
THE SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

THE SENATE

Wednesday, 28th January, 1981.

The Senate met in the Senate Chamber, Public Buildings, on Wednesday the 28th January, 1981, at 2.45 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 H. R. LINTON, LL.B.; Senator K. E. HINDS; Senator Miss O. A. LYNCH, B.A., Dip. Ed; Senator K. R. HEWITT, B.Sc., C.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) and Senator R. E. BRATHWAITE.

Prayers were read by Fr. L. Crawford.

ABSENT

Senators AARON TRUSS; C. I. E. DEANE; and Mrs. E. M. LYNCH.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR GENERAL

Mr. PRESIDENT: Hon. Senators, I have a Message from His Excellency the Governor General. It reads as follows:

HIS EXCELLENCY THE GOVERNOR GENERAL TO

THE HONOURABLE THE SENATE

His Excellency the Governor General has the honour to inform the Honourable the Senate that, acting in accordance with the advice of the Leader of the Opposition, the seats of the following Senators have been declared vacant with effect from 19th December, 1980 under section 39(1) (f) of the Constitution –

Senator John Andrew Connell

Senator Denis Hugh Gordon Hunte

and that, also acting in accordance with the advice of the Leader of the Opposition, the following persons have been appointed with effect from 20th December, 1980 under section 36(3) of the Constitution to be members of the Senate:—

Mr. Neville Wilfred Boxill

Mr. Warwick Orlando Franklin.

Before I ask the Clerk to ask these new Senators to come in, I feel that the Senate would wish to place on record its appreciation of the contributions made over the past four years or so by Senator Connell and Senator Hunte. (Cheers).

Senators N. W. Boxill and W. O. Franklin were escorted into the Chamber by the Deputy Clerk.

Mr. PRESIDENT: Senator Boxill, Senator Franklin, I have read to the Hon. Senate the Message from His Excellency the Governor General informing the Senate of your appointments as Senators.

It is also my understanding that you have taken the necessary oaths, and it falls on me now to invite you to take your seats as members of this Honourable Chamber.

(Senator N. W. Boxill and Senator W. O. Franklin took their seats.)

I also wish on behalf of fellow Senators to wish you a successful term of office.

SENATOR THE HON. N. A. BARROW: Mr. President, I rise this afternoon first of all because I think it is appropriate that when there are new Senators to this Chamber that some brief word of welcome is said, and if they are on the Opposition benches that in the spirit of being members of one Senate, there be a word of welcome from this side, and certainly, Sir, because this is not a situation of unmitigated joy, it is a situation in which one has a mixed feeling of sorry and joy, and therefore very briefly to place on record our view of the contribution of the two former Senators who have been replaced.

I think, Sir, it is important because we should all recognise that the task of new Senators will not be an easy one if they are to follow faithfully the footsteps of Messrs. Connell and Hunte who set an extremely high standard for themselves and managed to keep up to it. The Chamber, Sir, will certainly miss the erudite discussions and contributions of Mr. Connell and the witty and incisive comment of former Senator Hunte. They joined with all other senators to set a standard of debate in this Chamber from which we must never climb down and it is because of that that I believe we should not allow their actions here, knowing that it is a permanent absence at least for this session, to go without comment. They have been two extremely able Senators who made a contribution of great worth to the parliamentary history of this country. It is therefore a little difficult for Senators Boxill and Franklin who will not have quite as much time to make their mark, bearing in mind that whereas Messrs. Connell and Hunte had something over four years, they will have I fancy less than a year. But Senator Boxill is tried and tested, he has had the exposure of parliamentary debate. He is not without the appreciation of the fact that if you push your head too far out, sometimes it will not come back in.

Although Senator Franklin has not been exposed to the same light of parliamentary Chamber, he is no political neophyte having contested in two very hard fought campaigns in 1976.

On behalf of this side, I therefore wish to welcome them both and to wish them a successful term as Senators.

SENATOR J. WICKHAM: Mr. President, independent members by definition must speak for themselves

individually, and therefore I cannot pretend to represent any such. But may I express my personal regret at the absence of former Senators Connell and Hunte. Senator Connell's contribution to debate has always been stimulating and I for one shall miss the opportunity of crossing swords or even agreeing with him. Senator Hunte described as a witty contributor and incisive was no less skillful although his style was somewhat different. So far as the new Senators are concerned, may I personally say that I look forward to their contribution. Senator Boxill's style I am well acquainted with and I look forward to his witticisms in this chamber.

Speaking for myself, may I welcome the new Senators to this Chamber.

PRESENTATION OF PAPERS

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

Training Report for the year 1979-1980.

Annual Report of Chief Medical Officer for the year 1979.

The Public Officers Loan and Travelling Allowances (Amendment) (No. 3) Regulations, 1980.

The Sixth Annual Report, Auditors' Report and Statement of Accounts of the National Housing Corporation for the year 1978-79.

The National Sports Council Regulations, 1980.

Report on the Probation Service for the year 1979.

QUESTIONS TO MINISTERS

Mr. PRESIDENT: I would like the Clerks to take steps to remove from the Order Paper those questions that appear in the name of Senator Connell.

INTRODUCTION OF BILLS

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

A Bill to make provision for the avoidance of conflicts of interest by persons engaged in governing, guiding or administering the public affairs of Barbados and to establish a body to monitor the assets of persons in public life.

A Bill to amend the Barbados National Bank Act.

While I am on my feet, just let me say that there is a Resolution that was dealt with in the Other Place only

yesterday and which is an urgent matter and therefore which I would ask leave to proceed with this afternoon. It is a Resolution for the vesting of certain lands at Wildey, St. Michael in the Caribbean Development Bank. It is a minor matter in the sense that members are familiar with it having already passed virtually this Resolution already but what has happened is that it has been subsequently discovered that the particular parcel of land to be vested in the Bank was incorrectly described in the Schedule to the Resolution, so that this Resolution is in the nature of an amending Resolution.

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

PUBLIC BUSINESS

SENATOR THE HON. N. A. BARROW: Mr. President, Items appearing on the Order Paper starting at No. 3 and ending at No. 6 are the Items which we will be presenting this afternoon to this Chamber in addition to the amending Resolution which I just mentioned.

I have had some representation in relation to Order No. 2 and I believe, Sir, that contrary to the intention of the note circulated to hon. members, it would be inadvisable to seek to proceed with it today so that we can start at Order No. 3.

As I explained before, Order No. 1 contains reference to the subject matter of Order No. 2 and therefore it should not properly be dealt with until Order No. 2 has been dealt with so the Orders we intend to present are Orders Nos. 3, 4, 5 and 6 which will be taken care of by Senator Trotman and the amending Resolution of vesting of lands in the CDB which I shall take care of.

RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND SITUATE AT FITTS VILLAGE, ST. JAMES

The Third Order was called — To move the passing of a Resolution to approve the compulsory acquisition of land at Fitts Village, St. James, for the provision of an open window to the sea.

SENATOR O'BRIEN TROTMAN: Mr. President, Sir, first of all let me apologise for not having the plans available, the reason being the fact, Sir, that the plans are not yet ready. However, I am advised that Parliament can properly proceed because of the nature of the description even in the Schedule that it is possible for us to conclude the debate on the acquisition notwithstanding the fact that the plans are not completed.

The Resolution, Sir, makes mention of a Window to the Sea, a new term emerging in Barbados, but in fact, Sir, the Government is planning to acquire the property at Fitts Village for the purpose of establishing an Esplanade in St. James.

As the Senate will be aware, Sir, we have an Esplanade at Bay Street. Then there is one at Hastings and the most recent one at Speightstown and it is indeed considered that with the build-up of residents at Haynesville and the other areas, which is now St. James South, that it is appropriate that an Esplanade be established on the West Coast for the use of these residents.

It is not, as I understand it, Sir, any Window to the Sea. This is one of the old gateways and it is hoped that the residents of Fitts Village and the surrounding areas will make full use of the Esplanade when it is established and it is hoped that the construction work can start sometime before February, 1981.

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

SENATOR THE REV. A. HATCH: Mr. President, I could not quite follow everything that the Junior Minister introducing this Resolution has said but he made reference to the Esplanade on Bay Street and I think I understood him to say that the Fitts Village site will not be a Window to the Sea but would be similar to the Esplanade at Bay Street and it would comprise a bandstand, or maybe I read that earlier. It would comprise a fountain and it would comprise a fish market.

There is obviously a good deal of confusion in the Island as to the use of the term "Window to the Sea" because in the Other Place last week I understand that the Paynes Bay site, and I will insist on continuing to call it a window to the sea, is not a Window to the Sea because it has trees.

I think therefore that I should attempt to define what we mean by a Window to the Sea and in doing so to say first of all that we are in no way referring to free beaches. Everybody in Barbados has had the privilege of our beaches being free for a long time and when we speak of Windows to the Sea, we are not referring to the fact that beaches are free to all Barbadians and all visitors.

The second distinction I would like to make is that when we use the term "Window to the Sea", we are not referring to the more or less narrow accesses to the beaches and to the sea which have been established under the former regime and under this Govern-

ment. We are obviously always grateful for small mercies. We consider the accesses that have been provided in the past to be very small mercies indeed.

By Windows to the Sea, we are describing the need for far more extensive beach front property to be made available to this generation of Barbadians and to generations to come. Therefore, if considerably more extensive windows to the sea are created and by definition then we mean beach front property which remains unbuilt up and undeveloped, certainly I believe the Island, (and I am grateful that the Deputy Chairman of the Parks and Beaches Commission is present,) certainly the Island should not envisage the transformation, or I would call it the degradation, of such windows to the sea by covering with macadamised or concrete strips similar to the Hastings Rocks, to the Bay Street Esplanade and the other two windows, one below the old Colony Hospital and the one near the Esso Station. I have no doubt that perhaps these needed to be covered with concrete or macadam but certainly I shall vociferously oppose any future windows to the sea of any extensive size being so covered down with macadam or concrete.

Indeed I believe that we should consider what is infinitely cheaper and what is esthetically far more pleasing than the openings which, under this enlightened Government no doubt will be provided in the immediate future, and these will be treated with much more esthetic appreciation and as far as possible remain as natural as possible. I think something of a good precedence has been created in the window to the sea at Folkestone in St. James.

I would like at least to go on record by perhaps asserting, but not with any sense of pride, that what the first Physical Development Plan has not been able to do in the nearly five years of its existence, I believe the current interest in Windows to the Sea by the use of a somewhat emotionally laden term, and not a scientific term, and not a very precise term, has at least done one thing.

It has drawn the attention of the society at large, to the fact, that increasingly, people do not have ready access to the beaches of the country, neither local people, nor visitors. So that, I would like to come to the suggestion clearly made, in the Other Place, that a window to the sea is not something through which one looks. By window to the sea, what we mean is some apperture through which one looks, but also, it is a track of land, through which one may walk, through which one may ride a bicycle, through which one may drive and park and have a picnic and if it has trees, so much the better.

We would certainly welcome, as the Honourable Minister of Lands, in the Lower House promised, that

provision for the fishermen be made because indeed, one of the basic aims of windows to the sea has been the concern that increasingly, fishermen have been pushed off one, or other of the beaches, at an escalating rate, over the years. So, I am trying to make two points, in this debate, one, that a window to the sea is not an apperture, through which one peers. So that, there is a misuse of the words, if we are talking about the window to the sea at Chapell Bay, in St. James, near Paynes Bay as adequate. It is in no sense adequate. It is not a window, through which one can easily walk, or ride, or drive, and there is no sea bathing and it is not adequate for the community of St. James and St. Thomas. The second thing is to hope, that the Parks and Beaches will not be misled into covering down with macadam the windows, which are created, or putting down concrete.

Mr. PRESIDENT: Senator Boxill.

SENATOR BOXILL: Mr. President, whilst joining in this debate to support Senator Hatch, I too would like to add my portion to ask the Honourable Minister, or Introducer of this Bill, what is Government's position, on the window to the sea, that there was no such hullabaloo about in Paynes Bay. At one time, I read in the papers, that planning permission was revoked and another time, that the Honourable Minister said, that it has not been revoked, only suspended.

When I sit down, I would like the Honourable Minister to state Government's plans for Palm Beach, Hastings. When you go a little way up Skeete Hill, after you pass where people have picnics, on the beach, there is another place, that should be used, as a window to the sea. Through it is a road, I have seen groynes in the sea and when I checked on it, I saw that they had no planning permission to put groynes in the sea and orders were made to have the groynes removed, but nothing has been done.

I would like to know, if we are going to vote for this, what is the position? If we are going to allow people to encroach of the rightful prerogative of people. I know, that when I was a child, I suffered at Gravesend Beach, where you were chased, not only off the beach, but out of the sea. Apparently, it is happening again, so, I would like to hear the Honourable Minister's view, on that.

Mr. PRESIDENT: Senator Linton.

SENATOR H. R. LINTON: Mr. President, before the person who introduced the Bill replies, I would like to say a few words, on this Resolution.

We do not want, as a Parliament, and people to enter into a realm of, if we seek to restrict the meaning of the phrase, "window to the sea". In my view, that term is tied up to, or added to its bed fellow, "access to

the sea" because you see, Sir, in certain areas, so far as, access is concerned, all we need is a narrow strip of land, no more than six feet, but there are occasions, indeed places, when we do in fact need, a lot more than six feet, where fishermen not only want to get to the beach, but where they want to haul up their boats.

Although, Mr. President, I do not want to enter into any arguments about the Paynes Bay window to the sea, I would venture to suggest, that this is an area, where we not only require an access to the beach, but more for fishermen to haul up their boats. People can go have a swim and come back to the beach, in the knowledge, that they are not trespassing on anybody's property. That is all I would say about the specific window to the sea, not to add to any terminology, or definition of these areas, whether they be accesses, or open windows to the sea because what we need in Barbados is both types of open windows to the sea.

Now, so far as, Parks and Beaches is concerned, I think, that Senator Hatch is fully aware of its position and he may have alluded to this, when he said, that he was happy to see me sitting here. The position of the Commission is that they are fully in favour of windows to the sea, once they are open areas to the sea and indeed, Senator Hatch knows this and we support windows to the sea, call them what you wish.

But, Senator Hatch raised another point, when he said, that he hopes that the Commission would not be misled, by adding concrete to it and so forth.

Here again there are indeed certain open areas to the sea which could and should accommodate certain structures which will in fact be facilities for people like fishermen, changing facilities for workers and things of this sort. I envisage, and I have been indeed fighting for over four years to have some kind of facility at Rockley. It is absolutely necessary, to stop people performing their ablutions in the open or in the sea or in the environs of Rockley beach. There is a desperate need for a facility not only for that particular point that I mentioned, but also to enable those who want to go there and change to be able to do so, and I have been fighting for four years to have this.

Now, I do not think that if a facility is ultimately erected at Rockley that Senator Hatch will object to that. I think what he meant to say was that having fought for open windows to the sea we should not put up big, huge structures like you see around Bridgetown. I doubt very much whether he will object to something like a bandstand which in itself is an open sort of a building that you can look through and will not in fact block a window to the sea. I see nothing wrong with the bandstand at the Esplanade at all, because you can drive past

it, it is in itself a beautiful structure, you can see through it and you can still see the sea, so I think Senator Hatch may wish to modify his views about buildings on open windows to the sea when he thinks about it more clearly.

SENATOR A. HATCH: If Senator Linton, Sir, will give way, I was more concerned with the treatment of the ground area rather than the building. I alluded to the market facility at Fitts Village which I applaud. I even think, Senator Linton, through the President that the fountain is a good idea and I have no objection to the band stand there or anywhere else. The point I was making was that I hope you will not go to the extravagant, unnecessary and ugly expense of large areas of macadamised surfacing and concrete surfacing, that the ground will be raked clean, as it is at Folkestone, and kept tidy.

SENATOR H. R. LINTON: I take the Senator's point, Mr. President. He can rest assured that Park and Beaches is concerned with trees and plants and mud and not rock-stone. We find that fairly expensive, so that he need not lose any sleep over the fact that Parks and Beaches will want to bring the Barber Green in at Paynes Bay, Folkestone or Fitts Village because we are concerned with plants and trees and mud rather than the other things, so I will not labour on that any more.

