Schools had the sort of traditional independence which the English Grammar Schools had had so you get this sort of conflict. I do not think that it is just mere opposition. We are saying that this is the Act that we are functioning under. This is the Law. You cannot interfere with a man's will and that sort of thing.

This Act seems to be an attempt to straighten this out. I do not know if it will because you know how people feel can be more important than what they think and these Schools have had a certain feel for a very long time and if we know our Barbados, we would know that the most important thing about what is happening at Lodge now has not really been said.

I have not heard anybody say it and I am not going to say it, I am waiting to see when it is going to be said. Now, there is such a tool at the disposal of the Ministry as the inspection. They seem to have gone out of fashion. I have not heard of an inspection for

a long time, so the headmaster had to call for a Commission of Enquiry. But, the Ministry has at its disposal an Inspection. The Governing Body can meet the staff and discuss any problems. So that, what we are witnessing is what I mentioned previously the importance of the inner life within a school. When once the human relationships within a school breaks down, you have had it and it really can be summed up in this because very often what you see is the complaints which do not look so terribly important, so you can only conclude that something went wrong with the human relationships and this can happen and this does happen in many schools.

The new type of schools is going to demand a new type of headship. This is something we must realise. It is very good to be scholarly, we need scholars, we need people to be very scholarly, but we also need people who are going to remain and understand the new type of child, the new sort of situation with which he has to deal. No longer can we attend a Speech Day and say that a school has deteriorated because the boys come up for their prizes and are not dressed in their grey flannels and blue blazers with a lion rampant on the pocket surrounded by a Latin slogan of some kind. The boy might not be able now to afford that kind of dress and his school uniform his khaki pants and shirt brightly starched may have to be considered on that day. That does not mean that the school has deteriorated. We have got to sort of change our concept of what indicates a good school. Very often it is a child's shoes and girls schools are better than boys because we look to see how their shoes are this, that and the other. Now, boys' shoes may be in bad repair, the point is not whether his shoes are in bad repair, but whether they are clean, if they are shining brightly you give him a big clap. You can no longer sit down and feel that he is to have his grey flannel and his blazer, probably shoes all nicely half soled and so on.

So, I think we need a new style of headship. I hope that the fact the Honourable Minister has got more authority will not restrict the freedom of the teacher to experiment. The Head must be able to experiment with the curriculum, he must be able to experiment with school organisation provided that he keeps a certain minimum of course subjects and so on. You must have this freedom to experiment because an education system is always behind hand you can always find fault with it. The Community is always changing, so the education system is always changing and it will change in the right direction if the changes rest upon experimentation and experience in the school itself. It is the teachers who should be telling the Minister what they feel should go into the Act, they should have been able to assist him, but they should by virtue of their experience be able to assist him considerably. In fact, I understand he has had a fair amount of consultation with teaching Bodies and I

have heard no loud complaints about the Act, so people seem to be at least resigned to it.

We have to be careful about this no levelling down. We have to make certain that teachers are made ready for the kind of task which they have now got to undertake because at the base of the whole thing is our acceptance of the worth of the child regardless of its ability, regardless of its home circumstances, we must guarantee it within the schools basic, human concern. School should be a happy place for it, the child should be interested. The whole concept of approaching a class to teach, when you get those very slow children, you have to think in terms of learning experiences, of activities of joy of somewhere that the child can turn. Over and over again, we hear of a suicide, or this, or that and there was nobody who realised that something was happening to this child so that, the responsibilities for the teacher are going to be greater and I hope that the teacher is prepared to realise this. Never before has Barbados relied so heavily on its teachers. We are relying on them, to be able to harness the assistance of parents, we now have a lot of educated parents, but very few of them ever go to say, "well, let me run the Junior Red Cross or let me help with the Guide Unit or let me help the teachers run some of their extra curricula activity."

We have a number of people in the community now who should realise that the task is not the teacher's alone, the task belongs to us all, the children are ours, they are not only their parents' children. They are the most important resource which our country has. Trinidad has oil, Jamaica has bauxite and I believe St. Lucia has mangoes and so on, Dominica has forest. We have nothing but our children and we must make our Government understand that we are prepared to accept any sacrifices necessary if you want to put on a special task and you tell us, "this is for education", that we will be prepared to face up to whatever sacrifices are necessary to give our children the kind of schools that they ought to have. We cannot really guarantee the teachers, the teachers have got to come from among us and the teachers have got to be committed to this task. I know that they feel now that the great thing is militancy, to be militant, but we want them to be militant on behalf of the children, as well, militant for the rights of the children, militant to see that the children have got what they are to get and supporting everything must be a fate which anybody — these things cannot be brought or sold, but basically, we are not going to succeed with the enormous task before us — I said before the schools are too big anyhow.

I would like to see schools all under one thousand. If you give the older secondary schools, if you say you are going to expand them to have one thousand, I think that they are going to be expanded again one thousand and something. You have the older secondary schools

going up to 1 400 obviously, although you are saying that you are making equality, you are handicapping them immediately. You should have all schools of roughly similar size and I feel that they should be under a thousand and this is based on the experience of people in the bigger countries that have been experimenting with these for some time and in London they tell you that euphemism is rampant in these very large schools.

I do not think that we have got the expertise for dealing with these huge, factory like organisations where you speak of children as products, and the Head as one of his main duties being to look after the plant, and then we talk about the economies of scale and so forth. Obviously we are moving now to a more factory like concept that suits the highly industrialised countries. We are not highly industrialised countries, we are simple folk and we want institutions that are warm. We are complex folk and we want institutions that are warm and friendly, that our children can feel that they have somewhere to turn in moments of perplexity, and we want to remain human. We do not want institutions that are too factory like. Basically, what we are really asking the teacher to do is to try to have faith in simple folk.

SENATOR Miss M. I. St.C. BLACKMAN: Mr. President, my contribution will be rather short. Like Senator Lynch I am concerned about the quality of education in the primary school. We have had on previous occasions much comment about the quality of education, and a lot of comment about the fact that many of our children are being sent to private primary schools rather than to the public primary schools. One would hope that in attempting to revamp the education system that we would be able to see it as a priority that the public primary schools were not less well equipped and equally well staffed in terms of numbers, the ratio of teachers to children, so that the children in the public primary schools would have at least an equal opportunity with those children who have been able to pay fees and send them to private schools.

In all fairness to the community we must recognise that the child who has been perhaps disadvantaged by having parents from a humbler setting, and a setting where money is probably in short supply, that this child probably has certain other disadvantages. The reading material around it, the playing material around it, and that in order for them to have an equal opportunity at the secondary level it is imperative that we do something for these children at the primary level to make sure that the opportunity which they have is not less than that of the child who has come from the more privileged home.

I would hope, Sir, that we could find an equal emphasis about upgrading primary education as we are finding about upgrading secondary education, because

we all know that the foundation which a child receives in terms of its relationships and its ability to learn in the first years of its life, all evidence seems to point to the fact that if it is deprived of these opportunities in the first years of its life and its early educational experience, it is not able to make good at a later stage.

I was particularly interested, in reading the Act, in section 43 to see references to School Attendance Officers, and the Act is quite specific. Section 43 on page 38 sets out that School Attendance Officers shall ensure that section 41 is complied with. Section 41 has reference to attendance at school and the parent's responsibility to send a child to school. Again, section 43, subsection (4) says: "A school attendance officer shall enquire into every case of failure of a child of compulsory school age to attend school, etc....." It would seem therefore, Mr. President, that we do envisage having a sufficient number of school attendance officers to ensure that these things do happen, because we know, and both Senator Lynch and myself have previously queried in this Chamber the number of children of school age who are not attending school. I appreciate that the Act has put on parents the responsibility to see that they are there, but this can only be enforced if there is an adequate supply of school attendance officers to make sure that in fact they can do the job.

In past years I have frequently been very worried about where the education system in Barbados is taking us to, because it seemed to be relieving parents of their responsibility for directing their children. The parent did not have the responsibility for seeing which school its child was going to get into and to be able to push it in several directions. This has been a concern of many parents. There are many parents in this society who feel that they can do little for their children, that there is a sausage machine working and the most they can do is to dress the child and send it to school, but they have little influence on its career. This has not made for strength in the family unit and for helping the parents, because if a parent does not have or cannot make a really meaningful contribution in directing the career of its child, then that parent is going to get written off by the child.

It was Sir Keith Joseph in talking in England who said that when we relieve a man of responsibility we make him irresponsible, and when we relieve parents of their responsibility, then we create irresponsible parents. Unless we are very careful, Sir, to make sure that these sections of the Act which put a specific responsibility on parents are enforced, then this is the direction we will be moving in, because we will be sending children from one school to another and the parents may have little choice in what particular school they go to. We are helping the parents with clothing for them, we are helping to feed them, if we continue in

this direction without assisting parents, then we will have children disregarding their parents, feeling the parents are of no significance, no importance, and that they are not prepared to worry too much with the parents.

So I am very glad to see some teeth put into the Act with reference to school attendance officers and with reference to fines, but I just hope that we will have enough school attendance officers with a sufficient sense of responsibility for their duties to get that part of the Act really put into position.

Then, Sir, the question of the purpose of education. I would not venture into the area so well covered by Senator Lynch, but I think that all of us are unhappy about the number of persons coming out of our school system with several certificates but who for one reason or another have never been able to see that this, their educational, their academic achievement, their certificates, should help them fit comfortably into our society, making the sort of contribution that is meaningful.

We have so many people with a fleet of certificates drawing salaries related to the certificates they have rather than to the work which they produce, rather than to the achievement even in school. We have people drawing salaries according to the certificates which they have and which are not related to the sort of contribution which this person makes into the school to the children under their control. It is unfortunate and one would hope somewhere in our philosophy we are able to spell out something which gives people a feeling that what they contribute to our society is something which makes them happy, comfortable and satisfied with themselves, and not just looking for a pay packet because so often the pay packet even when it is a big one does not make them happy and satisfied.

My chief concern was the question of school attendance officers that they should be adequate to do this job of getting parents involved in seeing about their children, and Sir, I really hope that we will have them in adequate numbers.

SENATOR N. W. BOXILL: Mr. President, I am not going to be very long because this is one field which I do not have any intention of getting myself too deeply involved in. I must say for a start that I am somewhat disappointed in the Bill. When I say I am disappointed it is not because it is a bad Bill, but I think it has not gone far enough, and I just compared it with the Bill entitled a Bill to make provision in respect of the constitution, jurisdiction and proceedings of the Supreme Court which is even a bigger Bill than the Education Bill; but what I am concerned with, Sir, is that on page 2, "child" means a person under the age of sixteen years.

I am wondering if we in this country realise that we are running things. It seems to me that although we have been given a mandate to do certain things, some of us seem to be a bit hesitant to take bold steps. Now why should the definition say a "child" means a person under the age of sixteen? Why should it be sixteen years? I think you should have said eighteen. I think an adult starts from 18 years and therefore a child should be up to 18 years. Why are we hustling children out of school? I know the Minister is going to say we had it at 15, but even if we said so, if we made a mistake are you going to go on and make another mistake? I do not see why we are hustling children out of the schools so quickly. Are we perpetuating the same old time standard where children had to be hustled out of school early in order to become minions of the estates? I can understand why years ago children had to come out of school at 11 years and 12 years, because you had to get them into the estate ground working in the third gang and so on cutting canes. We have passed that stage now and I do not see why we should be hustling children out of school at the age of 15 or 16. Eighteen years is good enough. If we can keep them in school much longer, I doubt we would have so many rastas to contend with. That is one of the things I am worried about.