The final point I want to make, Mr. President, is that the two ideas are very closely connected; that is, the idea of free an unencumbered access to the beach and the idea of windows to the sea. The two are very closely interwoven. I know, for example, that at Sam Lord's Castle in St. Philip for years and years, for as long as I can remember, fishermen have habitually used the Castle's property for the purpose of going to and from the beach. They went through the Castle yard, as we called it. Quite recently this passage to certain fishermen at least has been blocked and the fishermen have had to seek an alternative route to the beach, which has proved to be very inconvenient and which has itself on occasions been blocked. I have just asked to have discussions with the management at Sam Lord's Castle with a view to alleviating the problems which the fishermen in Long Bay are now suffering.

All this is tied up, Mr. President, because if we had a window to the sea there — although this is very difficult because that is the sea rocks as we call it and the drop is fairly deep — so a window to the sea in that particular location might not help, except we had steps going down the sea rock, but the whole idea is that wherever we have windows to the sea we will be guaranteeing free access to the beach for fishermen and others affected.

Now, before I sit down, I just want to reassure you, Mr. President, and the Senate, and Senator Hatch that a

rose by any other name is just as sweet, and regardless of whether they are called windows to the sea, openings to the sea, doors to the sea, or free and unencumbered access to the sea, the Parks and Beaches Commission thinks that the more these are encouraged the better for all Barbadians.

Thank you, Sir.

SENATOR O'BRIEN TROTMAN: Mr. President, I was expecting the question as to when a revocation is not a revocation. Some time last year one spokesman of the Government said that the permission to St. James Hotel Limited, I think is the correct name of the company, was revoked, and a few days ago another spokesman said it was not revoked.

The truth of it, Sir, is that, as I understand it, the St. James Hotel Limited had not received approval from the Ministry of Health, and that approval forms part of the approval in principle which a developer gets from Town and Country Planning. It does therefore seem as if the hotel owners went ahead erroneously with the removal of trees and clearing of grounds with a view to building a hotel. In view of the fact that the Ministry of Health's approval was not given, the Town Planner acting on his own authority asked the hoteliers to stop the construction. That revocation, as I understand it, is not confirmed until the Minister himself approves it, so that at that point it was revoked by the Town Planner. I am now being advised that "restrained" is a better word, Sir. The hoteliers then had 28 days in which they could appeal to the Minister. I am advised that no such appeal has been made to the Minister, so that they cannot now appeal to the Minister, neither has the Minister given final consent to the revocation, so that in fact the whole case is now in abeyance. The Minister may confirm or he may not confirm, but there is no time limit in which he has to confirm the revocation. So that both statements are in truth correct. I do not know if that helps the Senate.

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

**RESOLUTION TO APPROVE THE LEASE OF
LAND AT GRAVESEND, ST. MICHAEL
TO HASHIM DEGIA FOR THE PURPOSE
OF OPERATING A SHOP**

SENATOR O'BRIEN TROTMAN: Mr. President, ten years ago a Mr. Richardson sought permission to construct and use a kiosk at Gravesend for the purpose of operating water sports. That permission was granted, and some time in 1974 when apparently he had some difficulties in paying the monthly rents, a Mr. Paki Degia took over the business and the lease was passed to Mr. Degia. That lease expired in 1980, and now Mr. Hashim Degia

has applied for permission to continue use of the kiosk and land at Gravesend.

Mr. Hashim Degia is paying a bit more rent than Paki paid in 1970 as set out in the Addendum and it is suggested again that the lease be again extended for ten years so that Mr. Degia can have some guarantee that his water sports will continue.

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

The question was put to the Senate and agreed to.

**RESOLUTION TO VEST LAND AT ROEBUCK
AND SPRY STREETS, ST. MICHAEL IN
THE CENTRAL BANK OF
BARBADOS**

The Fifth Order of the Day was called — to move the passing of a Resolution to approve the vesting of land at Roebuck and Spry Streets, St. Michael in the Central Bank of Barbados for the erection of offices.

SENATOR O'BRIEN TROTMAN: Mr. President I took the opportunity before we started to circulate copies of the plan of the land to be acquired in this Resolution so that all Senators might have seen the plan by now.

The land to be acquired, Sir, comprises nine sections owned by the Sanitation Authority, Motor Services, Alleyne Arthur & Co. Ltd., Barbados Knitting and Spinning, three by J. B. Edwards, E. F. King, C. D. Carrington and Grace Chandler, the total area being 5 435 square metres.

The land is to be used for the construction of a Central Bank which will be constructed in Church Village area. In fact, Sir, some of the site clearing has already begun. We have gone into at length here in an earlier debate the question of accommodation to be offered at the Central Bank, the recreational facilities to be offered in Church Village, and I therefore do not propose to repeat that now.

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

The question was put to the Senate and agreed to.

**RESOLUTION TO COMPULSORILY ACQUIRE
LAND AND BUILDING THEREON KNOWN
AS BUCCANEER AT BAYWOODS,
ST. JAMES**

The sixth Order of the day was called — to move the passing of a Resolution to approve the compulsory

acquisition of land together with the building thereon known as Buccaneer situated at Baywoods, St. James, for use as a Community Centre.

SENATOR O'BRIEN TROTMAN: Mr. President, the Government is not only aware of the need to create windows to the sea and to have recreational facilities near the seaside for Barbadians, but we also believe that we have to provide community centre services which the Government has always provided in the last administration and more so in the new one. Community centres are established throughout this country. They are administered by the Ministry of Labour and Community Services and most of these centres, Sir, provide indoor and outdoor recreational facilities. Some are used as well in the skills training programme and other adult vocational classes, and I believe, Sir, that this is the first one in St. James although they are in other parishes. We look forward to the residents of St. James making full use of the Community Centre and we further hope that the abuse of centres which we have seen in the past will not be extended to the new centre.

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

SENATOR W. O. FRANKLIN: Mr. President, first of all on behalf of my colleague and myself I want to thank you for the welcome extended, although as was so plainly expressed by my fellow Senators the occasion that merits our presence here is not one that they are very happy about. Be that as it may, I can only give you the promise of my colleague and myself that we will pledge to try to achieve at least the standard of debate that has been carried on by the former members.

This Resolution for the acquisition of a property at Baywoods to be used as a community centre gives one an opportunity to examine fully the use that has been made in the past of the existing centres and to probe to see exactly what is needed to improve the use of these centres, not only that they can be used as recreational centres but also as centres of learning.

Mr. President, the present use of the community centres in Barbados is one that saddens me quite a bit, and it is due to the fact that in my opinion the department under which these centres are administered has not developed the type of community programme that has to this present day involved the people in the community in such a meaningful way that they would see these centres as part of themselves, and therefore be a lot more careful with the use of these centres. It is my opinion, Mr. President, that the Ministry could well seek to strengthen the staff facilities that are presently available in the community department and to see that the officers

plan and carry out their duties in such a way that sports clubs, social clubs, people in the community are by their efforts and their endeavours brought into the administration of the community centres in a more meaningful way, and it is also my opinion that if you could cultivate in the people using these centres a feeling of belonging, a feeling that the centres are theirs to protect and use, a feeling that the centres are there to develop them physically, mentally and otherwise, that we would see the end of the abuse of these centres.

At the moment in some of the centres the care-taking facilities are so lacking that some, it is well-known, are being misused and I can only invite the Minister to seek to have the Department exercise a lot more care in the protection of these centres and to make sure that a programme is mounted that people will be taught to use these centres in the best way. Thank you.

SENATOR THE HON. D. G. BLACKMAN: Mr. President, I listened carefully to the maiden speech of Senator Franklin and he made reference to Community Centres which fall under my particular Portfolio. Let me say at the outset that it seems to me that Senator Franklin is commenting upon the Community Centres as they were operated in another era. I hear a voice asked *sotto voce*, "Which one?" I will say the era under the Democratic Labour Party administration during which time, Mr. President, the Community Centres in Barbados fell into an unprecedented state of decay. The vast majority of the Community Centres in Barbados were constructed by the Barbados Labour Party Government during the 1950's and only one or two during 15 long years of neglect and social development policy in Barbados by the Democratic Labour Party.

Mr. President, when this Government assumed power, we found the Community Centres in a state of decay and disrepair. There were being used as Lovers Lanes. Some of them were being used as a substitute for toilets. There were no programmes for the Community to speak of and we immediately addressed ourselves to this question.

A plan for the refurbishing and repair of Community Centres was immediately executed and the Community Development Division was given the green light to proceed to use the Centres as locations for its training programmes. It may be news to Senator Franklin that during the last four years, over 1,500 people have been trained in the Community Centres of this country in a wide variety of activities including cake-icing, embroidery and the like. This was done by the Community Development Division at the 15 Community Centres throughout Barbados.

Mr. President, it may be news to Senator Franklin that the Skills Training Programme which your humble

servant had the honour to institute in April, 1979 is a community based programme and that programmes in Skills Training are conducted at eight Community Centres throughout Barbados at the present time and from April, 1979 until the present time some 550 persons have been trained in our intensive short-termed modular Skills Training Programme within the Community Centres.

Mr. President, it may be news to Senator Franklin as well that when I assumed responsibility for this Ministry, we looked at questions relating to cultural development. We in the Ministry of Community Services believe that the Ministry of Culture was not established in terms of personnel in order to deal with the development of what I call grass-roots culture.

The Ministry of Culture was established to deal with Institutional culture and if the promises of 1966 of nation building were to be fulfilled, it was necessary for cultural development moving beyond the institutions into the highways and hedges of ordinary men and women be carried.

We started this programme in the Pinelands, although I understand that certain would-be politicians are moving around the country taking credit for a development in culture that is the brain child of your humble servant.

You may have seen recently a film called "Nigger Yard", filmed in the Pinelands. The actors were all young, barefooted, black persons drawn from the Pinelands. I was responsible for developing this programme which constituted a radical break-through in culture and represents the embryonic stage of the Entertainment Industry in Barbados and this was done with the Community Centre at Parkinson as the catalyst.

I believe that Senator Franklin should be made aware of these things and I hope that if he was some kind of Rip Van Winkle until he entered the hallowed halls of this August Chamber he is well awakened to the realities that have been taking place within the domains of social development in this country.

Mr. President, there are many many other things I could tell the hon. gentleman about what is going on within the Community Centres of Barbados which are used as vehicles for social development policies which represent a qualitatively different approach to social development in this country.

Mr. President, I have said these things many times in the halls of this Chamber and I do not want to tire other Senators with a recital and the repetition of the things that we do in the Community Services Division but I would like to exhort persons when they stand on their feet in this August Chamber to prepare their homework

and offer suggestions which are constructive and if offered in a constructive and not carping spirit, I am prepared to accept but where unfair comments are made for the sake of criticism, I would find it necessary to reply.

Mr. President, I hated to identify the Senator by name in his maiden appearance but I felt that since my Ministry, and as a Minister myself, was alluded to, it was necessary for me to rise and put the record straight. Thank you very much.

Mr. PRESIDENT: Senator Boxill.

SENATOR N. BOXILL: Mr. President, for verbosity.....(ASIDES).....verbosity, you do not ask me about what word I use.

Mr. PRESIDENT: Please address the Chair.

SENATOR N. BOXILL: I am, addressing the Chair, but I was answering an aside. For verbosity, Mr. President, the Honourable Member, who just sat down, takes the cake. (ASIDE: Cream). There are certain people and statements, that must be ignored. What the Honourable Member said, in addressing the Chair, that he might have been a little.....(ASIDES)

Mr. PRESIDENT: Just one minute, Senator. I hope, that Honourable Members will continue to observe the rule of order, in this Chamber. I will give, as much latitude as possible, but, I will certainly be firm, that order prevails, in this Chamber.

SENATOR N. BOXILL: I can assure you, Mr. president, that when it comes to order, that you would not have much trouble with me.

What I was saying is that if I had left this country, during the early sixties, I would have tended to believe, that all of the pomp and big speeches, that I was hearing from the Honourable Member, that Barbados was discovered on the 3rd September, 1976.

One would not believe, looking at the infra-structure of this country, that we, of the Democratic Labour Party and I, as an Honourable Minister of that Government had pushed this country, as far as, it had reached. We had never been really the imitators, we were the originators. When the Honourable Member starts to talk about these social centres, as you call them, social centres, whatever you used to call them, as the Honourable Member said previously, a rose by any other name is spelt the same way. Social centres, community centres, whatever you choose to call them. When he starts boasting about this short-term programme, which he implemented, as far as, I know, and as far as, what seems to me, what they have done is to have a lot of semi-skilled

people and not so very skilled at all in pushing through this programme, trying to fool the masses.

SENATOR THE HON. D. G. BLACKMAN: On a point of Order, Mr. President, I would not even refer to the unparliamentary remark of the personal reflection made by the Honourable Member, but the Skills Training Programme, for the information and education of the Honourable Member is one, which is well recognised throughout the world, as a process of solving short-term and employment problems, among the youth.

I, myself, was Permanent Representative of the United Nations, at the time, that I took the initiative in getting an expert in Youth Training called Mr. Bazinet to come to Barbados.....I am making a speech Mr. President, in order to prevent the Honourable Member, from committing any further errors and in order to

Mr. PRESIDENT: My understanding is that you rose on a point of order.

SENATOR THE HON. D. G. BLACKMAN: and the point of order is to explain, to correct the false impression, false conveyance, by the Honourable Senator, who just sat down, that the Skills Training Programme produces semi-skilled people to fool the people of Barbados. It is a modular training programme, which equips trainees with skills in a segment of a particular trade, so as to make them employable, in the shortest time and the Ministry of Community Services has turned out 550 people, after an average of 12 weeks of training and they are earning an average wage of \$140 a week.

Mr. PRESIDENT: I take it, that you consider that, some clarification of his words. Before I allow him to speak again, I wish to make it clear, that the language, that Honourable Senators use must not imply dishonest motives to other Members.

SENATOR N. BOXILL: Thank you, Mr. President, but in his Point of Order, Mr. President; I do not want to question your ruling; but his Point of Order was certainly another speech.

The Honourable Member, as I said before, would like us to believe, that civilisation had been discovered on 3rd September, 1976, all things beautiful were introduced, by he and his colleagues.

He was telling Senator Franklin about the Skills Training Programme and I agree with what Senator Franklin had said. He talked about, when they came into power, all the community centres, or social centres were in a dilapidated state and he immediately did this and he immediately did that.

Only, I think, that it was last year, when some overseas gentleman came here, that the community centre in St. Thomas was done, painted up, refurbished. I think, that it was Mr. Kaunda. If Mr. Kenneth Kaunda did not come here, the St. Thomas social centre would not have been improved on, although that is the seat where the Rt. Hon. Prime Minister represents. Somebody said, "well represented", yes, of course, well represented. When I represented it, it was not in that dilapidated state.

The majority of these social centres, or whatever they are called, I call them social centres, were used more for dancing than anything else. When the Honourable Member is saying, that they are used for people to ablute themselves in, this is news to me, but I would also tell him, that I have seen a similar thing happen in schools, you are not going to tell me, that schools were made for that purpose. I am also hearing, that people put stuff in cars, do not tell me that cars were made for that purpose.

You might get one disgruntled person, I remember, when we opened a bath in St. James, in the same Orange Hill, before we got the chance to open the bath, somebody used it, for their own purposes and they did not use it for flushing purposes. They used it, on the floor. You will get this, in any walk of life, in any community, people who will do this sort of thing, so do not try to create the impression, that we, in the Democratic Labour Party had the community centres specifically, or used them specifically, for people to go and ease themselves off in. The community centres, when we came into power were used to give jobs, to some of the henchmen.

They were used for dances, they were used for a lot of things that were not really in the community spirit. What Senator Franklin was trying to say was that he hoped that the community centres would be used for community purposes and not as they were being used prior to the DLP coming into power and during the DLP regime. I am not going to say that some of them were not used during the DLP regime like that, but do not try to give the impression that you are Mr. Know-All and that your colleagues know more about running anything than anybody else.