I am sorry I did not speak on this Bill earlier because Senator Wickham stole all my thunder, and has left me drifting about for things to say. He said exactly what I wanted to say, only a lot better than I would have said them. On page 10 there is something that I want to know. Subsection 6(3) says "The Commission shall advise the Minister on such matters connected with education as the Commission thinks fit." What I want to know about this is, does this mean that there will be no more school boards? If it does not mean this, then I can easily become Minister of Education because if this Commission has to advise the Minister as is set out here, I am hoping that the Minister will have enough gumption whether he be your Minister or our Minister not to let things be rammed down his throat just because they have a select few in this society who feel that education of a certain standard is only for a certain section of the community.

We made free secondary education possible, Mr. President, because we always felt that there were a lot of children in this community who were exceptionally bright, but because of their financial status they could not have proceeded to get a secondary education, and I can boast that I was one of those children. At school I was above average, and a lot of people I see walking about boasting as lawyers and big shots used to be dummies when they came to me in school, and this is a fact. I will give you the names when we go out, I am not going to call the names in here. So it proves that if children get an opportunity, they can do well. This is one of the reasons why I was so vociferous in this

matter of giving children free secondary education, despite the fact that there are a lot of people in the society up to this day who have never forgiven us for it. I saw somebody writing a letter in the papers two Saturdays ago trying to put the blame on what took place at Lodge School on the Government that was in power then. They did not say exactly what I am going to say now, but when you read through the lines you can see that they were saying that the problem at the Lodge School came about because all sorts of people's children were allowed to go at Lodge School. That sort of mental outlook will have to die whether it dies hard or otherwise. When people in this day and age still think that because they happen to live in a better house than somebody else that their child has more brains than somebody else's, they are making a mistake. I have known a man who could not read and write whose child won a Barbados Scholarship with the highest marks; so it is not because you might be a scholar that you will have a bright child. I have also known some bright people who had children who were total dummies.

I wanted to draw reference to a statement that was made earlier where we were being criticised during the time we were in office on this educational system. I heard Senator Lynch saying that the Act we were operating under was the old time Act, but I am saying that on the 23rd October, 1975, sections 1, 2, 29, 66, 68 and 82 were proclaimed. I am not saying all were proclaimed, and the reason why all were not proclaimed were simply that the teachers themselves were not sure what they wanted. This was the problem, and since you did not want to create something of a white elephant, something that would not have been operating properly, I think this was the reason why all were not proclaimed.

I heard someone from the Other Place refer to this new Act, and I was trying to read the whole Act, but I did not have time because I was trying to read and listen at the same time, but he said there was no difference in the two Acts. We hope that this Act now will be proclaimed and we would not have the need for people saying that the teachers in particular are complaining that they do not want this new Act.

I heard the introducer of the Bill when he was introducing it he was very clear when he said that they had to take out certain parts of the former Act because the teachers did not want it and the worst thing you can do, Sir, is to have something on the Statute Books to be operated by people who do not want to operate. Then, you are making a retrograde step.

Senator Blackman was talking about, I think it was on Page 38, about the Truant Officer, I think it was. There is something very important that I want to mention here. Some time last year I saw a little boy out by the

School in Britton's Hill during school hours and he was not at School so I asked him why he was not at school and the way in which he answered me at first I thought he was trying to be rude but in listening to him carefully, I understood what was his problem.

Apparently he is from St. Vincent. His parents brought him here. Maybe his mother, I do not know because people come in here illegally and so on but the point I want to make is this. Because he is from St. Vincent or from St. Lucia or wherever he is from, I do not feel that any child, even if he is from South Africa, should be denied the opportunity of getting an education here once he is here.

Now, I think the reason why this child was out of school was that apparently the Teacher must have told him to bring some kind of Certificate. I do not know, I am assuming and therefore, since the mother knew that the child was here illegally, she did not allow the child to go to school but what I am really worried about is this. Assuming that the child does not go to school and the child remains here in Barbados and that child grows into a man, do you realize the problem we are going to have with an uneducated man around in the society, because when people are uneducated and they cannot read and write he cannot reason well.

I am not advocating that we should allow people to come in here willy nilly. I am not advocating that at all because I realise the situation but I do think that even when we are dealing with the parents the child can still be allowed to go to school until the status of that parent has been defined. If you are going to send the person back home you have to send the child back home too but during the time while the child is here, I do not see any reason why that child should be denied the opportunity of getting an education.

I am not advocating that we are to bring in people here from St. Lucia or from Dominica and put Barbados out of food but if you allow the children to remain here and you do not educate them you are creating a serious situation. Then you are creating thieves. You are creating dope addicts. You are creating people who are liable to commit murder because they do not have any affinity to Barbados but we can allow these children to go to school when you are seeking out the legality of the parents, while they are in Barbados. Let the children go to school. You are going to take some time to find out anyhow.

If we allow the children to go to school I feel we will be doing a deserving cause to the society. Now, I have spoken to a Truant Officer about this and he said that he believes that the reason why the child was not in school was that the mother was simply afraid that if they got the full details that she might be sent back home. But at the same time do not let us blame the child

or punish the child for the mother's misfortune because, as I said, it is unfortunate that people should come into Barbados illegally but you get this not only in Barbados. You get this all over the world. You get this in the United States and you get this in Canada. You get it all over the World.

Wherever a society is much better than the society where you came from you always tend to go there, and where the grass is greener, you are going to get people coming to Barbados. As you know when the people from St. Lucia, Dominica and Antigua come to Barbados, you have to use a fork prong to get them out and when I say a fork prong, a lot of prising has to be done to get them out.

This place is like when Barbadians left here years ago to go to the United States. You could not get Barbadians to leave the United States because they liked the language, twang, and they could make some money. When these people come to Barbados you are not getting them to leave here for a joke and therefore if they bring their children along with them I am appealing to the Minister that he should appeal to his colleagues to allow the children to go to school because I think that we are doing ourselves a justice. We are also doing justice to the child. Thank you.

SENATOR H. LINTON: Mr. President, it is not that I do not have anything to say. It is that what I have to say, the little that I have to say will so eclipse what the last speaker had to say that it will go down in the Annals of History as a contribution to the Senate of this Chamber, much unlike what the last speaker said.

I have followed carefully, Mr. President, the debate from the Other Place concerning this Education Bill. I have also followed with some interest the debate that has been carried on in the news media by various interested parties and I have discovered, Mr. President, that there is no quarrel in this Island with this Bill that we are considering today.

I have not heard one critique of the Bill at all. There have been no critiques of the Bill. As Senator Lynch quite rightly said, this Bill represents a framework within which the Minister of Education will be expected to operate and as a framework, Mr. President, it has turned out to be a very, very excellent job indeed.

Some of the commentators in the Other Place have stated that it does not depart a large measure from what was proposed by the other Government, the Government that was in prior to 1976 and the Government that will not get back in until 1991. They have stated that this Bill does not depart far from what they proposed.

In certain respects, it does not but in other respects, Mr. President, it does but whether that is so or not the

fact that remains is that there has been no really serious criticism of this Bill at all and therefore once again the Government can be congratulated for having brought before Parliament a piece of legislation such as this, a piece of legislation that finds support even if only tactily so among all members of Parliament.

I think it is very important. It is very interesting that when the Government treats a subject such as education that touches and concerns the whole population indeed, that the Government can find consensus even among its critics.

That alone, Mr. President is an achievement, that alone is a basis on which the Rt. Hon. Prime Minister this evening at six o'clock could actually dissolve Parliament and call General Elections. When you have something so wide and so important in the life of the country as Education, then that alone is the basis on which General Elections can be called. I do not know, Mr. President what we are waiting for. The criticism such as I have heard have centered largely around the Lodge School. I, unfortunately, or fortunately happen to be a Member for the Governing Body, (ASIDES) at the Lodge School. (ASIDES). I may be regarded as one of the problems and that may be quite correct because there is no doubt Mr. President that the Lodge School is indeed experiencing a severe problem if not certain severe problems.

The question therefore, is it that the Governing Body or each member, or certain members of the Governing Body constitute the problem, or the problems? Is it the Headmaster or the Secretary Treasurer, or the teachers of the Lodge School? Where does the problem lie? A lot of people have asked me this question. I have only been a member since recently, so I do not profess to know where all the answers lie, but I can safely say that on my short sojourn on the Governing Body at the Lodge School, I can discern fairly accurately where at least one of the problems lies.

One of the difficulties as I find it, is this, does one speak truthfully and factually about the Lodge School, or does one not speak at all? At the last meeting of the Governing Body, I ventured to suggest that at this point in time, the less said about the Lodge School would be the better for the establishment. I am firmly of the view that the establishment needs some time to assert itself once again whether the rank number one, two, three or number nine of the hierarchy of the school, I do not know. What I do know Mr. President, is that it certainly needs some time to assert itself. Time alone will not heal the wound. There will of necessity have to be some changes as well. I think that the matter has reached so serious a stage that this Bill has not come one moment too soon.

I heard Senator Boxill ask about the time of proclamation. He said almost at the end of his remarks that he hoped that it will be proclaimed. I hope that when we pass it tonight that it will be taken from this Honourable Chamber to the Governor-General's place and be proclaimed by 8 o'clock tonight and when we hear the news tonight, we would hear that this Act has been proclaimed. Then and only then will I be satisfied that this Honourable Minister in particular will be in a position to bring some sort of sanity to the Lodge School. I like the last speaker have been following the letters in the paper. Those letters have concentrated largely and particularly on the Chairman of the Governing Body.

I do not want to upset any apple cart or to apportion any blame to anybody. I do not want. I do not want either Mr. President to support any one whether with cause or without, but I would go so far as to say that my experience although my sojourn on the Governing Body has been a relatively short time. I do not find that the Chairman of the Governing Body has been in any way uncooperative with the Ministry or with the matter at the Lodge School. There may be things that could be done to alleviate some of the problems that are there. I am not prepared to apportion 100% blame on the Chairman of the Governing Body. I am not going to remove all the blame from him either.

The Minister has the Lodge School at heart, so too the President of this Honourable Chamber. I would also say that I am convinced that the Chairman of the Governing Body of the Lodge School also has the Lodge School at heart. That is not to say that everything is well either. Before I went there I have been favoured with the Minutes. I am saying that the Chairman, regardless of whether he makes mistakes or not, he has the Lodge School at heart, but that tends to beg the question. There is a problem with the Lodge School. The Lodge School is not performing as it used to perform, as it used to perform when the Honourable leader of the Senate was there. Maybe the students of the Lodge School are not as bright as they used to be, maybe the teaching staff is not as efficient as it used to be maybe the fault lies with the Headmaster, the Secretary Treasurer of the Governing Body, or the Ministry. The fact is that the Lodge School is not performing as it used to perform.

The Headmaster called for a Commission of Enquiry. I do not think that a Commission of Enquiry is needed and I would go so far as to say that the Headmaster should not go out asking for a Commission of Enquiry because he might be very well surprised. I do not want to say anything about the Headmaster in a place where he cannot be in a position to reply, but at the last meeting of the Governing Body I said to be recorded in the minutes, I said it to everyone including the Headmaster that the less said about the Lodge School is the

better for the establishment. Yet, since that meeting, the Headmaster has stated that he is requesting a Commission of Enquiry into the Lodge School and he has written letters to his Attorneys-at-Law. What has it got to do with his Attorneys-at-Law, Mr. President? I suggest that if they start with him.....

Mr. PRESIDENT: You said you were not going to say too much.

SENATOR H. R. LINTON: If it is reported, if it is carried in the news, I stand by it Mr. President. I am not going to sit on the Body of the Lodge School and have the Headmaster of the Lodge School compromising the position of the Governing Body. I do not see that a Commission of Enquiry is necessary at all because if they start with him, they do not have to go any further. I would give you examples of that, Mr. President. Since I joined the Governing Body of the Lodge School when I first went on.....

Mr. PRESIDENT: I thought you were not going to say too much on this.

SENATOR H. R. LINTON: As you please, Mr. President. Thank you. I do not know how long I would be on the Governing Body, except for the fact that I would like to be able to continue to make a small contribution to that honourable, venerable institution. It does not really matter how long I am there. But, I feel strongly that it ought not to be allowed to go down. We must rescue it forthwith.

This Government, the Barbados Labour Party Government, Mr. President, is under a duty to rescue the Lodge School, and rescued it must be. We must simply not allow it to fall any further. Whatever the ills, whatever the remedies, the ills must be identified and the remedies must be found, and if they come to interview me and to ask me questions, ask for my views on it, I am prepared to speak as I have spoken today. I will speak, as it were, Mr. President, and be damned, if that word is not unparliamentary. It does not matter who gets annoyed with me, it does not matter who gets vex with me, once they come to ask me anything about the Lodge School, I am prepared to speak, the truth must be told about the Lodge School.

It has not gone too far. Contrary to the national feeling, the Lodge School has not gone too far. I am convinced that this Act as it is presently structured is good enough to rescue the Lodge School. Section 6 provides for the National Advisory Council and I am convinced that once it takes a look at the whole situation up there that it can come up with some good ideas. I am convinced that the special committees envisaged in section 7 can do a lot to aid the situation in the Lodge School. I am convinced also that the present Chairman of the Governing Body can be assisted if he is appointed to the Board of Management by having certain persons

with an interest in Lodge School appointed to the Board of Management.

I would like to see, Mr. President, a member of the Parent Teachers Association appointed to the Board of Management. I feel that would go a long way towards helping the situation. I personally see no objection at all to having the Union Representative, perhaps at each school, including the Lodge School, appointed to the Board of Management. Let them be there when the decisions are taken. Do not have a situation as you now have where decisions are taken by a Governing Body and then the staff is notified and the Union decides to find all sorts of fault with the decisions. I would like to see a situation where the Union Representative is invited, either himself or herself to sit on the Board of Management, or to have a nominee sitting thereon, so that they will be in on the decisions from the gong of the bell, as it were, and I do not see that any problems will arise if you have a situation such as this. Let the Parent Teachers Association be represented and let the Union be represented by a representative.

In terms of the Lodge School itself — I do not speak here now for all the other schools — I do see a crying need for one of the outstanding old scholars of the Lodge School to be put back there. It is the question of a crisis. I do not say that you will need every year to have an old scholar of the Lodge School sitting on the Board, but at the moment in the present crisis — I use the word "crisis" deliberately — in the present crisis I see a crying need for an outstanding old scholar of the Lodge School to be sitting on the Board. I would be happier serving on the Board of Combermere right now, but there is no crisis there. I went to school at Combermere. I think some of the problems can be ironed out that way.

I would like to see further, Mr. President, this barrage of letters in the papers from the Unions, from interested persons, from everyone stop for a little while. Just give the Minister a chance to solve the problem. I think that this Act is wide enough to cope with the situation. I would like to see the pressure eased off the Lodge School, give it a chance to breathe, give it a chance to find itself. Let us first identify the ills at the Lodge School and then set out to remedy them. If everybody decides that he has a remedy for the Lodge School, that will serve no useful purpose. We want to get only those remedies that could turn out to be useful. I am not going to go any further and pinpoint the problems as I see them, I remain willing and free to speak to any National Advisory Council, any Minister, anybody who wants to hear me, including the Headmaster and his attorneys-at-law. I will speak to them, all of them, I do not want to do it here, but I do not want to hear anybody else killing the Lodge School, because that is

what we are doing with it. We are softly, but slowly, killing the Lodge School.

The Leader of the Senate was right. We now have a situation where people are asking to have their children removed from Lodge School to St. Leonard's and from Lodge School to a private school. That was unheard of in my day. People used to clamour to get into the Lodge School, and now you have a situation where people do not think twice about moving their children from Lodge School to a private school. Do you imagine that, Mr. President?

I do not want to say much more at this time in this place on this Bill. I think I have said as much as was expected of me and I am going to finish here. Thank you, Mr. President.

#### SUSPENSION OF SITTING

Mr. PRESIDENT: It seems as if other speakers wish to make their contribution, so I think that this would be an appropriate time to have a short suspension. The sitting will be suspended for twenty minutes.

#### On Resumption

Mr. PRESIDENT: This Sitting is resumed.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, this Bill before us represents a landmark in an attempt to restructure the administration of education in Barbados. This aspect of the Bill has been adequately dealt with by preceding speakers, but I propose to pick up from where Senator Wickham left off, because I believe that he posed some extremely important questions. We have a framework which in itself is skeletal. What is more important however is the substance or the flesh which will clothe this skeleton, and it seems to me that we cannot assume that such substance as we have in the corpus of education in Barbados today is totally satisfactory. A system which produces people who are riddled with self-hatred, a system which cannot provide the skills that the society needs for its development, a system which as some Senators have remarked produces people who are for all practical purposes illiterate even though they can perform the mechanics of reading and writing is a system which I believe is seriously defective and must give us pause to ask the question as to where it is going, whether we can any longer tolerate it, and if so, what will replace it.

When we begin to ask what will replace it, we find ourselves pushed back on the age old question as to why to we educate members of a society. That is a transcendental question which cannot be avoided and

every other proposal that comes from policy makers, within the area of education presupposes that this question has been definitively answered. I do not believe that this question, if posed at all, has been answered in a way which can satisfy the need of Barbados in the last two decades of the Twentieth Century. What we do want of a system of education? Do we want a system of education that churns out information? Do we subscribe to the thesis that all knowledge is intrinsically good, that knowledge is good for its own sake, and that every time we learn something else we become better people because we learnt something else? Or must our system of education be an instrument to achieve certain societal objectives. It seems to me impossible in an area where the state has such heavy responsibility for the developing of a society that we can escape the conclusion that a primary function of education is to be used as a tool in order to solve certain social and economic problems.

There is no doubt that the myopia of those who presided over education in this country between 1961 and 1976 led to a disastrous situation where there was an absence, a dearth of skills which are now needed in order to accelerate the developmental thrust of this country that is now being embarked upon. There can be no doubt at all that the dearth of skills, the unavailability of carpenters, masons, plumbers and the like represents hideous shortsightedness on the part of the educational administrators of that epoch, people who were wedded to an old colonial system, who believed in a system of drift, a policy of drift during 15 barren and bankrupt years within the domain of education.

There may be some feint, feeble voices talking about school meals. School meals like biscuit and milk have absolutely nothing to do with the kind of educational philosophy that I am talking about. I am talking about education as an instrument for the furtherance of economic and social development. There can be no doubt that this is to be one of the primary tasks of education within our society today. But there are some people wedded to the instrumentality thesis of education, that is education as perceived as a vehicle for the development of the country, who believe that knowledge for its own sake is a waste of time.

Ever since the scholastics became discredited in the early 17th Century by the devastating attack unleashed by Francis Bacon upon the four idols, the doctrine of a scientific method became dominant in educational circles. It was held that speculation and ratiocination per se were a waste of time and that education itself and thought had to be bound up in the active production of things that could benefit humanity. The attack upon the scholastics who were said to spend most of their time speculating about how many angels

or devils can dance on the head of a pin discredited the doctrines of knowledge for its own sake, and even today in many advanced educational institutions in the world, the same argument about education as an instrument of social and economic policy versus education for its own intrinsic benefit arises time and again especially when it comes to allocating resources for research.

Recently I was reading a periodical in which a Senator in the United States Congress was arguing for a reduction in the allocation of funds for research on the basis that one scholar was given a grant of \$200,000 in order to study the sex life of snails. The argument against this was that nobody could foresee what that line of research would lead to and how it would benefit mankind. So I think these two poles have to be reconciled in some way or other, and I do not believe that it is beyond the ingenuity of Barbadians to reconcile the two questions about the instrumental nature of education vis-a-vis knowledge and education for its own sake. And I believe that this can best be done if we examine more closely our human resources, the resources that are to absorb in the education which we offer them.

We are living in a society of a quarter million people, a society which is rapidly developing, a society which is assuming the profile of Metropolitan countries in terms of consumption, the same kinds of commodities, the same drive for consumerism that one finds in Metropolitan countries with resources much vaster than our own can now be seen within Barbados itself.

If we are to do this with the narrow human resource base, then it becomes absolutely necessary for us to use our human resources in a way very different from that in which modern trends indicate.

We have come from an educational background in which specialisation has been emphasised at a very early age. We know that this is one of the backward aspects of our educational system that has been bequeathed to us by the British who are now in the process of revamping their educational system in order to postpone specialisation and to much later in the life of the student so that what we have to do is to avoid narrow specialisation as much as possible because narrow specialisation leads to under-utilisation of our human resources.

Our educational system then must develop a character which seeks to produce generalists rather than specialists. There is no reason why Barbadians, noted for our versatility cannot choose to be good at many things instead of one thing and therefore the emphasis in the future must be upon a maximisation of our human potential which will mean that most of us would be

taught to do many things well rather than only one thing well.

The model which I like to think as appropriate for our circumstances is the model of the Renaissance man, the Renaissance man who easily blends the humanistic impulses of education with the scientific impulses of humanity.

There is no reason why like the apotheosis of the Renaissance man Barbadians should not produce people who compose poetry in the morning, who do scientific work at midday, who play music in the afternoon and discuss philosophy before they go to bed. There is no reason whatsoever why we cannot produce people in this society who conform to the renaissance model and that is the type of versatility where in a society in which we aspire to consume at a level that is enjoyed by societies with far vaster natural resources than ourselves that we will be compelled to use our human resources in this way, the production of outstanding generalists who do many things well, preferably generalists who blend the humanistic aspects of man's experiences together with the scientific aspects of their experiences.

People may laugh at this, illiterates, ignoramuses may laugh at this aspirations believing that it is Utopian, but, Mr. President, when we look at small societies like the typical Greek Apollus, Athens, Parthos and such states whose sizes and human resources approximate those of Barbados, we will find that the greatness of such societies resided in the way in which human resources of those countries were utilised and the greatness of those societies and their superiority over countries with greater natural resources which more numerous human beings rested in the fact that they produced an educational ambience which was designed to create men of many parts and I believe that within the new modernised framework that this Bill affords us, we should be able to conduct.

Mr. President, this is like casting pearls before swines, therefore, there is no surprise that we have an exhibition of bad manners in that corner of this room because I am quite sure that the Hon. Senator does not understand what I am saying.

In sum, Mr. President, I do not want to keep the debate going any longer than is necessary. I believe this is an updated framework which should be welcomed by all people who are interested in advancing the cause of education in this society. I believe it is absolutely important now that we have this new framework for us to begin to pose some of the old-aged and time-honoured questions with respect to education and the purposes it should serve and I believe that when these basic questions are posed, they will suggest answers along the lines I have

tried to indicate, Mr. President, and I believe that Barbados will then be on the road to performing the accomplishments of attaining an ideal society. Thank you. (Applause).

SENATOR THE REV. A. HATCH: Sir, it is always difficult to follow Senator Blackman. The cause which he espoused was ably subscribed to also by Senator Wickham to whom he paid tribute and Senator Enid Lynch from a long experience in the process of education.

I was extremely glad for those most philosophical approaches to this Bill because albeit that the Leader of the Senate did confess that he was taking the short course, when he sat down I believe that this Bill had been brought to the Senate to deal with the Lodge School and I was relieved to discover that it has a greater significance than the Resolution of that most unfortunate situation.

One of the things that I found that set about that particular impasse and I think the Leader was right in saying that the general public is mystified and generally confused. The situation, as I understand it, concerning the Lodge issue is one of confusion because the information is not clear to us. One of the things that I find sad about that situation is that the Board of Governors has come in for some serious criticism. I therefore was glad to hear one of the latest appointees to the Board of Governors announce the other irrelevancies which he contributed to and at least to make a stalwart defence of the Board of Governors and its Chairman.