Mr. PRESIDENT: Please address your remarks to the Chair.

SENATOR N. W. BOXILL: Mr. President, I said before that there is one thing you are not going to have trouble with me addressing the Chair, so when I use an aside I am not even going to look towards you, Sir.

Mr. PRESIDENT: Nevertheless, you address the Chair.

SENATOR N. W. BOXILL: Yes, when the hon. member said in his verbose way.....(ASIDE). I do not know about eloquence, it might be eloquent to you, it is not eloquent to me, it was verbose. It might be arrogant. In his verbose way he said that since he came into power he instituted this skills training programme and what have you next, and he went on to say that they have these people in Barbados now working for \$130, or was it \$140, I would like to know how many of these people he could mention who are working for this money, Mr. President. (SENATOR THE HON. D.G. BLACKMAN: 550 people are working). I find it very strange — as I said, I am not a foreigner in Barbados, I lived here all of my life — and I find it so strange to hear about this great employment scheme that the Barbados Labour Party has performed. The Prime Minister said that 14,000 people got jobs since they came into power, now the Minister of Labour is saying that 500 people got jobs since this skills training programme came into operation, and yet still our unemployment situation is something like 20%. (SENATOR THE HON. N. A. BARROW: On whose statistics? Yours?) On the same statistics that you all got to prove that there were 14,000 people working, the same fixed statistics that other people produced. (ASIDE). Somebody here wants to know if Frank DaSilva taught me. No, Frank DaSilva did not teach me, neither did Tom Adams.

Mr. PRESIDENT: Please continue your speech in relevance to the Resolution before us.

SENATOR N. W. BOXILL: Yes, Sir, I was replying to the hon. member. What I would like to know before I sit down, Mr. President, from the hon. introducer of this Resolution is, what about playing fields at this area? Do you have enough land to get playing fields for things such as cricket, tennis, basketball, and so on? Or are you only relieving somebody of an old building for which they cannot find a sale? I would like the hon. member to tell me what they propose to do with this community centre, if dances will be kept in them, if there is enough land for cricket, football, netball and so on, and what else will be done with this building.

SENATOR THE HON. N. A. BARROW: Mr. President, very very briefly, Sir, but when I hear statistics of the sort which just came out from Senator Boxill, I do not believe I can afford to allow them to pass and enter the records as though they have any basis of veracity attaching to them. This happens to be a Chamber in which members on all sides generally take care to do their homework, and we know that the statistics which are used, and which were used in a recent release from the Prime Minister's Office relating to employment are the statistics compiled by the Department of Statistics of the Government of Barbados on a system which was introduced during the tenure of office of the Democratic

Labour Party Government. Fair for one, Sir, is fair for all. We have no reason to question the method, but the same method that showed unemployment of over 22% in 1975 is the same method that shows unemployment at around 11% today.

I do not think, Sir, that Senator Boxill in his first speech ought to be encouraged to believe that he will get away with using figures taken from the top of his head. I was wondering when he was speaking exactly what the point was that he was making, until he came to this very point to which I have just referred, because nowhere did he tackle the basic points made by Senator Blackman, the thesis being that the community centres are now being made proper use of, and if Senator Boxill is going to tell me that he disapproves of a programme that provides training even in the short term for 550 Barbadians and puts them on the job market equipped to earn a living, whereas they were not before, if he is going to tell me this is a society in which there is abundant work for persons who have skills, but where the unemployment problem is largely among women, and where it is to be found among men is to be found among the unskilled, then Senator Boxill is telling me that when he retired from politics — I am sorry, Sir — in 1971 that he retired from politics and from political thinking. This is the only way he could be proposing any such theory.

I think we have to face the fact, Sir, that Senator Blackman has managed to get the Ministry of Community Development off the ground in a most meaningful way, in a way that has made the skills training programme the kind of model of which Barbados can only be proud, because it is now being copied by everybody else. People do not just come and copy something for the sake of copying it, they copy it because it seems to have a hope of producing a worthwhile result.

That is all I want to say, Sir.

SENATOR H. R. LINTON: Mr. President, much as I hate taking issue with my fellow Senator and fellow parishioner, Senator Franklin, in his maiden speech, I feel constrained to do so for some very sound reasons. I notice, Mr. President, that he skilfully restricted his criticism of the community centres to those falling within the ambit of the Ministry of Community Development. He might indeed have extended it to the one or two that fall within the ambit of the Parks and Beaches Commission, and I would wish that he had done so, because I do not know what community centres he knows about, but I know that he should in fact know about King George V Memorial park, and if Senator Franklin wants to be fair and honest to himself, fair and honest to the Chamber, fair and honest to the Minister, fair and honest to the country, he ought to tell the Chamber about the massive size of development that has taken place in Kings Park over the last four years, because even though it falls

under the Parks and Beaches Commission, it is nevertheless a community centre, and I have on several occasions had discussions with the Minister about King George V Memorial Park as a centre. He would know, and I know that the Senator likes dancing, he would know that prior to 1976 he could not go dancing in King George V Memorial Park, and as the Minister said, it is one of the centres that remained shut down, manned by no less than 15 Wardens who are paid to sit down there to sleep.

The toilets were in a dilapidated condition and could not be used; there was one light in the centre of a big park hall, there were no lights on the outside at all, there was absolutely no landscaping, the swings could not be used. In short, King George V Park had fallen to ruin, and we changed all that. It is just a microcosm of a complete community structure so far as it relates to centres, but if my friend, fellow Senator, fellow parishioner would take his mind to something that is near to him, he would see the massive strides that have taken place under this Government and he would be in a position to see the total lack of responsibility that was displayed by the Democratic Labour Party during the years prior to 1976 so far as it relates to community centres. They did nothing at all but shut them down and paid people to stand and watch dilapidated buildings. The young people could not go to play. You go in the Park today, Mr. President, and you see them playing dominoes, they are playing whist, having fairs and get-togethers, and I have seen my friend and fellow parishioner present at King George V Park, so this afternoon he cannot deny that all these things go on, so he can say what has happened at King George V Park.

More than that, Mr. President, I have a letter on its way to the Minister. I have previously held discussions with him regarding the setting up of a skills training programme either at King George V Memorial Park or at Six Cross Roads, St. Philip, and I know that he is waiting for advice as to which is the better location of the two. I have a letter on its way to the Minister to let him know that the only outlet which used to be available to the young people of Six Roads, Marchfield and Four Roads, St. Philip was the centre of which my friend has personal knowledge, and in recent times it has been closed down to these people, so the people in Four Roads, Six Roads, Marchfield and the Farm Housing area have absolutely nowhere to go in order to play games and things of the sort. It has therefore become imperative that something be done immediately to alleviate this problem. I have therefore written the Minister asking him to give urgent consideration to convert the market which is now no longer in use at all into a community centre. I have also copied that letter to the Minister of Agriculture because I was trying to beseech the Minister of Agriculture for some time now to change that market into a B.M.C. outlet. I think the need for a community centre is now more

urgent in Six Cross Roads, St. Philip, and therefore I have written the Minister on this score.

I would have hoped that a point like this would have come to the notice of my fellow parishioner and fellow Senator, Senator Franklin and that he would have joined with me in asking for such a facility for the people of St. Philip. I had secretly hoped that he would say in speaking on this Resolution if we can do it for St. James, let us also have it for St. Philip, but he has not done so. Rather than that he has chosen to criticise the community centres. I think his criticism is wasted, Mr. President, and I would hope that when he speaks on these matters again he does his homework particularly as it concerns St. Philip North and South. Thank you.

SENATOR O'BRIEN TROTMAN: Mr. President, Senator Boxill asked in his address about the 14 000 persons whom this administration claimed got jobs since we were in office. Senator Barrow made some explanation, but I want to make it clear to Senator Boxill now that in 1961 when the Barbados Labour Party left office there were 89 000 persons working in Barbados. In 1976 when the Democratic Labour Party left office after fifteen years of mis-government, there were 91 000 persons working now there are 105 000 persons working in Barbados; 2 000 jobs in fifteen years and we have created 14 000 jobs in four years. That is what we must worry about.

Mr. PRESIDENT: Let us worry about the Resolution.

SENATOR O'BRIEN TROTMAN: As far as the Resolution is concerned, he asked for specific information which I will give him. He enquired as to the playing facilities at the new community centre. It is proposed, Sir, to construct two multi-purpose courts at this new community centre. It is also proposed to erect a playing field at Orange Hill nearby for the benefit of those residents. But before I sit, Sir, I must make it clear that Senator Boxill did not support the Resolution because he made it clear that as he saw it the Government was buying an old building off somebody and therefore the Government would not want to be part of buying that building off persons. We are interested....

SENATOR N. W. BOXILL: On a point of order...

Mr. PRESIDENT: Just a minute. I do not think he said that. I think he asked a question as to whether it was for that purpose or it was for another purpose. I do not think he said that.

SENATOR O'BRIEN TROTMAN: I am sorry; I thought he was suggesting that we were taking it off their hands.

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

RESOLUTION TO APPROVE THE AMENDMENTS TO
THE SCHEDULE TO RESOLUTION
NO. 90/1979

The seventh Order of the day was called — to move the passing of a Resolution to approve the amendments to the Schedule to Resolution No. 90/1979 of 21st December, 1979 set out in the Schedule hereto and that the Senate be invited to concur herein.

SENATOR THE HON. N. A. BARROW: Mr. President, I had earlier give some warning of our intention to proceed with this measure this afternoon because it is an urgent measure. Accordingly I ask that Standing Order No. 22(1) be suspended to allow us to deal with this matter of which less than six days' notice has been given.

The question was put to the Senate and agreed to.

SENATOR THE HON. N. A. BARROW: Mr. President, this Resolution has substantially come before us already in that what we are seeking to do is to amend a Resolution which was passed in here some time permitting the vesting of certain Government lands in the CDB. The Caribbean Development Bank in its headquarters agreement enjoys a commitment from the Government of Barbados to provide the bank with headquarters. As the staff has grown, the bank has outgrown the building at Wildey and has had to lease accommodation from Cable and Wireless. The Government however believes and has conveyed this feeling to the CDB that the time has come that the Government should not be providing CDB with lock, stock and barrel any longer. It has now been established for long enough, and therefore while it is prepared to vest the land, it has got a clear understanding over to the Caribbean Development Bank that the Government is no longer going to have to shell out everything for the purpose of building. The CDB

will look after their own building, the Government will give them the land, and the Government now, even if the bank were wound up, would enjoy first option to buy back the property from the bank.

To facilitate this, Parliament passed a Resolution which after the surveys were done, it turned out had certain errors in it, the principal point being that the description in the Schedule referred to lands on all sides by other lands of the Crown which also forms part of the said Wildey Plantation, when in fact it should be "on the South on lands of Lisle Emtage".

What this Resolution now seeks to do is to replace the faulty description with the correct description. The plans which I have circulated here this afternoon will indicate quite clearly that the correct description is the one in this afternoon's Resolution. In short, Sir, we have already substantially gone through this matter and what we are now doing is seeking to have the correct land changed by ensuring that the description in the Schedule is the correct description.

I therefore beg to move that this Resolution be concurred in.

The question, that the Resolution be concurred in was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to move that this Senate do now adjourn until Wednesday, 4th of February, 1981, at 2.30 p.m.

The question was put to the Senate and agreed to, and Mr. President adjourned the Senate accordingly. 4.28 p.m.

THE SENATE DEBATES

(OFFICIAL REPORT)

SECOND SESSION 1976 – 81

THE SENATE

Wednesday, 4th February, 1981.

The Senate met in the Senate Chamber, Public Buildings, on Wednesday the 4th February, 1981, at 2.45 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 K. R. HEWITT, B.Com., C.A.; Senator Mrs. E. M. LYNCH, B.A.; Senator J. D. S. MACKENZIE; Senator Miss M. I. St.C. BLACKMAN; Senator J. C. W. WICKHAM; Senator N. W. BOXILL; Senator W. O. FRANKLIN, J.P., A.I.A.S.; Senator the Hon. D. G. BLACKMAN, (Minister of Labour and Community Services) and Senator R. E. BRATHWAITE.

Prayers were read by Dr. L. Crawford.

ABSENT

Senator C. I. E. DEANE.

EXCUSE FOR ABSENCE

Senator C. I. E. DEANE.

ANNOUNCEMENTS BY HIS HONOUR THE PRESIDENT

Mr. PRESIDENT: Honourable Senators, I wish at this point to notify the Senate that our Chaplain has

recently suffered bereavement in the death of his brother and I am sure hon. members would like to express through the Chair their sorrow to our Chaplain in his bereavement.

I will ask hon. members please to stand for a moment as a token of this.

Honourable Senators stood in their places for a moment's silence.

I shall ask the Clerk to send a letter on behalf of the Senate to Rev. Crawford.

INTRODUCTION OF BILLS

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

A Resolution to approve the compulsory acquisition of land at Speightstown, St. Peter, for the construction of the Speightstown By-Pass Road.

A Resolution to approve the compulsory acquisition of land at Workmans, St. George, for the widening of the access road to the Pulverisation Plant.

PUBLIC BUSINESS

SENATOR THE HON. N. A. BARROW: Mr. President, on this afternoon's Order Paper are three Bills and it is proposed this afternoon that the order be reversed so that Order No. 3 would become the First Order of the Day, Order No. 2 the Second and Order No. 1 would then become the Third Order of the Day, if indeed we reach that far today.

The reason for that last comment is to remind the Honourable Senate that in the Corruption Bill which is Order No. 1, there is reference to the Integrity Commission which has to be set up under the Conflict of Interest and Integrity Bill which is Order No. 2 and there-

fore until Order No. 2 has been passed through all its stages it would perhaps not be advisable to have us proceed any further with Order No. 1.

Mr. PRESIDENT: Will you please call what is now Order No. 3 as Order No. 1.

BARBADOS NATIONAL BANK (AMENDMENT) ACT, 1981

The First Order of the Day was called — To move the Second Reading of a Bill to amend the Barbados National Bank Act, Cap. 322A.

SENATOR THE HON. N. A. BARROW: Mr. President, this is a very short Bill and really poses no difficulties.

My introduction therefore, Sir, will be accordingly short. The Barbados National Bank Act, Cap. 322A at present has no legal provision for the making of Statutory Rules, or Regulations, in respect of functions of any division, office, or branch of the Bank. There are certain things, which, in order to more efficiently carry out its function, as the State Bank, the Barbados National Bank would wish to do. For example, Sir, the Bank would wish to offer trustee services and for that reason, it has now reached the stage, where certain Regulations are at least highly desirable and for the efficient function, these Regulations will indeed be necessary. Since these Regulations can only be made, pursuant to Statutory Authority, then, the statute must provide for the making of these Regulations.

At present, the Statute does not so provide. Consequently, it is now proposed to add:

"Rules or regulations may be prescribed for the purpose of regulating the functions of any division, office or branch of the Bank that is established by or in pursuance of this section."

It is proposed to add this to Section 3 and notwithstanding Section 61 of the Interpretation Act, it is not necessary for rules, or regulations made under this Act to be published in the Gazette and any such rules and regulations, unless they otherwise provide shall come into force, on the date on which they were made. Until this legislation is passed, the necessary regulations, in order to facilitate the establishment of a Trust Division of the Bank cannot be made and therefore, the Bank will be limited in the range of services it will be able to offer.

Mr. President, 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. A. Hatch in the Chair.

Mr. CHAIRMAN: Senator Hinds.

On the motion of Senator K. E. Hinds, the Bill was taken as read.

Clauses One and Two inclusive were called and passed.

On the motion of Senator the Hon. N. A. Barrow, the passing of the Bill in Committee, without amendments was reported to the Senate and Mr. President resumed the Chair and reported accordingly.

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

INTEGRITY IN PUBLIC LIFE ACT, 1981

Order Number Two was called — To move the Second Reading of a Bill to make provision for the avoidance of conflicts of interest by persons engaged in governing, guiding or administering the public affairs of Barbados and to establish a body to monitor the assets of persons in public life.