I think if education should do anything it should involve more and more people in the process and therefore, the definition of education to which Senator Wickham referred in drawing attention to professor Zacharias' conference here last weekend a definition that — at least partially — education is the process which a society shares with the next generation its culture, using "culture" in the widest sense of the word and in order to do that more and more people need to be involved in the process of guiding education rather than less and less.

One of the positions to which this Bill is leading us seems to be in the direction at present of fewer people being involved in the guiding of secondary schools than more people. I have Sir the privilege, I think for nearly 15 years of being the Chairman of one of the newer secondary schools and count it a real privilege, but, I am somewhat disappointed by the lack of opportunity that the Chairmanship of such a newer secondary school has afforded me or making any real valuable or fundamental contribution either to that school or to the education of our children in the island.

It seems as though Senator Linton and others were right on target when they were pressing for a wider participation in the Boards of Management of the

Governing Bodies of these schools and so it is of some immense importance that this Bill for the first time enshrines the Parent Teachers' Associations as part of the educational process in the country. It was also, if we take the definition of the educational process is one by which a society shares its whole cultural values with the new generation. It is in a religious society of some significance that also the Minister is instructed by the Bill to see that religious, ethical and moral values are represented on the Board of Management of the newer secondary schools.

These two observations, I believe to be of great significance and I hope that the process of extending and upgrading the Governing Bodies, the Boards of Management of the newer secondary schools will proceed apace because certainly, there has been a most significant and unacceptable difference between the Boards of Governors of the older secondary schools and the Boards of Governors, or Management of the newer secondary schools.

It leads me to the other point I want to make. If at least a working definition of education is that process by which society shares its cultural values with the new generation, then I would like to support the comments made by Senator the Hon. Dr. Blackman, when he spoke of the responsibility to produce, if an educational system can be said to produce, to produce rounded personalities, people who are many things to many men, people who can do many things well. With this in mind and it is true of my experience that of some other Honourable Senators here who work not only in Barbados but in societies considerably less developed than ours.

One of the things that is so necessary there and I submit also necessary in Barbados is that schools should more seriously approach the problem of sharing with our children what seems to be quite elementary aspects of building a family. I refer to family life education, hygiene, nutrition, budgeting, family planning and the whole range of inter-personal relationships which as far as I know do not receive sufficient emphasis in the educational system in Barbados, even though we may be considerably more economically advanced than our neighbouring islands, it is still necessary in this island that the whole area of inter-personal and family relationships to which I refer receive more attention.

The other problem is in a society where democracy, even though one does not accept everything that was said on the 1st May, where democracy does receive a certain amount of pressure and challenge, it seems to me that a considerably greater emphasis ought to be placed on what has gone under different names in the past in civics, current events, social affairs or whatever name it is described. We cannot take it for granted that democracy will persist if the educational system does not teach the elements of the basis of democracy and also by implica-

tion the challenges to a democratic way of Government. Moving on from this, there will be a natural attention to the explanation of the process of Government, the Westminster model which we have received in this country.

During the Budget Speech and Debates in Parliament speakers ought to be able to take it for granted that without being economists, or sociologists our children at least in the higher forms of the school ought to understand the elements of the balance of trade. Senator Blackman referred to the materialism and the consumerism which has engulfed Barbados. It is a process which is destroying countries of the North Atlantic and is an extremely dangerous path along which we are progressing very rapidly. Our children ought to be taught the need for import substitution, ought to be able to understand why the Central Bank under the guidance of the Rt. Hon. Minister of Finance has to restrict the availability of credit, for the purpose of foreign consumer durables, our children ought to understand the problems relating to the importation of fuel from overseas, ought to understand that within the obligation of Government to provide jobs and therefore to encourage at least one aspect of our economy which seems to have the ability to provide jobs more readily, for example, the tourism sector and it is not enough to allow the escalation of the tourism sector of the economy at the cost of the environment using that in the fundamental sense of the word, the whole society in which people live.

I think that at least in one other Commonwealth Caribbean country, and probably in two, in the process of the teaching of what generally may be described as civics, a process of indoctrination began, and I think if the educational system were to take the subjects to which I have adverted more seriously, and if increasingly the educational system is under the direction of the Minister of Education, we would have specifically to be careful to make sure that a process of indoctrination is not initiated, or if initiated allowed to progress, and it is with this in mind that it is vitally important that the society plays a more active part in the educational system by being more effectively and extensively represented on the Boards of Management of our schools.

SENATOR O'BRIEN TROTMAN: Mr. President, my colleague, Senator Blackman, used — I almost said he wasted some time in trying to address the representative in the corner.

Mr. PRESIDENT: I thought he was addressing the whole Senate.

SENATOR O'BRIEN TROTMAN: Nevertheless, I will, through you, Sir, try to make the position of this side clear for his benefit. Immediately before I came to this Senate this afternoon I had as a duty to approve a work

permit for a man from England to become a Quantity Surveyor in Barbados to work with one of our construction firms, and that is a duty which does not give me any great pleasure but it does reflect on the educational policy, or lack of a policy, of the last administration in Barbados.

Every day I go through this painful exercise of having to agree to have persons come to Barbados for the purpose of working, and I always notice that they seem to take the better paid jobs in Barbados. When I look at the ages of the people involved, they are invariably people between the ages of about 22 and 30, Sir. The point of their age is that if education meant anything to the last regime, the persons of that age group would have been educated in this country. The point I am making is that there was no thought in the Ministry of Education at that time.

They must not argue that the economy is expanding and all that, the point is that you must think of what is going to happen in construction, and therefore you must not only think of carpenters and masons, but one has to think of Quantity Surveyors and Engineers, and we have this problem in all of our major areas of operation. In hotels, the Hotel Managers are not Barbadians because the last administration made no attempt to train people in the upper levels of hotel administration. They will say that they have a training school where people are taught to be waiters and barmen, but the sous chef is not trained. We have bank tellers but we have no bank managers. A few weeks ago, Sir, we passed the Tenancies Bill in which we hoped that some of the persons in Barbados who live in tenancies would be able to acquire the spots on which they have lived for some time. One of the great holdups in the execution of that legislation is the fact that there are no surveyors to carry out the plans for having the lands surveyed in those tenancies. We have Accounts Clerks in Barbados, but only two weeks ago there was a comment in the newspapers when the Accountants had their meeting about the question of Accountants leaving, and the problem is that no real attempt has been made to train people in the business of accounting and auditing in this country, so we have Accounts Clerks and we have Audit Clerks but we have no Accountants and no Auditors, and that is the sort of lack of foresight which existed in the regime which was represented by the Senator in the corner.

Senator Hatch spoke of a need to teach civics in schools, but that administration not only does not want civics not taught in schools, it does not want anybody to talk about things like balance of payments. Every night they foul up the night air with their foolishness about nobody in Barbados wants to hear about balance of payments, and they tell people you must not talk about balance of payments. They tell people in Barbados that

that is foolishness. They tell people that you must not talk about the need to have credit restrictions, because that is foolishness, so one can understand why education did not develop under that administration.

When you ask them what they did in terms of education, they tell you how many schools they built. The point Senator Lynch raised was the question of plants. They tell you about school meals, and somebody said to me that as far as the Dems were concerned education could have been tacked on to MCW and build schools and produce school meals; end of matter, because that was the end of education as they saw it.

This Bill, in section 3, I think it is, gives the Minister some authority to institute education for the benefit of this society. If we could manage to meet those requirements, Sir, I would have thought that the Bill would have been a tremendous improvement in education in this country. Thank you.

SENATOR THE HON. N. A. BARROW: Mr. President, thankfully there is not a great deal to which I will find it necessary to reply, because there has been no disagreement voiced with the principle of the legislation, and therefore there is no need for me to go into any lengthy defence of anything. I should at this stage mention, Sir, that there are a few amendments which must be made to the Bill, and these amendments were circulated since last week, I believe, so that members will be thoroughly conversant with them, and they will be moved in while the Bill is in Committee stage.

In relation, Sir, to points made in the course of the speeches, the points which at one point that I had to be up and down there were some notes made for me, and I do not necessarily wish to take them in any given order, but I do wish to respond to Senator Lynch's comment about the way in which I virtually passed over primary schools, merely to say that at the beginning when I set out I said that I was going to concentrate on the Bill as a matter of providing a framework within which educational policy will be formulated and administered. I therefore make no apology if I did not appear to stress the role of the primary schools, as I was not talking about the role of the primary schools, the role of the secondary schools, the role of tertiary institutions in the educational system.

I was merely dealing with the fact that we are trying to provide reasonable framework for the administration of education in the 1980s and beyond because the last time an attempt was made to bring up-to-date the statute relating to education in this country, it was found impossible to bring in the whole thing and still we were left with a situation where we did not have up-to-date legislation; so I do not think that within that context I can be reasonably criticised for not having spent enough

time on the primary schools. If the Senator wishes to know what I think, I have always shared the view which she has expressed in here on many occasions that when we talk about education in the formal sense that it is in the primary schools that a great deal of emphasis must be placed; so since I share that view I am reassuring her by repeating it so that she would see I was not in any way slighting primary education in my introductory remarks.

I will take that point right at the end because there is one general comment I am going to make, but let me just look at what else specific it seems to me that I would need to advert to in this reply. Senator Boxill wanted to know why the age 16 and not 18. The point of that is that for the purpose of this Bill we have to define what is meant by a child. It is all right for the other legislation to show that the age of majority is 18 and so on, but if at 16 one is taken into the labour force, the appropriate cut off point in considering the setting of the age for a child within the Education Act is age 16. It is no more sophisticated than that, otherwise we will have a serious legal confusion because at the same time that somebody is getting on the bus to go to work if he is going to work at a midday to 8 o'clock shift, you might find that the school attendance officer has a very active interest in him because he should have been at school during that period. You cannot have a conflict in the two dates, the date on which you leave school and the date on which you enter the labour force, The problem with the law before.....

SENATOR N. W. BOXILL: Mr. President, if the hon. member would give way, does this mean then that if a child at 15 is seen going to work the truant officer can arrest this child or the parent for going to work at 15?

SENATOR THE HON. N. A. BARROW: If I understand that we are making provision for compulsory education, this compulsory education must logically apply to all children and by children you mean all of the official school age. If one can go to work and become a member of the National Insurance Scheme and so on, at age 16, then it is the duty of the Government to make educational provision up to age 16; consequently the definition of "child" in that context. The position, Sir, is not that we are running into problems with that. We are running into problems with age 16 as the age for entering the labour force and 15 as the national age for leaving school and 14 as the age on which they were being thrown out of school, because you put on the side of the road people outside the labour market and still outside the school, and the whole point about getting 14 year olds back into the school, which was one of the first acts of this Government, reflects this change in the thinking that you have to rationalise the process. You either have children out of school at 14 and say they may join the labour force at 18 or you take them out

at 18 and say they can join the labour force at 18 or you take them out at 16, but whatever age you decide, the two things are related.

I believe hon. members will have no real difficulty seeing that point. The Senator in looking at page 10 of the Bill asks whether the National Advisory Commission meant that the school boards were now being abolished. The provisions of the Bill are quite clear that you have, you can call them school boards or whatever you call them, boards of management and what not, but the point is that in relation to the older secondary schools, the governing bodies will no longer exist. The boards of management that will exist are not in design, in potential or actual powers the same as or comparable with the old time governing bodies, but the National Advisory Commission on education is something else. We are talking about a Standing Advisory Commission, a permanent body which may not only initiate deliberations in areas that it considers appropriate but which may also be activated by the Minister to have deliberations over certain areas; we are talking about machinery which will be permanently there to advise and assist in the formulation of educational policies. That is not the function which school boards perform. School boards perform functions of management, and these functions are different. If there is a body for what is envisaged that body would have to be the Board of Education. The National Advisory Commission relate to the Board of Education, not to the school management boards.