SENATOR THE HON. N. A. BARROW: Mr. President, this evening, we have come to the much talk about Integrity legislation, which was foreshadowed in the Manifesto of the Barbados Labour Party in 1976, under the following statement under the heading "Integrity and Morality in Government":

"The Party therefore repeats its plans, a pledge contained in the 1971 Manifesto. It will pass legislation providing for the Members of Parliament, Senators and politically appointed members of Statutory Corporations to disclose their financial assets and liabilities, on assuming office, periodically, during office and on termination."

The legislation, Sir, which we have in front of us reflects an examination of the existing Barbados Law, on the subject and the fact, that while there is legislation dealing with some of the problem areas of conflict of interest, there is no single Statute, which has as its purpose the avoidance of conflicts of interest, by persons in public life. For example, Sir, you will find, in the Privileges, Immunities and Powers Act, Section 30(1):

"A member shall not in or before the House to which he belongs take part in the discussion of any matter in which he has a direct pecuniary interest, nor vote on any such matter without disclosing the extent of that interest."

Also, we may go to our Standing Orders and the Standing Orders of the Other Place which state that:

"No Member shall appear before the Senate, or any Committee thereof as Counsel or Solicitor for any party, or in any capacity for which he is to receive a fee or reward."

In the public service the General Orders which govern the behaviour of civil servants also reflects this concern in this provision:

"An officer, whether or not his whole time is at the disposal of the Government may be required to disclose for the information of the appropriate Service Commission, particulars of any investment, or shareholding which he may possess in any company, occupation, or undertaking, or any other direct, or indirect interest in such organisation."

"If it is disclosed that the officer's private affairs conflict with his public duties, or in any way influence him in the discharge of his duties, the officer shall to such extent as may be directed divest himself of such investments or interests."

I think, Sir, that those provisions indicate much of what really is a legitimate area of concern, and that is, that those of us who are enjoying public office, whether on the political side or on the bureaucratic side, must be aware of the important maxim that justice must not only be done but it must be seen to be done, justice must be manifestly done, and therefore the legislation which meets the point is legislation which will not only make it clear that there shall be no conflict of interest but that there shall not even appear to be conflict of interest.

I mention this, Sir, because in the legislation before us this afternoon I am sure that the attention of many members will focus on whether some of the provisions are indeed necessary, and while I am not setting out to defend any of the provisions, I am making the point that we have to understand that perhaps the drafters rejected a more simple form of legislation because they are concerned that unless it is manifest that justice is being done, then the necessary measure of public confidence in the administration of the public affairs in this country may indeed not be achieved.

In fairness therefore, Sir, I must mention the other side, and that is that we have to be very careful that we do not therefore in our anxiety to provide as good an image as is possible, we do not go too far over and come up with a formula that is indeed burdensome and non-productive. I believe that we have to understand that in a small community there is not all that large a number

of persons available to give public service of the quality that efficient government requires, and that we must therefore be sure that the legislation which we pass reflects the reality of the Barbadian situation, that it does not show too heavy an influence of the legislation operating in other parts of the world, because integrity legislation today is nothing new, there is legislation all over the place. There is all sorts of legislation, and some of the legislation in other parts of the world has indeed proved to be burdensome, and we must therefore be sure that we arrive at a formula which, while effectively dealing with our own situation, will not have the effect of discouraging people who have a sense of privacy from participating in public affairs. I do not believe that because I may be willing to make my own material affairs a matter of public record, that the other man must be called upon to do so; a man's private business is his private business.

I believe, Sir, that in going through this legislation we have to look very carefully at the provisions which deal with private contracts, because we have to be sure that we are not saying to people, you will have to decide whether you will play any part at all in the public life of this country, or the choice is to stay in the profession or to come fully into public life, or something of the sort, because we can produce a formula in which people who legitimately conduct business with the Government or an agency of the Government, or who may be a member of the family within the definition of this legislation that conducts any such business may find that for no good reason they have to take a decision as to whether they can afford to stay in public life. These are the considerations, Sir, which I believe we have to look at very, very closely.

I would not like to believe that if this legislation in its present form should become law that we suddenly find that someone who does more of a public service than really what one might otherwise call a job looking for fair financial return, such as people who might have in the past given services such as police doctors or something of the sort, that if they were members of this Chamber they could not give a service as a police doctor, for which they might have had an income of a little better than \$30 a week, because all of a sudden they will be found to be in the situation of private contract with the Government.

I believe, Sir, we need to look very closely at these provisions, because we need to examine whether some of the provisions do not indeed reflect the realities of a country larger than ours in which the dynamics of the situation are different, and the real potential for conflict of interest is something which we cannot indeed even begin to think about. I believe that we must not necessarily go the road of saying that legislation is of no use unless it has teeth. I know that school. There are

people who feel the more draconian you get the better legislator you are, but I want to go on record as saying that the history of public life in this country has not been one of corruption. I am not saying that there has not been any circumstance in which somebody in public life has not been corrupt, I cannot say that. Not only if we have no evidence we still should not say it, but unfortunately we have evidence that there was at least one corrupt man in the life of our recent political history, so let us face the facts.

We have, however, to ask ourselves, because there has been one such person, are we now to design our laws in such a way as to put all who enter into public life with the most noble and most honest of intentions for ever in a straight jacket, or to discourage people because we make it burdensome for them to come into public life. That is the question we have to ask ourselves. In short, Sir, I am saying that this is legislation which in the same way that in the Other Place they took it into Select Committee and looked at it long and hard and came up with something different from what at first went down, at this level the same kind of look is going to have to be taken at this legislation.

Some senators may not be aware that this is legislation which the Cabinet took a decision to send down without having settled its form. The Cabinet considered a draft, there were changes, but because of the very nature of it, and the very fact that in Parliament its members would have a very active and legitimate interest in the details of this legislation, a decision was taken to let it go to Parliament and let members knock it into shape. The irony of that, Sir, was that it gave certain members who believe that everything is a para-political issue an opportunity to go on the platforms and to speak with a little more relevance than they usually do, not with any greater substance, Sir, but with greater relevance, because at least they were talking remotely about something which was in existence. But the Bill has never reflected hard and fast positions taken by the Government and it was not meant to. What the Government is quite firm about is that there must be appropriate integrity legislation, and I use the term "appropriate" because we would hate to believe that in our haste we bypassed anything which would have been more appropriate to our own interest and to our situation, and went for something because it was recommended from elsewhere. For that reason, Sir, I do not believe there was need for me to speak at any greater length on this Bill.

I believe that there is no member of this Chamber who would disagree with the desirability of having integrity legislation. I believe that the general aims if we sought to work them out, we would have little difficulty in the general range in determining what it should cover, but the specific provisions, I know

because some members have in fact spoken to me, the specific provisions are a matter which I know there is some divergence of view on. I believe that every man jack who looks at this legislation would readily agree that Senators no less than members of the Other Place have a very relevant concern about the contents of this legislation. I have sought, Sir, in putting it this way to remove some of the cloud, because whatever happens people like myself and my colleague, Senator Blackman, will have to make the full declarations whatever happens, because it is unthinkable that you can hold political office as Minister of the Crown and escape the full effect of the legislation, and that is why I believe that I am in a better position to articulate what I know is a real concern held by a number of other Senators. I believe it is better for me to make the point than for them to make it in an atmosphere where somebody will always wish to suggest that they have something to hide. This is not a community, Sir, that has been very kindly disposed to respecting people's right to privacy. Because a man is by nature a private person, because a man does not want to get up there and read out his business and tell people what he owns or does not own, what he owes or does not owe, does not mean that he has something to hide. I think people are entitled to that little consideration.

The provisions of the Bill one will find to be quite embracing. I referred to the matter of private contracts. I believe, Sir, that we will really be able to avail ourselves of the services of a legal adviser when looking at that provision in Select Committee, because we need to be assured that those provisions relating to private contracts do not mean what they appear on the surface to mean. Of course, Sir, it would also attract my attention I believe and I can speak only for myself when I say that certain of the other provisions ought perhaps to be improved, because if we look at Section 10, spouse and children, I really wish to know whether we are there recognising somebody else's customs or our own. The spouse of a person in public life, for the purposes of this Act — because we are talking in section 11 about family income and expenditure — includes a person of the opposite sex who is living with that person in the circumstances of husband and wife at any time during the period in respect of which a declaration is required to be filed by that person; but (b) does not include a lawful spouse who is living separate and apart from that person under a judicial separation or separation agreement, or a lawful spouse who has ceased to cohabit with that person and proceedings for their divorce have been instituted.

What happens to the reality of the lawful spouse who is not living with that person even though there is no judicial separation or separation agreement and who has not begun divorce proceedings? Would somebody seriously suggest to me that that situation is any

different? I believe that the reality of the situation is that somebody who had to make any return in relation to the assets would probably find it easier to get the information out of a spouse from whom there is some judicial separation than from the one where there is only a *de facto* separation.

These are matters whether the *de facto* situation is going to effect, whether you can get the information or not, or whether you would know what is happening or not so how are you going to tell a man or a woman that the spouse that he or she is not living with but is not legally or judicially separated from and who has not begun divorce proceedings has affected the situation of the family assets by entering into this or that or has now put you in a difficult position because they have gone and entered into a private contract with a Government or Government Agency.

These are certain concerns which I think Senators have legitimate concerns and I believe that we are going to have to look at the legislation very closely. We have to satisfy ourselves that the model we are using is sufficiently adapted to suit our own circumstances.

I believe, Sir, that having said that I do not have to say anything more and I move that this Bill be now read a second time.

SENATOR D. MACKENZIE: Mr. President, in rising to speak on this Bill it is my intention to cover a little bit of history as I see it and to highlight the reasons and the weaknesses of our Governmental system which have made it necessary for us to come to the conclusion that we must formulate some kind of legislation designed to restore and preserve public confidence in the integrity and in the honesty of people in public life and also in the safeguarding of public funds.

It is not my intention, Sir, in speaking on the Bill, to try to lay any blame on any political party or any particular individual or for any transgression of the past but merely to put forward, as I see it, Sir, my view for the reasons why this unfortunate state of affairs and apparent lack of confidence in persons in public administration has come about.

To put the matter in perspective, if we were to cast our minds back to the months of 1976 preceding the General Elections in September of that year, we would recall that there was a general state of uneasiness and I think we could almost term it a state of disgust that existed among everyone which was caused by numerous remarks of what is now known as "infelicities", I think it is, in several areas of public administration.

Following the Elections in September, 1976, I think we will also recall, Sir, of having had various public

enquiries and public investigations into several areas of public administration. Now, Sir, it is not the results and the findings of all of these various investigations that are important for the purpose of what I have to say. I only wish to make the point that it was around this period of time that public confidence and public administration appeared to be at its very lowest ebb. Also, that it was against that background, Sir, that this administration evidently felt that it should formulate some kind of legislation to restore public confidence.

I think it is true to say, Sir, that the apprehension that was felt at that time about the confidence of people in public life and public administration has receded and it is not at the same level that it used to be.

The fundamental problem that this Bill is now seeking to rectify, namely to restore that public confidence, all started in my opinion way back in 1954 with the advent of Ministerial Government. The change to Ministerial Government fundamentally changed the rules of the game of governing and this change has progressively over the years opened the doors for opportunities for infelicities to occur in public administration.

I think that we can all accept as self-evidence that the Ministerial Government irrespective of its benefits or otherwise as a form of Government, Sir, has increasingly diffused collective knowledge, collective action and collective responsibility and placed on an exclusive basis the ever increasingly levels of what is very often uncensored and can also be, in some instances, termed as discriminatory powers or authority in the hands of an ever increasing number of people.

In 1954, Sir, when Ministerial Government was first introduced, we started with only four Ministries with the then Ministers responsible having very limited powers. (ASIDES). I hear an aside, Sir, that it was five. I have a list here from the Government people saying that it was four and if it were five I stand corrected but it is not important. I believe that four is the correct number, Sir. Today, Sir, this number has increased to 12 Ministries, not including the Prime Minister's Office and with the Ministers having exceedingly wide authority as compared to the original Ministers.

Again, Sir, we must bear in mind the kind of legislation that we have. We term it now "modern legislation" and this legislation places exclusively in the hands now of a greater number of Ministers tremendous powers of what I should term as exclusive decision-making which if we think of it carefully, Sir, effectively lies in a large measure outside of the direct scrutiny of the public, of Parliament and even in some instances, of Cabinet. You will recall, Sir, ...

SENATOR W. FRANKLIN: Mr. President, Standing Order 31(6) says:—

“A Senator shall not read his speech but he may read extracts from books or papers in support of his argument, and may refresh his memory by reference to notes.”

Mr. President, I regret to draw your attention to the fact that it is my opinion that the Senator is reading his speech.

Mr. PRESIDENT: Senator Franklin we will leave matters of that sort to the discretion of the Chair. I think the Senator's notes may be a bit full but under the circumstances I do not propose to interrupt. Proceed, please.

SENATOR D. MACKENZIE: Sir, the legislation that has been passed in this place from time to time I think that there are many, many examples of what I am trying to say and one of them lies in this particular piece of legislation which I happened to find at the time I was thinking of the subject and it has to do with franchises and it shows that the Minister may, by order, exempt any business from the application of this Act which is by Order, so that is known.

Then, it goes on to say:

“Notwithstanding sub-section One, the Minister may refund, waive, or remit any licence fee paid, or payable, as the case may be under this Act.”

That is an example, Sir, of the type of thing, that I was talking about, which we referred to of modern legislation and which places more and more authority, in the hands of Ministers.

Now, at this point, Sir, let me say, that I would like to repeat, that I am not trying at this point in time, either to argue the pros or the cons for Ministerial Government, I am merely trying to show, that since 1954, the opportunity for infelicities has increased and that the number of people involved has also increased. Again, there are two other areas which, I think, Mr. President, have had similar effect. One is to do with the abolition of the Parochial type of Government, which we had before, which was known, at that time, as Local Government, I believe, Sir, and also it is to do with the policy, that has been progressively adopted, by all the various administrations, whereby, Government influence and control has been continually broadened into almost every area of everyday life. The consequence of these two areas has substantially increased the numerical base of people, who are not involved in public administration and in dealing with public funds. So, these two actions of

the past have again widened the scope and opportunity for temptation.

To substantiate the point, that I am making, with regard to these, Sir, I have here, a list of Statutory Boards and the list of things, that have been formed, since that period of time and in 1954, according to the list, that I have been given, we had only 16 Statutory Boards. Today, we have in excess of 62 such bodies. In 1961, we had 27, they count here, as departments, Sir, while today, I understand, that there are 58 departments.

Now, Sir, apart from the merits, or the demerits of the necessity for these changes, and for having all of these Statutory Boards, I think, that we have to accept, Sir, that they in fact do exist and because of this, that the opportunities and the numerical base for possible infelicities have increased. It is against this background, Mr. President, that the lack of confidence has occurred because we are broadening the base, with every piece of new legislation.

Let me say, Sir, that in the past; I do not think, that people today are any more dishonest, than they were in the past. It is my firm belief, that it is because of the history of the type of legislation and the increase of ministries and the increase of Statutory Bodies, that we are having more and more problems, with regard to the maintaining of integrity of the people involved. I think, that we must be practical too and accept the weaknesses and the frailty of the human spirit to succumb to temptation and we have to accept, that to defuse collective authority and responsibility, at the top and place it in the hands of more people of necessity will cause more problems.

Now, Sir, I do not like the concept, which is embodied, in this Bill, whereby members of the Other Place, as well as, members of the Senate must make personal, financial declarations. I feel, that this is uncalled for, Sir and I feel, that if it is pursued and the Bill goes through, in the way in which it has been presented, that it will have the effect of preventing many people, who would come forward for elections, or who would be prepared to be nominated, as members of the Senate, from doing so and they will not accept nomination and they will not come forward, not because they are dishonest, or not because they feel, that they do not have a contribution that they can make, but they will not come forward, Sir, because they would object, in my opinion, to the invasion of privacy, that this act would impose upon them and I think, that in the long run, it will not be beneficial for the community, as a whole.