Senator Boxill also suggested that in those cases where the non-Barbadian was here perhaps illegally and where the child was having its status established during that time, the child should be put into school, and I know that Senator Trotman holds the view and says that the child should be put into school and charged during that period of time. It is a much more important point to my mind than I think it appears at first, because if we talk again about truancy and talk about school attendance officers, I think the point which the Senator is making comes home much more strongly because if children of a certain age are simply not supposed to be on the road during these hours, you will weaken the efforts of the school attendance officers if on the grounds that the child's parent is still having its status established that child is being kept out of school, because we are saying that for another category it is legitimate to be out of school while you are of school age, and it must complicate matters and must weaken the efforts of the school attendance officers. So I would accept indeed that such children should be put into school.

I would hope that the approach which Senator Linton, I know, favours would be examined which is the approach to some change in relation to such children on the ground that otherwise it would be an

incentive to neighbours to treat Barbados as a little bit of a Welfare State so that I can see some merit really in the charge although I must confess as being the kind of person who was never in favour of charging people for education.

I would otherwise, Sir, have passed by his other two contributions to which I am about to refer, not because I disagree necessarily with what was being said but I have to agree necessarily. I think, Sir, that the comments being made bore serious attention but I do believe that the way Senator Linton put his case when he was dealing with the Chairman of the Governing Body would leave some doubts as to whether my comments were being directed to the Chairman of the Governing Body.

Indeed, my comments could be regarded as having been directed to the Chairman of the Governing Body to the full extent as they would have been regarded as having been directed to Senator Linton because my comments had to do with what the Headmaster might do and I said with or without the support of the Governing Body and I would mention, Sir, why I said that because I am aware that when we are dealing with the Lodge School, we are dealing with the difficulties between that Institution and the Ministry of Education, we are dealing with the Headmaster who suddenly becomes very legalistic who recognises what powers he has under the present statute and is prepared to stand up and say that the Statute gives me these powers and you must not touch me. At least that is my interpretation of the system.

I must confess that that is a very stupid attitude and a very unrealistic attitude and I have been refraining from saying that earlier because my real point about it was to have nothing to do with the Headmaster or his attitude but simply, we did have a legal situation in which a single school, and I have said the Head of that School, with or without, the support of the Governing Body is able to thwart the policy and I am dealing, Sir, with thwarting policies in ways that really cannot be acceptable. I am quite frank with that.

What I am saying is that the contest is no doubt who has the power. The contest is really about who determines policies. That is what it is about and what I was saying was that with or without the support of the Governing Body because I frankly do not know what the attitude of the Governing Body is. I do not know whether the Governing Body is split on the matter. I do not know whether they are united behind the Headmaster. I do not know whether they find the Headmaster a little bit of a pain but really have difficulties on how to handle the situation. I do not know exactly what the position is.

I can tell you, Sir, that if the Headmaster is as unbending as he appears to be, the Governing Body deserves perhaps not so much censure but sympathy because it really forces them into the kind of position which no Governing Body really likes to take but what I am talking about and I am being more candid at this stage than I was earlier because I did not want frankly to make too clear any opinions I might have about anybody in the position of a Headmaster of a School. I really did not but I do not want to be misunderstood that I am making any comment derogatory of the Lord Bishop or anybody else.

The point I am making is that we really cannot have a situation in which the present legal framework represents a monumental contradiction and the Lodge School problem is just about the most serious example of the kind of difficulties that can arise if the Law is not changed. That really is my point. I move from there, Sir, to Senator Hatch's point.

Senator Hatch said that when I finished he thought the Bill was brought to deal with the Lodge School. All I can say, Sir, is that if there is a problem I cannot stand up in here on the Floor of the Senate and pretend that there is no problem and if I feel that if that legislation such as it is did not exist then that problem would not have existed.

In other words, if legislation like we are proposing today had already been in force, the Lodge School problem could not exist. I am talking about the Lodge School problems in terms of a Minister trying to get a School which is supposed to be part of the system of education of which the Ministry is head, trying to get the school to conform to a policy.

I do not think it is whimsical that a Minister should decide that Schools in Barbados ought to start preparing for the CXC. That cannot be whimsical and frankly, Sir, I will go one step further and say that at the level of (a) education and (b) national pride, that it is indefensible that a school should not wish to prepare for the CXC.

Those of us, Sir, who have had to do with the schools at one level or another are well aware of the kinds of problems which are faced when an Examining Body either loses interest or actively seeks to discourage it when you are a part of their system. It has been the experience of Teachers and of pupils and therefore, Sir, of the Ministry within the past few years with all sorts of strange things happening within the system of the Cambridge Examinations.

As a matter of fact, Sir, I believe that one of the unfortunates within this system was the son of the very Headmaster of the Lodge School who having attended

diligently and sat the Examinations then was found to have been marked absent.

Those of us who wish to hang on to the coat-tails of the British Examining Institutions are free to do so but we will either decide that out of self respect and out of the need to have our own examining system, we will move or they have shown quite clearly that they are moving us. There are no two ways about it, Sir. The same attitude that obtains now where if you want to to a British University or a British Institution you are getting in with great difficulty and you have to pay. That is the point, the same thing.

When it comes to examining overseas students that same attitude is showing and therefore it is simply not tolerable that anybody can call himself an educationist and wish to hang on to the coat-tails of the British Examining Institutions.

When they talk therefore about the problems of the Lodge School in relation to the educational statutory framework, I am talking, Sir about serious problems, so if they seem to loom large, it is one of the reasons that I did not want to go particularly too much into is that since I have been to the school, I could easily get drawn into it. I do not agree with what is happening there. Indeed, Sir, I always thought that when I went to school there I felt that it was a place when it had some good points, left a lot to be desired. We are not dealing with an institution that suddenly fell from number one to number nine. We are dealing with an institution that needed to have a great deal of work put into it in order for it to occupy any proper place within the educational system. The people who administer Lodge are not necessarily the people who administer Harrison College set their sights from what obtains within the schools and within the society. I have always maintained that position and even if you woke me up in the middle of the night and asked me, I am sure the answer would come out right.

In terms of the contribution made by Lodge, by Harrison College, two of the boys schools, I know them well, I do not know what went on in the girls' schools. There is absolutely no doubt in my mind that on any sort of dispassionate analysis the contribution of Combermere stands much, much higher than that made by either Lodge or Harrison College or the two put together. I never had any doubt about that and I did not want to get into that area this evening because as I said, you can talk for hours. When I am talking about this Bill, what is involved in this Education Bill is not in my view to be seen as something that is going to change everything overnight. We still have to approach this Bill with the same caveat that all reasonable men must observe sometimes. What we do with the structure is going to be determined to a large extent what happens. We can decide

that we are going to breathe life into it, or just leave it there. This creates opportunity for a Minister and a Ministry of vision. It also creates the opportunity for nothing to be done and the educational policy and the educational administration be conducted in such a way as though all we need were a few structures and all else was unnecessary.

Senator Hatch's other comment was one that I really did not like the sound of it. He made a comment that if educational policy.....he was raising the point about being careful to ensure that indoctrination does not take place. By that, Sir I presume the Honourable Senator is referring to political indoctrination. The defence against political indoctrination is not going to lie with approving or not approving the structure. I would like to make the statement very clear that even inadequate though the present legislation may be given a certain climate and a certain will what you have now could be used to indoctrinate people. If you have the necessary alliance between politician and teacher whether the alliance was formed out of fear, or a dedication to certain fanatical ideals or whatever, the birth string could be used in such a way that you could have conformity and indoctrinate without having to do anything with the Act. So, it is not the structure that is going to determine whether something like that is going to take place. It is whether a commitment, an honour and then a vision is going to be operated in a society. Essentially that is the only defect against indoctrination of which the Honourable Senator speaks.

SENATOR THE Rev. G. A. HATCH: Excuse me, Sir, the Honourable Leader of the Senate is making a good point, but he is not addressing the issue to which I have referred. The point I was raising was the need for a much more serious attempt at civic education in the terms in which I have referred to in our school system. I have no reference to the structure. The need for civics to be taught more seriously in the school system, the fact that it did open the possibility of indoctrination and that therefore, the concept of this was a wider participation in the management of the schools to make sure that the culture of the society was preserved.

SENATOR THE HON. N. A. BARROW: Mr. President, I am happy for once in my life to have misunderstood. (ASIDES). Yes, Sir, let me say this once because I am happy to have misunderstood there was a time, a couple of years in my life, Sir when I was a colleague of Senator Boxill, Sir and in those days, I misunderstood everything. Indeed, as Senator Hatch has formulated the point, it is a point with which I agree.

I think, Sir that those are all the points which specifically seem to me, sorry Sir, Senator Marjorie Blackman did stress the need for an adequate supply

of School Attendance Officers and I am sure that that is not a point with which anybody could disagree because it ties in with the point which I referred to specifically.

I think Sir that those are the specific things. I am very happy that a lot of the debate did indeed address itself to what education should be about and I remember a time when I heard certain comments being made in the absolutely brilliant speech made by Senator Lynch at the time of the Estimates and I was wondering Sir to what extent the quality of some of the submissions being made has been influenced by carefully listening to the points which she made on that occasion.

The question that the Bill be read a second time was put to the Senate and agreed to.

On the motion of SENATOR THE HON. N. A. BARROW, the Senate resolved itself into a Committee on the Bill, SENATOR THE Rev. A. HATCH in the Chair.

Mr. CHAIRMAN: Senator Hinds.

SENATOR K. HINDS: Mr. Chairman, I beg to move that the Bill be taken as read, that Clauses 1 and 2 be taken and the remainder be taken in Parts.

The question was put to the senate and agreed to.

Clause 1 was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, there is an amendment to clause 1 which has been circulated, to italicise the words "Education Act, 1981". I do therefore move that the clause be so amended.

The question was put to the Senate and agreed to.

Clause 2 was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, in clause 2, the amendment as circulated is that the words "educational institution or" appearing in the definition "assisted private school" be deleted, and further, Sir, that the words "assisted private educational institution" means any private institution that is in receipt of assistance under this Act", that that also be inserted but to form a separate definition, in its appropriate place.

I move that with those two amendments the clause stand part.

SENATOR N. W. BOXILL: Mr. Chairman, coming back to this point which I had raised about the age. The Leader of the Senate stressed that 18 years would be a bit too far because you have people working and

so forth, but we have children working at the ages of 14 and 15 now. What are we going to do with this position? Are we going to take them off from their work now to send them back to school? I know there are some 15 year olds who are now the bread winners for the family, this is why I am suggesting that if you move them you will have to move the others.

My view on raising that point was that we should be keeping the children more in school and off the road. I accepted the Minister's explanation, but whilst accepting it I am not satisfied that it is the best thing. I was not thinking of 18 year olds because they can vote, my whole object for mentioning this is because I think people are allowed to leave school too early just to walk around, and as a result of walking around, as the old saying goes, the Devil finds work for idle hands to do, and so forth, and I think if we can manage to keep children in school much longer, whether it be trade school or some other school, we will be doing a better job.

As I said earlier, I have no objection to the Bill, but I am looking out as a Barbadian for Barbadians. This is what I am worried about. Whilst accepting what he has said, I still think we should take a second look at the age part of it, because we are still going to run into problems. There are people right now who, I am sure, are only 15 years of age and who are working in other people's places, so it would mean that you will have to take these people out of these people's places and send them back to school. What are we going to do in that position?

SENATOR O'BRIEN TROTMAN: I do not understand, Mr. Chairman, what the member is saying at all. In his second reading speech I understood it that he was saying that the age should be 18. Now he is saying we must protect the ones who are 14 and who are out of school. We are saying 16.

SENATOR N. W. BOXILL: If the hon. member will give way, he must not mislead the House.

Mr. CHAIRMAN: Senator Boxill, if he is not willing to give way, then.....

SENATOR N. W. BOXILL: He has not indicated that he is not willing to give way yet.

Mr. CHAIRMAN: Senator Trotman, are you willing to give way?

SENATOR O'BRIEN TROTMAN: I am willing to give way, Sir, but it is a serious thing to say that I am misleading the House. The records will show that he said the age should be 18, and that is what I said.

Mr. CHAIRMAN: Senator Boxill, will you please retain your seat if he is not willing to give way?

SENATOR N. W. BOXILL: He is sitting down now.

Mr. CHAIRMAN: Senator Boxill, you have the floor.

SENATOR N. W. BOXILL: Thank you, Sir. What I said earlier was that the age should be removed from 16 to 18. That is what I said earlier. Then the Minister who introduced the Bill was pointing out to me the reason why we did not go to 18 was because he felt there were 18 year olds who are working now. I countered that by saying that I know of 15 year olds who are working now.

SENATOR THE HON. N. A. BARROW: On a point of order, Sir. I did not say that there are 18 year olds who are working now, even though that is the case. What I said, Sir, was that the law recognises the age of 16 as the age for entry into the work force, and you will see this reflected in the National Insurance Scheme legislation which I believe was passed while Senator Boxill was a member of the Government, and therefore if the design is that you enter the work force at 16, we will either have at this stage to question that design or, if we accept it, then the logic is that the compulsory school age will have to go up to 16.

Sir, while what I am saying now is not strictly on the point of order, it would help the Senator if you would allow me to go on with this one point, that at whatever age you put it, if you are talking of compulsory school age, we are bound to have problems, there are bound to be people who do not fit neatly into any system.

The question that clause 2 as amended stand part was put to the Senate and agreed to.

Part I was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, Part I covers clauses 3 to 8. I beg to move that in relation to clause 7 the word "in" appearing in the penultimate line of subclause (1) thereof be deleted, and the words "with respect to" be substituted, and, Sir, that the word "Committee" appearing in the second line of subclause (4) be deleted, and substituted for it be the word "committee". In other words, Sir, that is the substitution of a lower case for capitals. It should not be a Capital "C" it should be a common "c".

I beg to move that with those two amendments Part I stand part of the Bill.

SENATOR N. W. BOXILL: Senator Barrow, when he was talking about the examinations then in comparison with the examinations now. That is the CXC as against the Cambridge examination. I quite agree, I have always been for West Indians running their own affairs, not now, ever since, but what I would like to draw to his

attention — though I know he cannot do much about it now — is that in my view, and I have heard this view expressed by other people, that the CXC examinations are definitely too hard.

In my view the CXC exams are definitely too hard. What has happened is that West Indians in trying to prove that they are better than anybody else had to set an exam that I am sure that, with all due respect to the other Senators in here, many of us in here could not sit and pass. (A VOICE: Speak for yourself.) I am speaking for you too. My view is that it has been set too high. I am not saying that we must lower our standard that every Tom, well Tom already has his, Dick and Harry can pass it, but I have heard it expressed that these exams are far too high, too advanced for our people to pass. I do not know what we are trying to prove. The same thing happened with the University College. These things were happening, and for some reason or other, people of West Indian origin, and with all due respect to you and Senator MacKenzie I must use this phrase, we coloured people always tend to think that we have to be far in excess of the other fellow in order to achieve something.

Now from the last General Certificate of Education that took place I saw what we called Barbados Scholarships given. Thirteen people were given Barbados Scholarships, but I am sure that the thirteen people who were awarded these scholarships got them at a lower level than what was previously the norm when people won scholarships, and although I agree that they should set a standard, I do not see any reason why we should set the standard too high that our people have three and four sets of headaches to pass these scholarships. The whole point is that there is no need at this stage for the CXC exam to be set as high as it has been now set, and I am hoping that the Minister of Education can have a word with those people since I am sure he will have some sort of say in it, and point out to them that we are not satisfied. I do not know if the other people are, but I am not satisfied that these exams are doing our country any good, because you will eventually have a lot of failures and as soon as you get a lot of failures people are going to drop by the wayside.

SENATOR Mrs. E. LYNCH: Mr. Chairman, I do not know whether I can say a few words here. When an examination is introduced like this I think you will find that the examination is watched over a period of years and you would be getting adjustments. If a certain percentage of children do not get through, you look at the examination to see and adjustment of standards is going on all the time. For example, this year everybody rejoiced at the number of Barbados scholarships that we got. The English newspapers also pointed out how many thousand more children they had that had passed the examination as well, so it was not only Barbados that did well. The

English children also did very well. So that the examination is not this very static thing that Senator Boxill seems to feel. There was a time when large numbers of children failed English Language. We changed from Oxford and Cambridge to Cambridge and everybody passed English Language, so that you will still, get some failures.

The standard of the CXC may tend to be high because there is a basic level. The child can also take the examination at basic as well as the general standard. The complaint which I have heard is not so much difficulty as quantity of work, the sort of breadth of the syllabus, the amount of work that the child has got to get through. I have not heard complaints about the difficulty of the exam; I heard complaints about the amount of work which has to be covered; but I think that examinations must be left to specialists; it is a specialised field and one of the arguments which people formerly had against having a West Indian exam is just what Senator Boxill is talking about, the interference by politicians who feel that enough people have not passed, and instead of teaching better you lower the standard of the exam. I feel that we must leave these examinations to the specialist people dealing with them and the teachers teaching the children are involved in them. It is not a body from on high like Cambridge; the teachers are themselves involved in the marking of the papers and so on, so that I feel that we must allow them a period to look at the examination to be certain that when you have got a certificate from the West Indies, from our CXC, that it will be recognised and accepted by Universities abroad, and people who cannot reach this level can take some of their subjects at the basic level.

SENATOR N. W. BOXILL: Mr. Chairman.....

Mr. CHAIRMAN: You would not go on on this issue of the exams.

SENATOR N. W. BOXILL: I just want to make something explicitly clear to Senator Lynch. Senator Lynch is saying that we should leave education to the educationalists, but I would like the educationalists including Senator Lynch, with all due respect that I have for her, to know that I am paying for it, and if I pay for the music I have a right to call the tune, and therefore I am not going to accept that the educationalists or the so-called educationalists are the most intelligent people in the world. They do not have any God-given dispensation. It is just like lawyers. I keep telling lawyers that they do not write law. It is we the laymen who write law and they only interpret it; so don't let people get in their heads that because they are educationalists that they know more about everything than anybody else. I say and I will repeat again that the CXC is too high and I am not the only person who is saying so, and you are telling me about leaving it to educationalists. If you leave it to the educationalists, nobody will pass because they would set

the examination that they themselves cannot pass, and I would almost bet that most of the people who set the CXC exams could not pass them.

SENATOR THE HON. N. A. BARROW: Sir, I thought that Senator Lynch's intervention had done a great deal to clarify the point which seems to be worrying Senator Boxill in that I thought that Senator Lynch went to great pains to point out that when you start an examination you have to allow time to pass in order to get a proper assessment of your standards, and as one who has been through the University of the West Indies, I can understand when people talk about very high standards. It is true but at the same time one had to permit of enough time before testing the standards and ensuring that they needed this or that adjustment, and I believe, Sir, it is probably not now as difficult as when a lot of us started out on the trail. But there is something about the passion, the heat that Senator Boxill generated and I would really like to suggest to him, Sir, that he should not try to write this CXC exam again.

The question that Part I stand part was put to the Senate and agreed to.

Part II was called.

SENATOR THE HON. N. A. BARROW: In part II, a list of amendments was circulated and I wish to formally move that in clause 9 (a) immediately after the word "cultural" there should be a comma. If you remember, that clause is one that talks about "cultural training and recreative activities" and there was no comma. I must say that the modern style of drafting has me a little confused because ever so often I hear you do not need a comma in the legal language and then here it is we are changing a whole lot of things for a comma.

Then, Sir, in Clause 13 (1) the words "School Committees" spelt with a Capital "S" and a Capital "C" should be replaced with a common "S" and a common "C".

In Clause 177 immediately after the word "corporate" appearing in the third line thereof insert the words "to which, subject to this Act, section 21 of the Interpretation Act applies."

Then, Sir, in Clause 19(3)(b), delete the words "or to members of their staff all" appearing in the second and third line thereof. I believe, Sir, that is the provision for compulsory order where the Auditor General or the Auditors for the particular school concerned, the school is enjoined to make available such information as is necessary and somehow in the drafting it seems as though a separation idea — (ASIDES) I am on Clause 19(3), over on Page 19. The point of the amendment "shall give to the persons referred to in paragraph (a) or to members of

their staff all" the point is that it is not necessary. "Or to members of their staff" because only in their official capacity are they entitled to that information.

Sir, Clause 28, sub-clause (1) states "for the purposes of this Division" and you are supposed to delete "For the purposes of this Division". Sir, and then substitute for that the word "The" with a capital "T". Then it continues "The Minister may by order provide for the management of any tertiary institution to which this Division applies".

Subclause (2) for the word "their" appearing in the last line thereof, substitute the word "its". Somebody must have pointed out that Senator Rocheford's Grammar would not have permitted them to talk about the Board of Management and "their" functions.

Sir, with those amendments I beg to move that Part II stand part.

The question that Part II stand part of the Bill was put to the Senate and agreed to.

Part III was called.

SENATOR THE HON. N. A. BARROW: In Part III, Clause 36(2) which refers to refusal of registration which deals with the Minister refusing registration or cancelling registration, it reads:— "of or cancellation" after the word "refusal" when it should read "or cancellation of registration." Sir, I move that the words "of or cancellation" be deleted and the words "or cancellation of registration" be substituted.

With that amendment I beg to move that Part III stand part of the Bill.

SENATOR R. FIELD: Mr. Chairman, Section 31(1) and I am referring here to a Private School or a Private Educational Institution. We must consider the Contribution made by these Private Institutions in the past and I hope that the Minister responsible in making his assessment as far as the registering of these Institutions are concerned be very considerate as far as these Private Institutions are concerned.

It was certainly heartening to hear the Leader in making his submission this afternoon in referring to the contribution of Combermere as against the higher schools like Harrison's College and Lodge. However, he failed to say that the old school tie still matters, where employers like Senator MacKenzie and the same Senator Nigel Barrow and people...

SENATOR THE HON. N. A. BARROW: On a point of order, Sir, I am not an employer. I believe the Senator on his feet is an employer.

SENATOR R. FIELD: All those who people employ in this country, it is still the mentality of the Barbadians that the old school tie must prevail so the contribution made by the Senator on a school like Combermere has no place in this community but I am glad that he made that remark this afternoon.

However, I am going on to the Private Schools. The Private Schools in the past contributed quite a lot to this community and I hope that the Minister responsible will do whatever he can to assist these schools, as far as some financial assistance is concerned.

Sometimes you see these schools and when you look at them, at least a couple of them that I have seen, the conditions are not the very best and I hope that while they may not be in a position to bring them in line and to bring them to the required standard which the Government is looking for, I would hope that they would assist them in putting these schools in line.

I refer to Senator Boxill's remark about the 14 year olds. A lot of the Private Schools had to take these children particularly since 1961 and 1976 between that period when the Democratic Labour Party was in power where they put these children out of school at the age of 14 and they had to go out on the road and I refer to the Senator's remarks when he said that the devil finds work for idle hands to do because that is exactly what his Party did. They put them out on the road and it is good that this Government had seen it to bring these children back into the stream of education again.

I refer again to the Private Schools, the contribution they made as regards to Trades, Professions and it was heartening to hear Senator Trotman in his remarks about having to employ expatriates, he having signed Work Permits for expatriates and again it is the mentality of the Barbadian employer and the Government to see that expatriates that have been moving into this place in rapid succession everyday, everyday you see new expatriates coming into this country and I am not convinced yet that there are not enough experts in Barbados to carry the work through. I believe that there is some oversight and I think that it is time that we should view this whole situation.