Again, Sir, I find, that that part of the Bill, that calls for declaration of the assets of every member of

Parliament and every member of the Senate to be illogical and unjust. The Bill places the obligation for financial declaration, Sir, on all parliamentarians and senators without recognising the fact, that only some of them hold positions, in public administration and therefore, are not in a position, if they were so tempted, or so inclined to use their position for the purposes of personal gain. If I can illustrate, by asking the question, Sir, how can Opposition members in the Other Place and in this Senate, or how can members of this Senate, who do not hold ministries, or Chairmanship of Statutory Boards, how can that group of people use their influence in the field of public administration, when in fact, they are not administering over anything? They cannot use their position for personal gain.

Again, Sir, in the Bill, I would like to ask the question, "What is the rationale for leaving out that host of persons, who are intimately involved in public administration and are not in the House, or in the Senate?" I know that people, and these people ought, if we are going to have to make such declarations, ought to be covered because I think, that we have cases, Sir, I can think of one case, where a Chairman of a Statutory Board, who was running for a bye-election used the finances of his Statutory Board to increase the employment of people, within the Board, over which he had authority, in his constituency hoping to gain an election victory from so doing. These people ought to be covered and should not in any way, be exempted.

I can understand the point being made about Ministers and why they should be asked, but even so, Sir, I personally find, that is a most unfortunate thing to have to do and I would like to think, that there will be ways and means, which even he would not be called upon to make such financial declarations because I believe, with a little bit of ingenuity, that we can overcome that problem.

Now that we are addressing ourselves, Sir, to this whole concept of integrity legislation, I think that we must do two things. Firstly, Sir, we must ask ourselves if what we are doing is in the best interest of the community by imposing such legislation. We should also ask ourselves whether we are doing the right thing to continue passing the kind of legislation that we have been passing which concentrates the authority of decision making in the hands of a very few.

I do not think that to follow what the legislation is asking us to do is really and truly even for Ministers in the best interest of the community. I feel that there are large sections of this Bill which could and should be embodied into the piece of legislation which will be dealt with next, which is to do with the reform of the law relating to the prevention of corruption in Barbados. With some modification many parts of this legislation could

easily find its way in there, particularly in the area of conflicts of interest. There is no reason why it could not be in there.

Again, Sir, let me repeat. I am confident that the law makers have the ingenuity and the ability to come up with mechanisms that are not as harsh as making everyone in public life, whether they are in the Other Place or are in the Senate, or are Chairmen of Statutory Bodies, or are Civil Servants, to make them all declare their assets and those of their families on an annual basis. I think the legislation is too harsh to deal with what in reality the situation has been. I do not think that it leads to the right type of community that I would like to see, and I think that it would also cause severe problems with regard to who would be prepared to come forward and who would be prepared to accept nomination in the Senate. In the long run it can only be harmful, it cannot be of any value or any good, in my personal opinion.

I recall that when this Bill was placed by the Prime Minister before the House of Assembly it was reported in the Press that he invited that it be sent to a Select Committee, and he invited the Opposition members to be a part of that Select Committee to work with the Government so that a good Bill could be made, and one which would be in the best interest of all. Why the Opposition party elected not to be a part of that Committee, I honestly cannot say. It is a matter entirely for them to defend themselves in that position, but I would like to think — and mention was made of it by the Hon. Senator who introduced the Bill — in his introduction he made mention that he would be amenable to the fact that this Bill could be referred to a Select Committee of the Senate. To me, Sir, I think this makes a great deal of sense. I do not think that the Bill as it stands is a good Bill, and I would like to think that we will refer it to a Select Committee, because I am convinced that we do not have a proper and completed Bill. All the points, and the significant points that matter, have not been taken account of in the Bill, and I think that a lot of tidying up can be done, and I think that perhaps with fair and reasonable argument we can avoid going the road that we are now going, which as I have said before in my opinion is not in the best interest in the long run of our community.

So with that I would like to formally move that this Bill which seeks to preserve the public confidence in integrity and honesty of persons in public life be referred to a Select Committee for further study. I thank you, Sir.

Mr. PRESIDENT: I think the proper course in so far as a Select Committee is concerned is that if members agree with the general principle of the Bill at the question of the Second Reading, that immediately before the usual process of going into a Committee of the whole

Senate, a member moves that it go to Select Committee, but not at this stage of the Second reading.

SENATOR SIR MENCEA COX: Mr. President, it is not my intention to speak at length on this Bill, I rather intend to speak on the next Bill dealing with something similar, but I rise merely to correct and to put the record straight as to what Senator MacKenzie has said, that from 1954 because of ministerial status or Government, that the door to infelicity was opened.

I differ most profoundly from him in that respect. I should also like to inform him that in the initiation of ministerial Government there were five Ministers, not four. You had the Premier, the late Sir Grantley Adams, you then had the Minister of Social Services, the late Dr. Cummins, you had the present representative at the United Nations as Minister of Industry, Trade and Tourism, you had Minister Talma as Minister of Agriculture, and I held the portfolio of Communications, Works and Housing, I think those are five Ministers.

But, more important, Sir. I would like to assure Senator MacKenzie that the work was done in a similar manner to what went on before ministerial Government was introduced, and that is to say, whatever the Government intended purchasing, renting, leasing or whatever the case would be, we went to Parliament. If we wanted to purchase Enmore for a Health Centre, as we did, we went to Parliament and explained everything in its minutiae in order to satisfy the House of the necessity for the item. If we wanted a Resolution to rent somewhere, take for example, I remember we wanted to rent a narrow bit of land at Seawell for someone to put down a little place to store gas to deliver to the planes and so. We went to the House with that, and I remember well when the Premier suggested that any little thing like that we need not waste time with papers and Civil Servants' time in doing it, I remember well the former Prime Minister as a member of the Opposition opposing it and saying that that was the thin end of the wedge, and the Premier at the time, the late Dr. Cummins, said that if that was so he did not want that.

If we wanted to transfer land, if we wanted to buy a piece of land, whatever it was, it went to the House, it was well debated, and if members were not satisfied that Ministers had given them all the necessary information we had to postpone, and used to postpone, the items and get more information and go back to Parliament. That is so, so it was absolutely no question — and I repeat — no opportunity of any infelicity or corruption or anything of the sort.

As a matter of fact, I have said before and I want to repeat here that I operated under two Premiers and I would say they were like Caesar's wife, they were above board. There were no underhand doings whatsoever with anybody. I am sure about that, and we left it so. But the

change came. We did not change. Soon after the other Government took over, the other Government put certain sums of money in the Estimates from which they could buy anything in this Caesar's world without going to Parliament and explaining to Parliament anything about it. It was not the Barbados Labour Party. I can stand up and any person who knows that Government and every civil servant that operated under us at the time can vouch for our integrity and honesty in dealing with everything that went on at that time; so when it comes to the question as referred to by Senator MacKenzie about from 1954, ministerial Government came here to give to the people of this country the representation which they needed for many years and which they were refused by the former administrations. It facilitated the work; we could get on with building houses for people, we could get on with repairing tenantry roads, we could get on with putting pipes in the various areas where people have to walk a mile or two. We repaired tenantry roads where people had to walk from their homes on Sundays in the mud and come to the main road to wash their feet under the pipe and things like that. We were able to make people wear their clothing at the hospital free without paying a shilling a day and all those things.

Ministerial Government was a good government and it was a government to improve the lot of the underprivileged masses of this country who suffered for many years at the hands of those who ruled them before. What I would like to say quite frankly is that from all I have seen on the files when I became a member of Government and then became a Minister, I would say that those who operated before did an honest job even though they denied the people who produced the wealth of the country their rights as well as their privileges. So I want it to be clearly understood that I dissociate myself completely from any question of infelicity, corruption or anything of the sort even though much may be thrown at us. When we became Ministers we divulged to the Governor our position in so far as whether we were shareholders in any firms and so on, and for myself I was a \$20 shareholder in the bank that was run by Mr. Symmonds, the Co-operative Bank. I had \$20 in that and that went overboard, and I had \$20 in what is called the Self Help Enterprise. That went overboard too, and those were all the shares I had, and I noted it on paper and sent it to Government House, and that is the position, Mr. President. So I am not prepared to sit quietly and accept what the hon. Senator has said about opening the door to infelicity. I want to say this: if a person is honest you can throw all that you have, throw money and so on in front of him and he is not going to touch one half cent, but if he is not honest and you put on a million blocks on it, he is going to try and get them off and get at the money.

SENATOR Mrs. ENID LYNCH: Mr. President, I think we are face to face with a kind of legislation which

is always difficult. Its importance really lies in the fact that it reflects Government's concern for honesty in public life and that we would not have really to come to grips with the difficult task of so wording the legislation as to make it effective. Honesty in public life is not a matter only for the politician. It would be unfortunate if we passed this Bill and went away feeling secure that we would now have honesty in public life, because I do not think that it will effect any such thing. It is valuable because we passed such an Act. The very fact that we have such an Act before us is important. It means that we do not want to have a system of government in Barbados where corruption is taken as a matter of course.

The references to Local Government were perhaps unfortunate especially when compared with Ministerial Government. The chief value of Local Government was that it gave a large number of simpler folk an opportunity to learn about government, to share in government and that the people who had certain duties to perform were close to the people and readily available; but if my youthful memories are correct, we tended to associate corruption more with the doings of Local Government than with the doings of Central Government, so that I do not think it is fair to say that local government was exempt from this sort of misdoing because in fact some people felt that the presence of corruption there was one of the justifications for abolishing it. As a woman I have a feeling about this declaration of assets. I am most ready to declare what I do not have. There will be no difficulty at all about that, but women usually spend money on a great variety of small items. We usually do a lot of small current expenditure, and I think it is going to be very difficult for the female members of the Senate to account for their spending. We can try, but I think we will find it perhaps even more difficult than men because of the nature of the expenditure that we have.

I agree with the former speaker, Senator MacKenzie that this is going to raise some problems, that it may make some people hesitant to enter public life, not because of corruption, not because of the great amount that they have to spend, but because they do not particularly want to declare that they have not got anything to declare. So it may work to prevent humble folk who may have a good contribution to make from wanting to make that sort of declaration.

I feel with Senator MacKenzie that the Chairmen of Statutory Boards might also very justifiably come within the ambit of this kind of declaration. Corporations after all are supposed to be businesses even more than Government Departments.

They deal with business matters and there may be opportunities there also for corruption. Corruption is not only a matter of money. People do not usually in Barbados do anything so simple as just putting the hand

into the till and taking out some money. It is not done in that way.

The greatest problem in a community of this size is the network of relationships. Everybody is related in some way either by kinship, friendship or marriage to everybody else. You never know who is related to whom and it is this sort of network of close relationships which can give rise to people finding it difficult to refuse requests which they ought to refuse. It is not always a matter of finance. It is very often a question of letting something pass or not being hard on somebody or not saying something which you ought to see and so on. It is, I think, the smallness of the community that presents our main difficulty.

Honesty in public life depends finally not only on the politician but on the whole climate of the society, what the society expects, what it expects from politicians and what it demands of them. Very often I think the politician is expected to be dishonest and people will not actually approve of the dishonesty if it means that through that dishonesty they themselves would benefit.

It may well be that in a community where honesty is not the norm the dishonest politician will be elected and admired rather than the honest one. The elector may not mind that some candidate is known to be corrupted especially if he is generous in the distribution of the fruits of his corruption so that finally the effective prevention of corruption lies in the hands of the individual voter in the society. It lies in the collective conscience of the society and so you may very well find that while we may stand here and deplore corruption in general terms, there may be considerable support for it in those particular instances in which oneself is involved.

I am sure that you know such Barbadianisms as "getting by", "seeing for yourself" and so on, not to mention the conspiracy of silence which one often finds on Boards and Committees of various kinds when courageous speech is necessary. Barbadians are very good at the conspiracy of silence in which though we may not do something ourselves we sit down and see it done and, Sir, let it be done and do nothing about it so it is not only what we do but often what we do not do which encourages corruption and which is really the essence of the problem.

So, Mr. President, as I said before, I would have no difficulty whatever in declaring what I do not have but we should not let ourselves be lulled into false sense of security by legislation which the Leader of the House seems to indicate may not have teeth.

If we are going to have legislation, it is not going to be perfect but let me hesitate to say that I agree with the Special Committee for studying this measure and trying to ensure that as far as possible we look for the loopholes as far as possible and fill them in. The result will not be

entirely successful because we are in an area of morality and legality and the morality very often does not well synchronise. You may make a law but it may not have the moral results which you expect and I feel that in as much as there are people who may not want to disclose great wealth, there are others who may not care to disclose great poverty and so one has to look at and should realise the society we are in, how small it is, how closely people are and how difficult it is for people to do what is right, how much courage it takes very often to do what is right because the people involved you will meet them tomorrow. It is not as if you make a decision and that is it.

So, Mr. President, I feel that in spite of my own reservations about this Bill, the mere fact that it is here is a good thing because it is an expression of communities and Governments concerned about the moral issue.

Whether we succeed in making the legislation tidy enough or not, is a different matter. I think we should try. It is worth the effort but the mere fact that we want such legislation is a good sign. It is a hopeful sign in a community where we are lamenting deterioration in certain areas. Thank you, Mr. President.

SUSPENSION OF SITTING

MR. PRESIDENT: I think this would be an appropriate time to have a short suspension rather than breaking the hon. member's speech. This Sitting would be suspended for 25 minutes.

On Resumption:

MR. PRESIDENT: This Sitting is now resumed. Senator Hewitt.

SENATOR K. R. HEWITT: Mr. President, Sir, I propose making some comments on this Bill, in two different areas, so to speak. One, to speak briefly, on the general aspects of the Bill and then secondly, to look at one, or two specific sections of the Bill. Before I do that, I perhaps now would like to follow on, or react, as the case may be to one, or two comments previously made, or impressions, that I have got, from comments made.

Now, I, Sir, do not, or am not of the opinion, that the history of public life in Barbados, over the last 20, 30 years has been one of any pervasive corruption. I may be a bit naive, but I would be bold to say, that generally speaking, Barbadians, on the whole and similarly, the people in public life, who are not other than a mirror of the total population, that we, as a whole are not prone to corruption. From time to time, there may be an individual so prone, or there may be some corrupt deeds done, or dishonest deeds done, but generally speaking, Sir, I think, that it is true to say, that the history of public life in Barbados has been one generally speaking without corruption.

The other point, which I would like to allude to is a point made by Senator MacKenzie. I think, that it is a

bit unfortunate, but, it seemed to come across, even although there are quite a few things that Senator MacKenzie said, that I will agree with, I think, that the point, where he seemed to show some correlation between corruption and the advent of Ministerial Government, I think, that that was a bit unfortunate and I think, that Senator Cox, who obviously is more competent to deal with that has dealt with it. But, I just thought, Sir, that at the outset, I want, so to speak, to be on record, as one who believes, that over the last 20, 30 years, there has been no great corruption, in Barbados and secondly, to the extent, that there has been some, it has in my opinion, nothing to do with the advent of Ministerial Government.

Sir, the Bill before us as stated, in the Objects and Reasons seeks:

"to preserve public confidence in the integrity and honesty of persons in public life," *et cetera*. The first thing that strikes me, in reading the Objects and Reasons is the fact, that if the Bill is seeking to preserve, by definition, it presumes the existence, and to that extent, that I have referred, it presumes the existence of public confidence and is trying to preserve that.

The second thing, is that the Bill, right up front, lays emphasis on preserving public confidence as distinct, from preserving integrity and honesty. In other words, as Senator Barrow, I think alluded, the Bill seems to me, to be more concerned with preserving confidence, without necessarily preserving, or seeking to attempt to preserve integrity and honesty. To that extent, the Bill comes over to me, as one dealing with cosmetics, so to speak. I think, that this Bill, in my opinion, basically deals with cosmetics, as opposed to the substance of corruption. It deals with preserving the confidence, the image and so on, rather than, in preventing corruption, or rather than, preserving integrity and so on.

A Bill, the one that we will deal with after in fact, in my opinion, deals with the substance of attempting to prevent corruption, in various areas and so forth. This Bill, in my opinion, to that extent deals with cosmetics. Now, Sir, one, may ask (ASIDE) is it necessary, at this time, to bring a Bill of this nature? Is it that recent experience indicates, that there is any lessening of public confidence, in integrity? Is it, that there is any lessening of integrity and honesty themselves, in the life of people in public life? In other words, Sir, I am querying, why, now, is this Bill necessary, or relevant to Barbados, in the context of 1981?

We agree, that the expanding role of Government provides the greater opportunity for those so inclined to more, or less, stray from the straight and narrow path, but the question is, whether, or not existing legislation is not adequate to deal with any such deviation, from the straight and narrow path.

Senator Barrow Sir, referred to Section 33 of Parliament (Privileges, Immunities and Powers) Act, which

dealt with the offering of bribes and so forth. He also referred to areas in existing legislation, which dealt with the procedure of individuals having conflict of interest and the declarations, that should be made. In addition to the legislation which he cites, one can probably add, or refer to clauses dealing with conflicts of interest, in other types of legislation. For example, in the BNB Act, or Central Bank Act. Obviously, in other legislation, there will be other clauses, which deal and I think deal quite adequately, with situations, where conflicts of interest may arise.

So, Sir, what I am saying, is that, in spite of the fact, that because of the ever increasing role that Government plays in the life of people and so on and because there may be, or could be greater opportunity for those inclined to be corrupt, the question is whether, or not, already in the Statute Books, including, in the Bill to be dealt with soon, whether generally speaking, those bits of legislation would not deal adequately with any situation, which would so arise.

So, my question is, is this Bill necessary, is this Bill really relevant? Now, going a little into the Bill itself and referring to Section Four, where it says:

"the purposes of this Act are:

- (a) to preserve the public confidence in integrity and honesty of people in public life," *et cetera*.

"by requiring those persons to disclose their personal income, expenditures, assets and liabilities on a regular basis to a special body."

One of the purposes of this Act is to preserve public confidence by requiring people to disclose their personal income, expenditures and what not.

Now, I find it, as a paradox, in that, in my opinion, whereas this Bill is seeking to preserve confidence, it seems to me, that its mere existence questions that confidence, or questions that integrity and honesty of people.

The Bill itself seems in other words almost to militate against its very objectives. One of the ways it seeks to do this is by requiring disclosure and what not. Sir, I do not feel that public confidence in integrity, etc. has anything whatsoever to do with the filing or the filling out of various forms on a periodic basis. If we can take one or two examples, Sir, let us take yourself, a man who has been in public life for many years, has never been required to fill out any required form, does that mean that the public has any less confidence in your integrity, etc.? Would the filling out of the forms increase that confidence? This is what I am asking. Would the filling out of these, making this disclosure, increase the confidence of people in your integrity? It is my belief that the public's confidence in the integrity of an individual has to do with the continuing behaviour of that individual in various circumstances of life. It is not something that it is there today and gone tomorrow, it is

something which is built up over a process of time, it has to do with the general character and the observance of that character over a period of time, it has absolutely nothing to do, in my opinion, with the periodic filling out of forms disclosing liabilities, assets, etc.

Going a little on from that point is that the whole question of integrity in my opinion is dealt with from a very narrow point of view in this Bill, and somehow or other integrity seems to be connected only with financial affairs, assets, liabilities, income, expenditure, and there is a whole host of other items of behaviour which would indicate or which has to do with one's being honest, or a man of integrity and a man without honesty or without integrity. It is not only the financial dealings, it is not only the income and expenditure aspects and the liability aspects, it has to do with the total behavioural pattern of individuals and not necessarily confined purely to a situation of dollars and cents.

Sir, I go on to section 4(b) here which indicates that one of the purposes is to require a person to make known public his interests and so forth. I think more or less I have dealt with that already, and to some extent Senator Barrow, in that this particular aspect of making public a conflict of interests I think few will disagree with. The point I am making with regard to that is that basically that aspect of dealing with conflicts of interest seems to be in all types of legislation already, and one wonders whether it needs to be specifically dealt with here, why we need another bit of legislation dealing with conflicts of interest.

Paragraph (c) has to do with prohibiting and restricting the participation of a person in public life in participating in certain Government contracts. Sir, I do not think that anyone should be prohibited or restricted from participating in a Government contract because he is a person in public life. Obviously I do not think that people in public life should receive preferential treatment in receiving Government contracts, but if a man or woman in public life is the best person to perform a particular service or contract, I think that that individual should automatically be given the contract. I do not think he should be obstructed or prohibited from getting that contract merely because he or she happens to be a person in public life, and this is why I am saying that this Bill tends to deal with cosmetics and not necessarily the substance, because the substance there in my opinion would have to do with setting up a machinery that somehow would try to ensure that the people in public life do not have an unfair advantage, that they do not receive an additional X or whatever because they are in public life, because they are attached to that party or to the other party. The thing is that the man in public life should have the opportunity to participate in the public contract but on similar terms to other people.

Generally speaking then, Sir, I would say that I consider this legislation generally to be unnecessary

and irrelevant. I would concede that some of the aspects dealing with the setting up of the Commission may not be bad. In other words, it would seem to me that having the mechanism to monitor a situation is not bad, it is not bad to have a mechanism to monitor the situation where someone may seem to be displaying wealth out of line with his general income earning position. I think there should be a position where some people as disclosed or as intended in the legislation, that type of Commission could monitor such a situation. What I am saying is that I think that the assets, liabilities, income, expenditure of people in public life could probably be monitored on an exemption basis. In other words, you have a Commission and that Commission is charged with investigating and reporting to the extent that it deems it has a case to do so, not making every Man Jack just because he occupies a particular position to do this and that, but I think on an exemption basis one could probably live with a situation where a Commission properly set up could in fact monitor on an exemption basis.

If I may look at one or two sections in particular here, Sir, section 5 has to do with the definition of a person in public life. If my suggestion with regard to monitoring assets on an exemption basis is taken, I would find little fault perhaps in the definition here of a person in public life. If, however, that is thrown to the winds, I definitely think that the definition here of a person in public life really is too wide. To be more specific, there is a whole host of people here in this Chamber who, I think, would be encumbered, or who would hesitate to become a person in public life if one had to do these various things.

I think most of us here have regarded the appointment to serve the Senate as an honour, and it seems somewhat a prize to pay for that honour if after having been asked to serve one then must disclose those various things that one is asked to disclose in this Bill. Section 7 is another section that I must disagree with in principle. This section suggests or indicates that the time frame for which people would have to make disclosures would be retroactive back to September 2, I think is the date or the 3rd. I think that is really a ridiculous situation. I think it is bad enough to ask for a disclosure, but then in February, 1981, or whenever this Bill is passed to require that an individual must go back to 1976 to start to disclose what income and expenditure took place over the intervening years, to start to disclose not only the income and expenditure of himself but to attempt to find out the financial activity of spouse and child over those intervening years I think is a ridiculous request, and frankly speaking I do not think it can be a request that is made with any seriousness, because I would doubt that there is anyone in this Chamber who would have kept accounts so meticulously that he could file the various forms with any great sense of accuracy.

On a slightly lighter side, Sir, a housewife in discussing this aspect with me felt that whereas it would be extremely rude for a husband to ask a wife how much she earned, she felt it would be unforgivable for said husband to ask her how she spent it. If there is the reaction of a housewife, just picture Senator Lynch in the type of chauvinistic society that we still live in making that request of her husband.

Moving on from the spouse to the child in section 11, I find a little difficulty with that also in section 11(2) where it seems to suggest that whereas a parent would not be responsible for making a declaration of a child who is 18 or over, the age that you can vote and living apart, it would seem to suggest to me that with a child 18 years and over but living at home, a person in public life would still have to make a declaration of that child's expenditure, income, assets and liabilities, and again I find it difficult to accept that as being reasonable.

Sir, Senator Barrow who is a man of legal training expressed some difficulties with interpreting the sections dealing with or distinguishing between public contracts and government contracts. I myself obviously had the same problem. Particularly in section 18(1) I had the problem of trying to figure out what in fact was meant by agreeing to perform standard terms and conditions. It says that a public contract is one that any member of the public may enter into with the Government or any agency of the government upon paying an advertised or published sum or agreeing to perform standard terms and conditions. I was not so sure, Sir, exactly what was the meaning there, and perhaps when we do go into a Select Committee that clarification will be forthcoming.

Sir, I think that my brief comments would indicate really how I feel about this Bill from a general point of view and in certain specifics. In summary I feel it is unnecessary and irrelevant, and secondly I feel that certain aspects, those aspects dealing with the period of filing disclosure is retroactive and therefore in principle I would disagree with that. I also obviously disagree with what I construe to be an unnecessary invasion into privacy by asking individuals to disclose the private affairs not only of themselves but of their spouses and children, and finally I agree with those who see the Bill containing clauses that this Bill contains if such a Bill were to pass. I can see the results of that being the hindrance and certainly the deterrent of people wanting to participate in public life, and in this circumstance it would be not so much that such people had anything to hide, but because of their general nature, because of their love for privacy and so on that they really had absolutely nothing to reveal. So, Sir, I am totally opposed to the Bill. However, obviously I do not carry the voting strength to do much with it and to face the reality it would appear as if the Bill obviously will end up in Select Committee and when and if that Resolution is made, I certainly would support that.

SENATOR W. O. FRANKLIN: Mr. President, a Bill has a spirit and I get the deep feeling inside me that there is no spirit in this Bill, or the spirit was derived from bad reasons and bad causes. I think, Mr. President, that it would be most undignified to ask you, Mr. President, and the independent Senators in this House who are all distinguished persons who have offered themselves to this House to lend to the debate to subject them to this type of exposure, when on the other hand the Bill purposely leaves out people more directly connected with the administration of Government such as the Chairmen of Statutory Bodies which I will deal with later.

Honest men, Mr. President, do not need laws to protect them. They are acted on by their consciences and I too would like to quote section 4(1) which I think my Party has won rather grudgingly and it is toasted in the statement of purpose: to preserve the public confidence in the integrity and honesty of persons in public life.

Mr. President, I contend that you can only preserve something that exist. The part about this Bill that bothers me most, and I want to spend some time on is the historical background of this Bill and I would think that when the history is written that we will note in the reason behind this Bill being in this Senate today one of some of the darkest days in the political life of this country that is going to have some far-reaching effects.

Prior to the 1976 Election, there was a relentless campaign by the members of the opposite side at that time throughout the length and breadth of this country accusing the then administration of corruption in every form and fashion. This campaign was carried on day and night on the hour, by the hour, relentlessly.

This campaign, Mr. President, was the first time that the seeds of polarisation in the political history in Barbados were sown and these seeds, Mr. President, unfortunately have grown and we are going to live to repent the planting of those seeds in this country.

To further water these seeds we had a spectacle when the present Government came into power of witch hunting that we have never seen in the history of politics in Barbados before which culminated in the appointment of the now famous Duffus Commission and I think it was one of the best days in the history of Barbados for lots of reasons when Mr. Duffus was able to conclude that he had found no wrong in these people.

What has happened, Mr. President, following this Duffus Commission, polarisation continued with the feeling, whether they were corrupt or not, that there was vagrant victimisation of the supposedly supporters of the Democratic Labour Party. It is not very important whether these accusation were accurate and there are good grounds to believe that some of them were, but the important thing was that the feeling went abroad and was widely accepted and you had the form of political lines further taking shape in this country.

This polarisation is being continually fanned, Mr. President. Unfortunately until only recently we had a spectacle of abuse, in my opinion, of the public media, CBC, using the captured audience with a situation of the cameras being taken into a Party's Conference and you had the situation, Mr. President, that at peak viewing hours, to capture the audience a scurrilous attack being unleashed by the Prime Minister on members of the Democratic Labour Party.

What I am saying, regardless of what the asides are from the other side, Mr. President, is that the combination of this historical sketch is going to show itself and I pray that it never happens in the situation as we have evidenced in Jamaica over the last couple of weeks. Those of us who love this country, those of us who follow the political history of the West Indies watched the road Jamaica went and I am relentlessly concluding that we are slowly going down this road.

If the day should ever reach in this country, as it was said, in one of the salad days of this history that if your name even begun with letters of DLP that you should starve, that people genuinely believe that their right to exist, their right to work, and their right to enjoy the privileges of this country are dependent on a particular political party gaining power, you are on to a very sticky wicket because if people believe that these rights only exist, it is going to be their will and their right to do anything that is humanly possible to make sure that the political party of their liking regains power or retains power.

Mr. President, something bothers me about this Bill. We first heard about this Bill, as was so rightly said in the Manifesto of the Barbados Labour Party and I want to read it for obvious reasons:—

“The Barbados Labour Party thus remains alone as giving whole-hearted support to the principle of such legislation, which is increasingly being passed in other Commonwealth countries. The Party, therefore, repeats and expands the pledge contained in its 1971 Manifesto.

It will pass legislation providing for Members of Parliament, Senators, and politically appointed members of Statutory Corporations to disclose their financial assets and liabilities on assuming office, periodically during office, and on termination.”

As you will see from that document, the idea of Integrity Legislation did not come to the Barbados Labour Party yesterday. Yet, it has taken four years and two months in its present administration for this Act to reach Parliament.

I was sent some documents of all those Bills that came before the Senate and I note that there were some

72 Bills that came before the Senate, Bills, I would say, of far less importance than this one. If this Legislation meant so much, why was it given so low priority? Are we going to see, Mr. President when we examine certain sections of the Bill the importance of this section?

I like Senator Hewitt, believe that the section dealing and making it retrospective to 1976, Section 7(a), when you look at it carefully does absolutely nothing and I will tell you why it does nothing. This Section, Section 7(a) and (b) only calls on people in public life to make declaration of their income and expenditure on a yearly basis from 1976 until whenever they leave public life. Yet, Mr. President, if you look at Section 19 you will see, Mr. President, that Section 19 reads:—

“On and after the day this Act comes into force, no person in public life may participate in any government contract except as provided in this Part.”

Section 20 (1):—

“It is a condition of every government contract entered into after the commencement of this Part that no person in public life has or will have a direct or indirect beneficial interest in the contract or any proceeds arising therefrom.”

The point, Mr. President, is this that although you make it retroactive to go back and declare your income and assets, there is no mechanism and it will be very difficult if you go back and ask some persons in public life to see if there was any conflict of interest during that period between 1976 and whenever the session came about which is the critical point because all that would have been recorded is that a man's income may have been shown higher one year than the next but the Legislation does not give the Commissioner the machinery to go back and inquire why it is that the income is higher so, therefore, it is no sense to fool in this, in its cosmetic dressing. As Senator Hewitt said, it is only cosmetic dressing because if you cannot go back over the period and peruse it to see if there was any conflict of interest, why make people declare their income and assets for that period? The acid test I would say, Mr. President, is if the Commission had the authority and the power to do such examination.

I am saying, that the Act does not allow this to happen and I therefore.....

SENATOR THE HON. N. A. BARROW: On a point of order. Though not deliberately, the Honourable Member is misleading the Chamber. He is quoting the sections dealing with prohibition of persons in public life participating in Government contracts, private contracts, he is not quoting any section of the Act, which supports the contention, which he is making and which is in fact, a necessary contention. Provision for reporting going back to September, 1976, whether one agrees with

it, or not is a different point, but that very provision is in itself adequate, whether one reports, or fails to report, the Commission has the authority to question the accuracy of those reports.

SENATOR W. O. FRANKLIN: Mr. President, it still does not move me from my main thesis. The Honourable Senator says, that the Commission has the right to question the accuracy of the report. What is the accuracy of the report? All that I am saying is, that you can report accurately your income but the Commission does not have the right to go back and check that the persons in public life actually took part in any Government contracts, thereby deriving any benefits referred to in the accrued income.