In the accounting fields, you have people in Barbados, but again, the mentality of the employer in Barbados is to give international Accountants, people associated with Price Water House and the like. You get all of that in Barbados. But, there are people in this country with the qualifications and can do the work, to see that these are given work permits to function in this country that Barbadians can fill the job and I am

surprised to see that Senator Trotman has said this afternoon that they have to give work permits to people to fill the jobs when they know that Barbadians can fill the jobs.

Again, Mr. Chairman, I hope that the private schools will be given the opportunity to further their work as they have done in the past.

Thank you, Mr. Chairman.

Mr. CHAIRMAN: Senator Rocheford.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, the Honourable Senator who just spoke of course has not realised that time has changed to a large extent and the private schools are certainly on their way out, as Government is providing more places at Secondary Schools, the private schools will be phased out and one of the reasons of course is that they have patterned themselves on Government schools. They have not ventured into new fields as educational institutions which might be suggested as serving areas other than those areas which the Government secondary schools are serving. Until we have private institutions bold enough to enter into those areas then there is no hope for them to exist in competition with the Government schools. Teachers working in private institutions are expected to be paid the same salary as teachers in Government schools. It means that the private educational institution must charge fees and the fees that are being charged are the fees that a lot of parents cannot afford. You are going to find that they are going to be phased out gradually, it is happening already many of them have closed down. He has no fear because all over Barbados holding important positions in the community are the products of these private secondary institutions.

I would ask the Honourable Minister to look carefully at Section 31, subsection (2) and Section 32, subsection (3). Section 31(2) says that:

“Any person who at the commencement of this Act was keeping a private school or private educational institution has six months or such further period as the Minister by order allows to comply with subsection (1)”,  
which is Registration.

In Section 32(3), it gives the proprietor of a private school, or private educational institution three months in which to apply for registration and then, it says that the Minister shall give his decision within three months. So, in Section 32, it is mandatory that within six months the Minister makes a decision, whereas in Section 31, it gives him power to extend beyond Section 32. It would seem to me that those two Sections are in conflict with one another.

Mr. CHAIRMAN: Senator Wickham.

SENATOR J. C. W. WICKHAM: Mr. Chairman, I may be a little obtuse, but I really do not see any conflict. Section 31 says that the private school has six months or such other time as the Minister may comply to register and the Minister has three months thereafter.

Mr. CHAIRMAN: Senator Rocheford.

SENATOR H. F. G. ROCHEFORD: “Within three months of the commencement of the Act the operator of a private educational institution has to apply for registration and three months after the application, the Minister has to give his decision.

Mr. CHAIRMAN: 31(2) says six months.

SENATOR H. F. G. ROCHEFORD: Section 31(2) says he has to be registered within six months or such other period which gives the Minister discretion to extend it and allowing the six months. But in Section 32(3) it seems to me mandatory that at the end of six months it must be registered. (ASIDE: For the receipt of application)

Mr. CHAIRMAN: Senator Barrow.

SENATOR THE HON. N. A. BARROW: Sir, I am trying to locate this problem, Registration section 31 says:

“Subject to this Act, no person may keep, in Barbados a private school, or private educational institution to which this part applies unless the school is registered in accordance with this Part.”

It then goes on to say what a person who is already keeping a private school is supposed to do. It says:

“Any person who, at the commencement of this Act, is keeping a private school or private educational institution has six months or such further period as the Minister by order allows to comply with subsection (1).

So, we now know that he has to become registered within a period of six months, or such longer period as the Minister by order allows. That is the general situation. Application under this part must be made by or on behalf, must be made in the prescribed form, must contain certain particulars.

“The Minister may, on receipt of an application under this section, request the applicant to furnish such additional information and particulars as the Minister considers relevant....and the applicant must comply with the request. Every person who at the

commencement of this Act is the proprietor of a private school or private educational institution to which this Part applies shall, if he proposes to continue to operate the school or institution, within three months of the commencement of this Act and in accordance with subsection (1), apply to the Minister for registration of the school or institution, and the Minister shall give his decision on the application within three months of receipt of the application."

Sir, with all due respect, this Section 31 says you have six months within which to become registered and section 32 breaks that period down giving you three months and the Minister has....Just let me say how I see it first. He has three months and the Minister has three months to reply. That on the face of it is six months, but what happens when your application is made and the Minister wants further information? So that, the whole process between the initial application and the final approval cannot be completed between a six months' period. We are dealing, Sir, not with schools coming into operation, but schools already in operation.

It seems to me that in Section 31 provision is made for the Minister to permit an extension of time and that in Section 32, when we talk about six months, this must be read in conjunction with such extension of time as the Minister by order allows. I cannot see how in the first section, you can allow as an extension of time to complete the registration process and then read the section following that to exclude the operation of such time, as the Minister may by order allow. I cannot see the distinction.

SENATOR H. F. G. ROCHEFORD: That is what I could not see either. I could not see how in one section you could give the Minister the discretion to extend the time, and then in the next section you are limiting him or taking away that discretion from him. That is why I cannot see it either, but that is how the Act reads.

SENATOR H. R. LINTON: Mr. Chairman, section 32(3) in my view limits the deliberate generality of section 31(2). I think section 32(3) should read: "Subject to section 31(2)," and then carry on. It should have on those words so as not to limit the generality of section 31(2). I do believe that Senator Rocheford is correct, because the strict interpretation of section 32(3) would lead to this, that once an application has been made, once it has been received, then within three months of the receipt of that application, no extension once it has been received, then the Minister has to give a decision within three months from that date, except we are going to interpret the receipt in a fairly extended manner to mean that when the application is sent in it

would not have been received until such time as the Minister is in possession of all the documentation that he needs. But then the Act does not say that, and it would be open, I believe, for a school making application to regard the application as having been received when it send out whatever documentation is to be set out. In any event, it could lead to difficulties.

Maybe it is a small point that can be dealt with, but in my view section 32(3) does in fact restrict or limit the generality of section 31(2). The operative words are "such further period as the Minister by order allows".

SENATOR THE HON. N. A. BARROW: With all due respect, Sir, I believe that Senator Linton has said two different things at the same time. If we take section 31(2), read it in isolation, then take section 32(3) and read it in isolation, we can come to the conclusion which I think Senator Rocheford has come to. I cannot see how one can deliberately read any Statute to make nonsense of any of its provisions, and to the extent that I cannot see that, I cannot see how we can read section 31 and then go on and read section 32 and assume that section 32 is not meant to apply with any of the modification which is included in section 31. I cannot see it.

If you apply the rules of strict interpretation, you obviously come to this conclusion, but if we apply the general principle that a Statute is not to be read in order to make nonsense of it, which is after all a ground rule of Statute interpretation also, then I do not see how you can come to that conclusion.

SENATOR H. R. LINTON: Mr. Chairman, we just had a stark example of a Statute being interpreted to make nonsense of it. That is precisely why we should alter this.

SENATOR J. D. S. MACKENZIE: Mr. Chairman, it is not so much in the rule and the understanding of it, but in the writing of it.

SENATOR K. E. HINDS: Mr. Chairman, as I see it, and I hope that if I put it in the kind of language that I understand it would make it easier so that other Senators would understand it, but this is the way I see it. As a matter of fact, Senator Linton answered the question without realising that he had answered it, as far as I am concerned. You have applied for registration, the Minister can then ask for further information, and all this takes up time. As I see it, the section which members are a bit in disagreement about, it simply means that after the Minister is then satisfied, or at least after all the information has been supplied, then the Minister shall reply within three months. Because, to my mind, if a person applies and the Minister asks

for further information, then the application for registration is not complete, so it is only complete when the Minister has all the information that he desires, and that being so, then he is asked to reply or to give a decision within three months. I do not see it as contradicting itself, Sir.

SENATOR H. R. LINTON: I would just like him to point out where in these sections it states at what point an application has been received or is complete, as he said. I do not see it in these sections at all. He says it is complete at a certain point. I have been looking through here for it but I do not see it.

Mr. CHAIRMAN: You know it is not there, Senator Linton.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, my final word on this point is that I am very happy to know that we have representatives of the Ministry of Education who are listening to this debate who would realise the point of difficulty which arises out of these two and would go back and look at it again and see who is right.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I do not see that it is a matter here of who is right and who is wrong. We have run smack up against what to me is not a problem, and it is this, that if you can see clearly what it is that people mean, then for all the imprecision in the language you should not be in any particular kind of problem. What I am now given to understand, Sir, is that the lady Senator on this side cannot see clearly what is intended. This is an educational matter, but I am merely making the point for Senator Rocheford and Senator Linton, but I do not have any difficulty understanding what is intended now. I have also asked up here and we up here have not found the problem. This is all that is going on. Evidently, Sir, if we do not find a problem, you do not expect that I will get up here and say we find a problem. We are into a very serious reverse situation. Anyhow, let us leave it at that, Sir.

SENATOR H. R. LINTON: I reserve the right not to let what Senator Barrow said go in the record unchallenged about that side not seeing the difficulty in this and this side seeing a difficulty. We realise what is intended, that is why I sought to support Senator Rocheford in bringing it to the attention of the Leader of the Senate. We realise what is intended, and with great respect, that is not the difficulty at all. What is intended is okay, but the courts do not as a rule look at the intention of Parliament at all, otherwise the recent Biggs case may have been decided differently in the Magistrates' Court. In the future, when people who are not concerned with the debate in Parliament, are seeking to interpret this particular position, the difficulty will

arise, and we should make it as clear as possible now so that that difficulty does not arise. With great respect, the difficulty is not with what is intended, the difficulty is about the type of interpretation that will be placed upon it, the type of construction. I think that is important.

It is not too big a point, we can pass over it now, but that statement should not go unchallenged at all.

Mr. CHAIRMAN: I think the issue is quite clear, and the Leader of Government Business seems satisfied to take responsibility for the question to be put.

The question that Part III stand part of the Bill was put to the Senate and agreed to.

Part IV was called.

SENATOR THE HON. N. A. BARROW: I beg to move, Mr. Chairman, that Part IV stand part of the Bill.

SENATOR N. W. BOXILL: Before we finish Part IV, there is something I am not happy about. On page 36, section 42, let us start at subsection (c) "the child is unable to attend school because of sickness, danger of infection, infirmity, sudden or serious illness of a parent or other sufficient cause:

(d) religious observance."

This is where I am a bit skeptical. As you would know, Mr. Chairman, we have quite suddenly a lot of religions that have sprung up. Years ago we had the Catholics, the Protestants, the Moravians and so on, but now you get such religions as Zionists and a lot of these fancy religions who want to cultivate children's minds. There is a particular religion where people have their heads shaved down to a little bit, wear all white, and these people have been in my view corrupting the minds of minors to the point where they have made these children resent their parents. I am worried about this religious observance if we are going to allow children to be taken out of school because of some fanatic who feels that teaching children might be a bad thing because they may become rude to their parents, disobedient and that kind of nonsense. I think you should have a second look at this religious observance.

Although I do not go to Church too regularly, I am all for watching this operation because these people can come up and start brain-washing these children as they started to do and the next thing you know is that we get a new generation with this religious business; so I would like the Hon. Minister to look at it. I know you cannot take it out now, but I think you should have a serious look at this religious part. I do not really like it and I guess there are lots of others who would not like it either.

SENATOR THE HON. N. A. BARROW: Sir, I would like to assure you Senator Boxill that even if we did not put it in, by operation of the Constitution it would be in, because Chapter 3 of the Constitution on protection of fundamental rights and freedoms of the individual says "Whereas every person in Barbados is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely...." and it goes down to (d) "freedom of conscience, of expression and of assembly and association....."

Religion always comes under the freedom of conscience provision, and whether we put it in, the right of people to practise their own religion is bound to be respected. I am going through this Constitution now to see if there is a more specific provision, but the fact is that once you decide on certain kinds of freedom as being protected, if any child because of religious grounds is in a particular position, that is something that has to be respected.