SENATOR THE HON. N. A. BARROW: On a point of order, Sir, while I hate to interrupt an Honourable Member, especially, when not experienced in the ways of the Chamber, Section 28 says:

“It is the duty of the Public Integrity Commission

- (a) to receive, examine and retain as its records all declarations filed with it under this Act;
- (b) to make such inquiries regarding declarations as it considers necessary for a full and sufficient understanding of the financial affairs of persons who are required to file instruments of that nature under this Act; and
- (c) to perform such other functions as are conferred or imposed upon it by this Act.

Explicitly, the Commission has the right to go back and make its enquiries and take whatever action, which is precisely why there will be some objection to backdating because the question must arise, whether it is fair, where the information would not be readily available to make accurate returns in respect of those years for one to risk the full danger of the penalty.

SENATOR W. O. FRANKLIN: Thank, you, Mr. President. That makes me a lot easier.

I would say, Mr. President, that when you further examine this Bill, Mr. President, the section of it, that bothers me particularly is the exclusion of members of Statutory Boards, although I am certain, that the Honourable Leader of the Senate will draw to my attention, that the Governor General may, by resolution include, I think, that it is an unfair imposition on the Governor General. I am reading Schedule Two and I want to deal with Schedule Two.

Schedule Two Mr. President, lists a number of Statutory Corporations, Boards, or other agencies starting with the Agricultural Credit Bank and it goes all the way down to the Transport Board. Agencies, and I make notes on some of them like the Barbados Development Bank, which has had disbursements of some \$15 million last year, I believe, Barbados Industrial Development

Corporation has had a vote of \$2.5 million, the Barbados National Stadium has had a vote of \$1 million, the Child Care Board has had a vote of \$3 million, the National Housing Corporation \$3.5 million, Parks and Beaches \$2.47 million, *et cetera*. We will see, from the list, that a considerable amount of money is disbursed, by those corporations.

Mr. President, like Senator Hewitt, what I am saying is that this Bill seems to be fairly narrow and concentrates on certain financial gains. There are lots of things, that come under integrity in public life, that this Bill cannot and will never be able to cope with. My main contention is that there are even far more important. For argument's sake, there is nothing in this Act, that maintains, or makes it necessary for integrity to be exercised for allocation of houses. There is nothing, in this Act, that makes it necessary, or allows the Commissioners to decide integrity, as exercised in the allocation of Welfare grants. There is nothing in this Act, that would give the Commission the power to decide, that employment opportunities were not exercised, in a way, that would be lacking in integrity. These things, Mr. President, as I have said before, cannot be controlled, by legislation, they can only be controlled, by people with honesty and integrity.

Mr. President, I have absolutely nothing against declaration of my personal incomes, whatever it may be, but, like the other Senator, there are going to be difficulties with every one of us. Like the Senator, I am not pre-disposed to ask my wife her earnings, or how she spends them. It does not particularly concern me. I, like the Senator, cannot keep an account of the income and expenditure of my kids of 18 years old, so I think, that there are sections of this Bill, that are going to put people in great difficulties and I am saying, as has been expressed before, that if you take the politics of this country, as Senator Cox so rightly said, that he can vouch for the people to 1961, when he said, that there was no corruption. Thank God, the people between 1971 and 1976 have been cleared, by no less a person, than the one appointed by the Opposite Side Mr. Duffus. But, all we want to be sure of now, Mr. President is that the people, from 1976 continue to show that same clean bill of health and I would say, that that Bill of health be shown, by the people who are exercising the reins.

Mr. President, I am saying, that this is a community, that irregardless of what you say, people are going to look on people in public life, more particularly politicians and look for the worse. There is a lot of public disquiet, about the awarding of cleaning contracts, there is a lot of public disquiet, about the acquisition of lands for the BMC headquarters. There is a lot of public disquiet, about the fact, that a sizeable loan was made to a member of the Barbados Development Bank, without his declaring his particular interest in it. I am saying, Mr. President, that these are all public disquiets and we could only add and encourage people to believe, that these

things are so, if we ourselves seek to bring about the type of legislation, that is here without further checks and balances.

Mr. President, as I have said before, I think, that the problem with the Act is the reason, the historical background behind it. For me, I have no particular difficulty in declaring my personal assets as required in the Act.

I can say that it is going to prohibit people of integrity, like the Independent Senators and yourself, people who I can see in no way can exercise or influence the administration of Government to think twice before they take part in the administration of Government. Thank you.

SENATOR J. C. W. WICKHAM: Mr. President, my contribution will be short. Senator Barrow in introducing the Bill perhaps unintentionally put the question fairly. He did not quite say it like this, but it could be said like this. Is public office to be enjoyed or to be endured? The reason for the Bill is itself a very sad comment that integrity is not a thing which can be taken for granted. As Senator Lynch has said, in the long run it is of course public opinion and the voice of public moral judgment, whatever the law says.

Senator Cox made a little capsule statement; an honest man cannot be tempted and a dishonest one needs no temptation, but I want to come to what I regard as an essential part of the matter, and that is that the institutions in this country, quite apart from laws, have a duty, and those institutions include political parties. Now political parties choose candidates, they make selections of people for jobs on Statutory Boards, and it seems to me that they must exercise a much more rigorous scrutiny of the quality of people that they select to run for public office, so that those people who eventually get elected are much more representative of the good people than they sometimes are.

I would like, in supporting the temper of the House for a Select Committee on this Bill, to remind the House and those members who are members of political parties that it is their duty to see that only the best people are presented as possible candidates for public office.

SENATOR N. W. BOXILL: Mr. President, I am in a quandary. The members of my party in the lower Chamber — I do not know if they voted for it, but they did not vote against it — but the point that I am going to make, and I hope members will bear with me, but if they do not bear with me they will have to leave because I am going to talk for a long time.

First, before I go on to deal with this Bill on Integrity Legislation, last Wednesday I did not care to reply

to speeches that were made on behalf of the two other members who were removed from the Senate, and therefore I decided to take the opportunity now, if you will allow me to digress just a little, to say that if I were not a Barbadian, hearing the fluent, flowing and glowing speeches that were made in a lamentable way because Senators Connell and Hunte were removed from this Chamber, I would have believed that they had removed two very erudite politicians, men of sagacity and wisdom, and the Leader of the Opposition had appointed two village idiots to the Senate Chamber, but nonetheless, Senator Barrow did say that I had already been tried and tested, and therefore I am going to prove now that not only have I been tried and tested, I have passed.

In 1975 and 1976, Mr. President, the members of the Barbados Labour Party went up hill, down ditch, in every glen, vale and dale, nook and cranny preaching about how corrupt the members of the Democratic Labour Party were. They were so convincing that even some of our supporters started to believe them, and why I can speak the way I am speaking today, Mr. President, I was a member of the Democratic Labour Party in the House of Assembly for 10 years and of that 10 years I served something like seven years as a Minister. There is no one inside this Chamber, outside this Chamber, in this country or outside of this country who can say that I have ever been in anything shady, other than under a tree. I have never been in anything dishonest, that is why I came out poorer than I went in. I can address this remark to Senator Barrow in particular because Senator Barrow and I worked together, and I will say this for Senator Barrow, that a lot of what I learnt in the lines of running a Ministry he was responsible for, so if I ran the Ministry badly he was responsible for that. But the members of the Barbados Labour Party, Mr. President, gave us the impression that — and when I say us I mean the people of Barbados — they gave us the impression that there was nothing more than corruption taking place under the Democratic Labour Party leadership, and in their Manifesto on page 2, this is what they said:

"Integrity and Morality in Government"

After long debate in the last session, Parliament agreed to appoint a Select Committee on the Leader of the Opposition's resolution calling for the introduction of integrity legislation for Ministers and members of Parliament."

One would have thought, Mr. President, that this Bill should have had priority over all the frivolous legislation that has been passed during the four years. Why is it that they waited until they have been in office for four years, till some of their members in high office collected the mini buses, collected their apartment buildings, got themselves involved in hotels and what have you now to ask somebody about declaring their assets? Let me tell

you something, Mr. President, I am not declaring any, they can lock me up. Money has never been any problem with me, Mr. President, because I have never had any money, so I am not missing anything, I have nothing to declare, but it is unfair to ask someone like you, Sir, who has had the benefit of two Governments. You were Chairman of the Public Service Commission when the Democratic Labour Party was in power and now you are President of the Senate, a very high office. This shows the regard that we, the people of Barbados, have for you.

Is it fair for me to ask you to tell me how much money you spend? I really believe, Mr. President, that I am one of the most honest people around, and I can afford to boast about this because in my poor state I have had offers which I bluntly refused, because I never came into public life to make myself rich, and if I got rich it would only humbug me anyhow. But the point I am trying to make is this: is it fair to ask you, the other independent Senators and a lot of the other members on the other side too to divulge how much money their wives spend at the shop and how much a son spends? How are we going to manage this sort of thing? In the haste of trying to come up with something, they have come up with absolutely nothing.

This Bill is really nothing. All this Bill will do is create problems, and as Senator Barrow has said, this will inhibit people like yourself, Senator Wickham, Senator Hatch, Senator MacKenzie, Senator Blackman and the other Senators and even some of the other people over there from coming into public life. Do you realise what is going to happen if one has to divulge every cent one spends? This will mean that we are going to get a far worse set of people running for public life than what we have. The next thing is this: as I was saying when I said I am a very honest person, I really do not believe people are all that honest. What I believe happens is that people are afraid. I would steal like anybody else. As a matter of fact I have stolen, and I am sure, Mr. President, some of us around here have played poker. I used to play a little poker myself and I am telling you the truth; when the fellow is not looking too good, I would slip something out of the kitty; so we will all steal. You would take a little something out of the kitty, or sometimes you put down your hand quickly and say this is so and so and then you take it back up and nobody sees, and you shuffle the cards; so you have won. So we all are pleased, but the point about it is that why we do not break and enter people's places, or while we do not go and steal mangoes and that of thing, or while we do not steal \$2 000 or \$3 000 or maybe \$500 000, it is not that we are all that honest; it is because we are afraid. Retribution is what has got us. We are afraid we will be caught and we have to weigh whether it is worth it, because I am telling you the truth that if I saw my way of stealing \$20 million and nobody would get

accused for it nor me, I would steal it because it is \$20 million and a lot of other people would do it too. In this small community of ours, nobody is going to really try to get \$3 from here and \$5 from there and that kind of nonsense, and this Bill is imposing a condition on us who want to come into public life, which when I saw it I must tell the truth that this is imposing something on me which I really cannot stand, because I do not see how I can go divulging anything.

Mr. President, I do not have any money. My life is an open book; it has always been an open book. I have nothing to cover up, I have never been in any deals and I do not intend to be in any deals, but there are other people in public life who can contribute as much to public life as I have contributed or even more, so what are we going to do now? Are we going to chase these people out of public life with this Bill? I think we will have to look at this more carefully, I am not getting up to talk because I am in the Opposition. It is true the Opposition must oppose, but I am not going to oppose for the sake of opposing. If you come with something good I am going to support it 100 per cent, or if I do not feel like supporting it, I will walk out of the Chamber. (ASIDES) I can't get chased away for supporting anything. What are you talking? I am different from you.

When they brought down Mr. Duffus here, Mr. President to enquire into the dishonesty that was going on under the regime of the Democratic Labour Party, we did not choose Mr. Duffus, they chose him, and he said he saw nothing in the lines of corruption. He mentioned something about infelicities. I looked into the dictionary again before I came in here to make sure I knew what "infelicity" means. My Miriam Webster says "infelicity" is "not appropriate in application or expression, unhappy, unfortunate, not up to application or expression, awkward". There is nothing in the word "infelicity" that says it is corrupt. (Asides). Somebody here is talking about political amnesia. There is absolutely nothing in the word "infelicity" as far as Miriam Webster is concerned, and I am no lexicographer, so I have no intention of writing any dictionary; I only read it, and they say so and I will accept what they say. There is nothing in that to say that there was corruption in the word or even implied tacitly or otherwise that there was any corruption under the regime of the Democratic Labour Party.

Now, Sir, Senator MacKenzie went off into a tantrum by saying that this corruption or the cause for this Bill was from the time of ministerial government. I am taking the opportunity and I am going to guess that Senator MacKenzie is over 45 years. I am also going to guess that Senator MacKenzie had the best in education at one of the highest schools, either Harrison College, Lodge or one of those which I did not go to, but if Senator MacKenzie is 45 years old and ministerial govern-

ment started in 1954, he was old enough then to know what I am saying is true. When the ultra conservatives were in power, the Churchwarden used to write the cheques, buy the material and then go and sell the material, and you didn't hear anything about any dishonesty then. Do you mean that these people were running the affairs more honestly than anybody else? Let me tell you something, Mr. President. If you go into the country now, which I know you do, sometimes you lose the way because you cannot find out which went there first, the road or the estate. When they were building these roads, they built the roads in close proximity to the estate. Sometimes a lot of people drive down the road and turn into the estate for the road. It is because they were in power at the time. I did not hear anything about corruption and all this sort of nonsense. It is now that we the black people are running our affairs that you are going to hear people talking about how corrupt they are, and you have your own black people saying this sort of nonsense.

A Churchwarden in those days — and I am not going to call anybody's name, but you are old enough to know what I am saying is true — used to write the cheques for the material, whether it was for the church, a school or for the roads, and then they used to go and sell the same material. Some of them had lumber yards too. I did not hear anything then about the cause of corruption. What has happened to some people in this society, Mr. President, is that we are in the 20th Century heading hard for the 21st Century, but do you know they are still living in the 15th or 14th Century. They cannot accept the fact that times have changed, and therefore we the masses intend to run things and we are running things, and we are not running things any more corrupt or half as corrupt as they used to be run in the days when we had no say whatsoever. So I must take umbrage when Senator MacKenzie is using this sort of talk about from the time ministerial government came in.

Ministerial Government came in because we were advancing. I became a Minister as well as Senator Cox became a Minister because we had to put things in the hands of somebody in the country. Why should we have continued with this expatriate business all the time? We were in Barbados but we had no say; all expatriates used to run our affairs. It is only after the Democratic Labour Party came into power and through Senator Barrow that I realised that the Garrison Savannah had belonged to the people. I remember a man got arrested for standing up in the Garrison Savannah track watching tennis, Tranquility playing The Savannah. A policeman came and told him to move and he refused to move and he got arrested.

It is only after we came into power that Hastings Rocks — I did not know that that belonged to the public — I remember as a little boy on the 5th November you could go up there and stand up in the road and cars would knock you down if you did not move, to watch fireworks but certain people were going down in the Rocks.

These times have changed. We are not changing the times because we want to take your money or because we want to run you out of Barbados. You are a Barbadian the same way like anybody else and therefore you have the same right as they have but do not tell me that corruption came in because of Ministerial Government because I would never accept that. I was a Minister, as I said, for something like seven years and nobody in here or nobody outside can point their finger at me and say, they can do it, but not honestly, there goes a thief.

I, in my poor state went in poor and came out poor. When I went into public life I had some money but after giving away this to this body and that to that body, it is a good thing that they chased me out when they did because I would have ended up at the Almshouse. I am serious, Mr. President. I am sorry that I have to deal with that part of his speech as I did.

Then he went on to talk about Local Government. He seems to have forgotten again that Local Government was abolished not by any whim and fancy of the Democratic Labour Party. It was abolished because they brought a Commissioner down here and the Commissioner after examining certain things came to the conclusion that it would have been better and cheaper to run the country without Local Government than with Local Government.

As I said already he is over 45 and he is bound to know that a lot of these Local Government people came into Local Government for the simple reason of feathering their nests and this is what we were looking to get out of. I am not saying that all of them did it but a lot of people came into public life in the Local Government and some in the Higher Government to feather their nests.

This Bill as I said before, is going to create some impositions and is causing some impositions on the people but what we are going to have is a far less calibre person seeking to run for public office than what we have now and as Senator Wickham has said, a good man does not want watching. I have phrased mine differently but it is a waste of time watching a bad one because if all the legislation in the World you pass, Mr. President, and people want to steal, they will find ways and means of stealing.