The other thing is that we may ask a question as to whether within the eyes of the State X or Y constitutes a religion, and the only answer I can have for you on that, Sir, is if we go back to the recent charities legislation under which religions may register as charities, then perhaps one might find an interpretation that says that such religion.....even then I am in serious doubt because once the Court is prepared to hold that something is a "religion", then you are bound to respect it. Section 19 is the section that goes on to spell out the freedom of conscience provision and in section 19 "Every religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it wholly maintains." So if we have an Education Act which does not recognise the position of religions, then we run a very serious risk of that Act being deemed to be ultra vires the Constitution.

I believe, Sir, that when Senator Boxill put in so many sleepless nights trying to fashion this Constitution he should have paid some attention to what he was putting in Chapter 3.

The question that Part IV stand part was put to the Senate and agreed to.

Part V was called and passed.

Part VI was called.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I beg to move that Clause VI stand part.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, the last time we had some legislation in here we were told that the Interpretation Act required that instead of saying "both Houses of Parliament" you should say "each House of Parliament". We have made some changes in legislation which passed here some time last week. I see here in section 51 it says "shall be laid before both Houses of Parliament". Is there any inconsistency in this?

SENATOR O' BRIEN TROTMAN: Mr. Chairman, I do not want to answer Senator Rocheford, but this part of the Act deals with the question of scholarships etc. and earlier in the Second Reading I did made mention of the fact that due to certain shortcomings in education under the former administration it was necessary to have some migration into Barbados in specialised areas. It has been brought to my attention that my fellow Senator has taken opportunity to get into areas which he should not have got into because as I understand what he has been saying, he was critical of the administration for the issuing of permits to certain categories of workers who were in short supply in Barbados.

Now two years ago you would not believe that that same Senator was what I call the monitor of certain industries for us, and it was on his advice that he would say "well, I believe that we are really making an effort to train X, Y and Z, but we can allow work permits in this particular area, so that if there is a flooding in any particular area, it was partly his advice, and then two years after he comes back and makes a public statement about the Ministry flooding the place with immigrants. That is the problem you have to deal with when you have to listen to people in private and then hear it in public.

The question that Part VI stand part was put to the Senate and agreed to.

Part VII was called.

SENATOR THE HON. N. A. BARROW: In Part VII I would like to move the following amendment. In Clause 53 delete subclause (1) and substitute the following:

"The Minister may for the purpose of ascertaining which children of compulsory school age require special educational treatment carry out such investigations as he considers necessary, and after the investigations the Minister may provide for the education of any child requiring special educational treatment."

That, Sir, is clearly an improvement to the Section 53 as it is because if you look at the way in which it is presently worded, I think the weakness is immediately apparent.

In Clause 59(2), paragraph (a), insert immediately after the word "schools" appearing in the last line thereof the words "and assisted private educational institutions"; and in paragraph (r) insert immediately after the word "and" appearing in the third line thereof the word "assisted".

In Clause 64(3) insert immediately after the word "the" appearing in the last line of paragraph (b) thereof the words "school or".

Delete the marginal note to clause 66 and substitute the following:

"Higher Education Loan Fund".

With those few amendments, Sir, I move that Part VII stand part.

The question was put to the Senate and agreed to.

The First Schedule was called and passed.

The Second Schedule was called.

SENATOR THE HON. N. A. BARROW: In relation to the Second Schedule, I would like to move the following amendments:—

"Delete the word "15" appearing at the end of sub-paragraph (3) of paragraph (1) and substitute the word "16":

Delete the word "from" appearing in the first line of paragraph 2(b) thereof and substitute the word "for";

Delete the words "shall cease" appearing in the last line of sub-paragraph (4) of paragraph (5) thereof and substitute the word "ceases";

Delete the comma appearing at the end of sub-paragraph (1) of paragraph 8 thereof and substitute the word "and".

With those amendments, Sir, I move that the Second Schedule be the Second Schedule to the Bill.

SENATOR H. F. G. ROCHEFORD: Mr. Chairman, unfortunately there is no comma at the end of sub-paragraph 1 at sub-paragraph 8. I think the comma that was meant to be moved is at the end of line 2 at the end of sub-paragraph 1. Sub-paragraph 1 finishes on page 70 with the word "Board" fullstop.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, for the first time Senator Rocheford is

absolutely right, Sir, without question. It should be line 2 obviously.

The question that the Second Schedule as amended be the Second Schedule to the Bill, was put to the Senate and agreed to.

The Third Schedule was called and passed.

On motion of Senator the Hon. N. A. BARROW, Mr. CHAIRMAN reported the passing of the Bill in Committee with amendments and Mr. PRESIDENT resumed the Chair and reported accordingly.

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to report the Bill as having passed Committee with the amendments as circulated and move that it be now read a third time forthwith.

The question was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to move that the Bill be now passed.

The question was put to the Senate and agreed to.

Mr. PRESIDENT: The Clerk will take the necessary steps to have a Message sent to the Other Place.

SENATOR THE HON. N. A. BARROW: Mr. President, we circulated members with the Supreme Court of Judicature Act. I am sure that at this hour any suggestion of dealing with that now will not be greeted with any enthusiasm.

I do not therefore intend to press the point, but there are two small matters which have been circulated this evening. One of them has as fundamental a change in the Law as changing the word "shall" to the word "may" and the other one deals with allowing the Fire Service to charge fees for the kind of extra duties which the Police when they render are allowed to charge fees for. Those two Bills have been circulated. I hope Sir that Honourable Members will agree to the Suspension of Standing Order 45(2) to allow those to be taken through their remaining stages.

The question that Standing Order Number 45(2) be suspended in respect of a Bill to amend the Property Transfer Act and a Bill to amend the Fire Service Act so that the Bills may be taken through their further stages today was put to the Senate and agreed to.

Mr. PRESIDENT: Senator Barrow.

SENATOR THE HON. N. A. BARROW: Sir, I propose that we take it from the Act first.

Mr. PRESIDENT: You may proceed.

SENATOR THE HON. N. A. BARROW: Sir, if you recall, we have done a complete and exclusive reform of the Property legislation. It has however now turned out that in one of the Bills, the Property Act, Section 99 of the Property Act of 1979 concerns conveyance of the mortgagee under the mortgagee statutory power of sale.

"The Conveyance coming within subsection (1) shall be made in the name of the estate owner redressed to the Purchaser."

There have been complaints, one member from the private part has drawn to the Attorney-General's attention the fact that the use of the word "shall" in that subsection is incorrect and indeed the corresponding statutes within the system and the Northern Ireland Act was examined and it was found that the standard usage there is not "shall" but "may" and we thought that it was only fair that this change be made since, as the wording stood, Sir it had an undesirable effect on the rights of mortgagees.

I beg to move that this Bill be now read a Second Time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. N. A. BARROW, the Senate resolved itself into a Committee on the Bill, SENATOR THE Rev. G. A. HATCH in the Chair.

On the motion of SENATOR K. HINDS, the Bill was taken as read.

Clauses one to three inclusive were called and passed.

On the motion of SENATOR THE HON. N. A. BARROW the Senate was resumed and the passing of the Bill was reported.

On the separate motions of SENATOR THE HON. N. A. BARROW the Bill was read a third time and passed.

Mr. PRESIDENT: Senator Barrow.

SENATOR THE HON. N. A. BARROW: Sir, this is a Bill to amend the Fire Service Act. It became necessary for us to bring down this legislation, Sir because it was found that the Fire Service was able and in the habit indeed of performing certain kinds of duties. For example, at the request of insurance companies, the Fire Service issues reports on fires. This is a service, Sir which if the Police did, they would collect \$20 per report. The Fire

Service at present is not in power to charge, yet, they find that the volume of such duties is growing. Filling and emptying of swimming pools. Since 1950, the Service has rendered this for the community and again, there is at present no provision in Law for charge. In relation to services, inspecting private fire installations and first aid fire equipment, again, you find that they do this in respect of Government institutions and private homes.

The Fire Officers are of the view, Sir that the same way the Police did duties which did not fall within the line of policing, they could collect some sort of fee for these duties. Since this is so, they felt that they should be in the same position. The view has been taken that on examination, there is no reason why this should not be so. If a policeman does it in his own time, then, the money goes to him, if he does it when he is on duty, the money is collected and paid into the Police Social Club and it was felt that there was absolutely no reason why the Fire Service should not be in the same position. If you did it whilst off duty collect the money for it. If you did it during your duty hours, the Fire Service Social Club would collect the money.

The Act needs therefore to be amended to permit of the Regulations to be drawn which would allow this practise to become one for which there can be some reward....

I beg to move, Sir, that this Bill be read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. N. A. BARROW, the Senate resolved itself into a Committee on the Bill, SENATOR THE Rev. G. A. HATCH in the Chair.

On the motion of SENATOR K. HINDS, the Bill was taken as read.

Clauses 1 to 4 inclusive were called and passed.

SENATOR THE HON. N. A. BARROW: Mr. Chairman, I move the Senate do now resume and the Bill be reported.

The question was put to the Senate and agreed to.

Mr. PRESIDENT resumed the Chair.

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to report the Bill as having passed the Committee without amendment and move that it be read a third time forthwith.

The question was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to move this Bill do now pass.

The question was put to the Senate and agreed to.

#### NOTICES

SENATOR THE HON. N. A. BARROW: Mr. President, as I said before, I do not think I can reasonably ask members to extend themselves any longer. We are here much longer than I at first anticipated, but before moving the adjournment, I wish to ask the permission of the Senate to recommit the Item "Introduction of Bills" in order to facilitate notice of five Bills which are ready and which we would wish to give notice of at this stage.

Mr. PRESIDENT: If there is no objection, the Clerk will recall the Item "Introduction of Bills".

#### INTRODUCTION OF BILLS

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to give notice of the following Bills:

The Family Law Bill, 1981

The Maintenance Bill, 1981

The Community Legal Services Bill, 1981.

Those, Sir, to stand in my name, and the following two to stand in the name of Senator the Hon. D. G. Blackman:

The Child Care Board Bill, 1981

The Prevention of Cruelty to Children (Amendment) Bill, 1981.

Mr. PRESIDENT: Let it be recorded in the Minutes that these Bills have been read a first time.

SENATOR J. D. S. MacKENZIE: Mr. President, before you move the adjournment, could I just ask of the Leader when he proposes to deal with the Bills which

were just introduced? Could he assure the Senate also that they will be circulated that we may read them before they are expected to be dealt with?

Mr. PRESIDENT: I assume that when the Minister moves the adjournment he will give Senators sufficient time to get these Bills.

SENATOR THE HON. N. A. BARROW: Yes, Sir, Senator MacKenzie's point has indeed been anticipated. I believe when last Senator MacKenzie and I spoke there was an intention to summon members back to a meeting on Wednesday, but I believe that is what is foremost in his mind. There is not now any such intention, these are Items which are going to be dealt with by us first in this Chamber and proceed to the Other Place, and we have therefore taken the necessary steps to ensure that provided an Order Paper goes early from here to the Printery, certainly if not tomorrow some time on Wednesday, the Bills will be in hon. members' hands.

The Community Legal Services Bill is a Bill of about 30 sections, the Family Law Bill is the one that is fairly substantial, but in fact by its very nature when members see it they will be able to read it and follow it quite easily. While it represents significant progress in the law, it is not overly complex. We are therefore, Sir, not adjourning until Wednesday.

#### ADJOURNMENT

SENATOR THE HON. N. A. BARROW: I would wish to move, Sir, and I do so move, that the Senate do now adjourn until Friday, 8th May, at 2.30 p.m.

Mr. PRESIDENT: There seems to be some inconvenience about the time.

SENATOR THE HON. N. A. BARROW: Sir, there seems to be the feeling that we should meet at 11 o'clock on Friday morning. I therefore move that we adjourn until Friday, 8th May at 11.00 a.m.

The question was put to the Senate and agreed to, and Mr. PRESIDENT adjourned the Senate accordingly. 8.18 p.m.