You study carefully. The greatest brains in the World are not the people in public life, are not the people in the Courts and not the Police. However the Police and these people come up with something do you not see that the crooks come up with something better? The crooks can always beat them at their own game. The crooks can always come up with something better and if a man intends to be corrupt, he is going to be corrupt.

Must we burden the whole community with a Bill such as this because of one or two persons? Furthermore, I will say this. The reason why the Barbados Labour Party ran up hill and down dale, in the dens, valleys and what have you preaching about corruption was because of one man, so I believe. Do you know what the irony of the thing is that the same man has a \$1 million Contract with the Barbados Labour Party. Are we making sport or are we serious? (ASIDES). I do not know. I do not belong to the Barbados Labour Party.

Mr. PRESIDENT: Let us get on.

SENATOR N. BOXILL: I am getting on but here you have and here is where corruption can really take place in the Statutory Bodies. Now what the Labour Party did when they came into power, they appointed the backbenchers to be Chairmen of Boards. That is something I never agreed with but they are in power and when you are in power you can do what you like but listen to the Boards, Mr. President, that they have exempted and I will deal with the Boards.

The Agricultural Credit Bank is one. Now you are going to tell me and I am sure that Senator Barrow can vouch for this that I am going to quote on page 30. A man who was once working in the Agricultural Credit Bank.....

SENATOR THE HON. N. A. BARROW: On a point of order, Mr. President. I was in effect, in spite of a couple of earlier statements, quite determined not to interrupt Senator Boxill but on this one, Sir, it would be to mislead the Senate to such an extent that I feel in duty bound to interrupt.

There is not an Exemption List. That is a very specific list involving these Boards as being subject to the Conflict of Interest Provisions of the Legislation. It is far from an Exemption List because there is an Inclusion List.

SENATOR N. BOXILL: Well, Mr. President, Senator Barrow was never in the House. I have been in the House and I know about reading these things. It says here in the Second Schedule, Section 5 — Section 5 is on page 3:—

“A person in public life to whom this Act applies is an individual who

- (a) is a member of either the House of Assembly or the Senate; or
- (b) is the leader or a prescribed executive officer of a political party enumerated, or otherwise referred to, in the First Schedule.”

This thing has been put in in such a way that if one is not very careful, one is liable to believe, unless you can give me all assurances now that the Boards are included, because I was made to believe that these people have been exempted. I give way to the hon. member.

SENATOR THE HON. N. A. BARROW: If the hon. member would give way on a point of elucidation. The point is, Sir, that Part I of the Bill relates to financial disclosure and the First Schedule relates to financial disclosure and the point is with regard to that that the Governor-General may add to that List, the First Schedule, so that other people can be brought into the area of financial disclosures but the big thing is the Conflict of Interest Provision.

In short, Sir, when we talk about the Financial Disclosure Provisions we can talk about who should be brought in in the sense of whether it is fair to cast the net so wide. This has been the tenure of the debate in here this evening whether by casting the net so wide you do not in fact produce a disincentive to people to enter into public life but where the conflict of interest is concerned, the Statutory Corporations are brought in because the Second Schedule relates specifically to that so one cannot say that they are in anyway exempted from the provisions of the Bill.

SENATOR N. BOXILL: I thank the hon. member, Mr. President, and I hope that he is not misleading us because I know that he would not do that but I hope that he is not under the wrong apprehension. He is supposed to be a legally trained person. I am not. I accept if he says so but I want it down and I am glad that he got up on a point of order so it will go down in the debates too because I was given the impression and looking at Section 5, I see the Statutory Corporations and I got the impression and I know that other members in here too got the same impression that Statutory Corporations were exempted.

Now, Mr. President, the talk about Integrity Legislation. You are telling me that this Bill has come before us now. Today is the 4th of February, 1981, the Election Year. This Bill should have been before us since 1977. You have, Mr. President, people at the Development Bank who have, I have been told, been giving loans of something like \$2 million on a Capital Expenditure of \$27,000. Where else in the World could this happen?

This is what I am saying. If this legislation were before the Honourable Chamber before, not that this legislation will do much, but I am glad, that you said,

that you are sending it to a Select Committee because there are lots of things, I would really like to say and I would not have to restrain myself, or restrict myself, or inhibit my speech, where I can do it, as full, as I would like to.

You have people here, on the Development Bank and when they speak of the Development Bank, I have money invested in the Development Bank, you mean that I have to disclose that too? Not me, they are going to tell you. But, why should people who are not even Barbadians come here and get loans off this bank and we have *bona fide* Barbadians, who are suffering to get a loan. You cannot even get a loan, now, at the commercial banks because I heard a man said that he was refused a \$500 loan. His credit must have been very bad.

Then, you have the Gambling Committee. The Gambling Committee, in my view, no, I had better not say that, Mr. President. What I would ask the Honourable Minister is this, since we are in here, the 21 of us are to approve this, who is going to look after the Commission to find out what the Commission is doing? Who are the Commissioners for the Commission? So, I am to entrust my little bit in somebody's hand and I do not know how they stand? I am serious.

There is nothing outside the Laws of Barbados, that say that the courts of Barbados; first, the Minister, you put that power in the Minister; the Minister should have the power, or later Senator MacKenzie might say, or think, that that is the Minister's power. He is a Barbadian and if he were not a Barbadian, he could not be a Minister, I am talking about a Barbadian. You do not have to be born here to be a Barbadian and, as long as people elected that man to office that means that people have confidence in that man. Who am I, or who are we, to be telling the Minister why we should be looking over his shoulders.

If we have a corrupt Minister, we can get rid of him. I see that they got rid of a corrupt President. It does not take as long to get rid of a corrupt Minister as a corrupt worker, who feels that he should stand up and do nothing. If the Rt. Hon. Prime Minister in his right feels that this man is a burden to his colleagues, he has the right to get rid of him. That is his prerogative. Nobody can question the Rt. Hon. Prime Minister about who he makes as Ministers that is his right and therefore I am saying that there is nothing outside of the Barbados Law, that you cannot get justice in. If the Minister does something that you do not feel justified in, you can talk to the Rt. Hon. Prime Minister. It has happened before, it will happen again and when something goes against the country, you can take him to court. The courts are made for that.

Do you realise, that we are usurping the authority of the court, by passing this legislation? What are we trying to do, now, become police? I would be the shortest police in the world. Do not let us be carried away with this legislation because it looks good on paper and because of some people, who cannot even tell the cook what to cook. They have not got the guts to stand up and tell the cook, "well, I want so and so today." They have to eat what the cook gives them, but, they want to tell you how to run a Government. This is why you ran down here, with this thing because you all believe, that we were corrupt, so, in order to appease the bureaucrats, I would not say aristocrats, I watch my english — and the oligarchy of the society, you ran down here, with this bit of legislation.

I wonder if legal people really drafted this, or if they think, that they drafted this for nitwits. Mr. President, I want to say, Sir, the Objects and Reasons of the other Bill, I only just got this today. I am not going to ask you to adjourn this to suit me, or nothing like that. We will deal with this, clause by clause, so, I would be able to take the different clauses, that I want to take. But, as I said, in my opening remarks, I do not want to go and support something, that later on is going to tie a millstone, around my neck and at the same time, I do not want it to be said, that I do not want Integrity legislation because when it comes to integrity, I have integrity.

To prove my point, I had a friend, by the name of Samuel Isaacs, one of my closest friends, we were playing a football match one day last year, he fouled, I blew the whistle and he questioned me and I chased him off the field. This shows the type of person that I am. That is my good friend, but after that, I had to go home at him and eat, so you would understand the chance that I took, but I chased him off the field. So, this will give you an idea of who I am. So, you do not have to pass this Integrity Legislation for me, nor, you do not have to pass this legislation for the majority of people, in public life. I do not think, that we should burden the Statute Books, with this sort of legislation and not only that, Sir, but, as I said, and let me repeat myself, we are going to drive honest, upright and intelligent people out of public life, if we go on with this.

Let us assume, that the President of the Chamber, who has been held, in high esteem, in this community decides that because of this legislation, he is not going to declare anything. What are you going to do? Are you going to lock him up and then let everybody cut your throat? I think, that we should send this back down to the Lower House and tell them to shelve it until later on. Nobody will lose face. You cannot run a country, by appeasing just the minority, you run a country by appeasing the majority.

You have proven beyond a shadow of a doubt, that we were not stealing, you have proven beyond a shadow of a doubt, that there was no corruption, you have proven beyond a shadow of a doubt, that according to the gentleman, something about infelicity, I do not think, that we should run in any haste just to say, that we are appeasing a few disgruntled people, who do not have the guts to come out, on a platform and identify themselves with you all, but who want to stand in the background and tell you what sort of legislation to pass.

Do you know, who you are passing it against? You are not passing it against Senator MacKenzie, or Senator Hatch, you are passing it against people like me and you expect me, to come in here and vote for this kind of legislation, against people like me? I do not want Senator Hatch, or Senator MacKenzie to get the wrong impression, that I am dealing with them because of their colour, I am dealing with them because of the stature they have, in the society. He is Chairman of the Telephone Company and Senator Hatch is Chairman of the Window to the Sea. So, I do not want it to be said, that I am any racist, I did not come in here to preach that because I know, that Barbados belongs to Barbadians and therefore, whether you be black, white, blue, pink, any colour, it does not make any difference to me, you are a Bajan first, and anything else added to that. If I met you in Canada, or the United States and I saw you in difficulties, I will be the first to come to your assistance; because your skin colour is different from mine, it is not your fault, that your skin colour is different from mine and do not think, that I will let anybody take advantage of you because you have a different hue. I will represent you, the same way, that I will represent my own child, or myself because you are a Barbadian first.

As far as I am concerned, Mr. President, before I sit down let me say this. I have travelled extensively, I have been around the world about six times. I have been all over the world, and I want this to go down in the record, there is no place that I have seen that I think I love more than I love Barbados, and if I were to die I do not want to go to Heaven, let me stay right here in Barbados among my friends. I thank you.

SENATOR THE HON. N. A. BARROW: Mr. President, at the risk of being irrelevant, just let me give Senator Boxill and Senator Franklin the assurance that they will in fact have time to study the Bill which I am sorry they have only just received, before we actually come to it, we will not be doing it this evening.

This has been an interesting debate so far, in that there is a certain unanimity of view that the Bill has to be studied very closely, and I think the preponderance of expressed views is for a rather extensive redoing of the Bill. I have been not particularly in a contentious mood all afternoon, and I think the Senate will understand if I

do not therefore go too hard on Senator Franklin, but I would like to warn the goodly Senator that he should not come in here and get on with that kind of business he got on with a little time ago. If I take certain specific comments out of his speech, I would wish to point out to him that there are certain things you can hear your friends say on a political platform and which when examined might have kept them away from the rigours of the law, but if misstated by somebody who hears them might land that person in a lot of trouble.

Secondly, in here is not the place for political gossip. We have gone through in this Chamber already an explanation so that people could get things out of their heads, to the effect that the Barbados Marketing Corporation bought lands for its development at Lower Estate, not from my father, neither directly nor indirectly.

SENATOR W. O. FRANKLIN: On a point of privilege, Mr. President. All I said was that there was public disquiet, I never said the Barbados Marketing Corporation bought lands from Senator Barrow's father nor implied it in any way. Thank you.

Mr. PRESIDENT: Do you not think we could do with a little less of these personalities and let us get on with it?

SENATOR THE HON. N. A. BARROW: We can do without them, Sir, but the point I am making is that I would like to give the Senator time to settle in, but he is not going to find much time to settle in by raking up things that are said on a platform and coming in here with them. When the Senator makes the reference to the BMC, I know what he is talking about and everybody else in here knows what he is talking about, and I will just warn him, Sir, to be careful, to check his facts first. We are accustomed to a level of debate in which people research what they are going to say, come in here and talk, and when they talk they can be challenged at the level of the point of view they are expressing but not usually at the level of basic fact, and there is no mileage to be got up here from throwing out these things about cleaning contracts.

I even know what they talked about, the cleaning contracts, and I even know that what has been said on the platform of the Democratic Labour Party is very, very false. All about the BDB and a loan to a Director. I think, Sir, if Senator Boxill had spoken on the point, that he would have been able, if he had consulted Senator Boxill, Senator Boxill would have been able to warn Senator Franklin that in the business of the contracts if you want to vary the contract the recommendation of the Tenders Committee, it goes to Cabinet, and Cabinets are not generally stupid, and the one we have is certainly not stupid and when it comes to the BDB and the talk

about the loan, the BDB Minutes come to Cabinet. It puts us in a position to monitor these things. We know when a man has not declared an interest and we are in a position to say if that man is to be lent money has he declared an interest or not? Have you done the same thing, treated him in the same way you have treated anybody else?

I do not think that my patience is going to last too long if people prefer the route of the neophyte and remain neophytes too long. It is time to get with it and understand what is going on.

I want specifically to refute a point of fact made by Senator Boxill though, that Local Government was abolished as a result of a Commission. You see, Sir, I was going to talk about the Jackson Commission when I made a couple of notes about what Senator Franklin said, because quite early on Senator Franklin made some very serious points. Senator Franklin, for example, referred to the background to the Bill as he saw it, and he went on and made the usual charges, that the BLP campaigned against corruption prior to 1976, that we sowed the seeds of polarisation in the political life of this country, that the appointment of the Duffus Commission was an exercise in witch hunting, that the Commission found no corruption, and so on. But, Mr. President, if Senator Franklin sticks around politics long enough he will do enough reading to learn about the Jackson Commission on Local Government, and I was amazed that Senator Boxill referred to it, because I think he forgot something.

Senator Boxill will remember when I mention it, the Commission was set up specifically to get rid of Local Government in regard to the Bridgetown City Council. You could not move Mottley out of the City, you moved the City from under Mottley. Jackson found that there was no corruption in the City Council, Jackson recommended a reduction in the scope of the activities of Local Government, Jackson recommended a refashioning of the system of Local Government, but the continuation of a system of Local Government. Unfortunately, Sir, the copy of the Jackson Report which normally resides in the Library is this afternoon not there, or I would have quoted precisely from it. The abolition of Local Government had nothing to do with what Jackson found, it had something to do with the original design to bring him down here in the first place.

It is a fact, Sir, it is just that Senator Boxill might not have been party to the manoeuvrings that went on before the appointment of Jackson. (SENATOR N. W. BOXILL: You were though). While he might not have been a party to the manoeuvring that went on before the appointment, I believe he was an innocent party to the decision taken after to remove the City from under Mr. Mottley.

If I was in any way, I do not think I could be called party; I could be called witness, and witness I was. That is why I can mention the point so precisely. So that is what the abolition of Local Government had to do with, because I think everybody had presumed a certain not only corruption, but a certain level of corruption, and so they were quite shocked, and if one remembers, Sir, there was a libel action on the whole Public Assistance Committee of the City Council arising out of a comment made by a certain lawyer and published in the press in which he charged corruption. These things, Sir, I do not like to forget because when you forget them you get yourself into trouble. So what I am talking about is, if we are going to talk about setting up a Commission as an exercise in witch-hunting, Senator Franklin is not in any position at all to talk about that unless he is prepared to deny all association with the history of the party he represents.

I want to go further. To talk about sowing the seeds of polarisation in the political life of this country, I was not in Barbados during the election campaign in 1961; I came back to Barbados at the end of 1962, but even at the end of 1962 the stories were still being told, fresh as daisies, about the kinds of stories that were told from the Democratic Labour Party's platform in 1961, the attacks made, the accusations of corruption. As a matter of fact, Sir, people today, I believe, are still trying to find the water meters that they were told were brought in by way of some deal and were left there so that if the Barbados Labour Party won again they would have been installed. I do not think, Sir, that Senator Franklin should make certain comments against the background of such a short memory. If in other words there is to be any talk about polarisation, do you think a society that has been exposed to that kind of blistering attack can forget? I think Senator Franklin really has to hear Mr. Patsy Springer on a political platform to understand what I am talking about. If you want to hear the giant of all character assassination, you have to hear Mr. Patsy Springer. He has a talent, it is a gift. When he starts you cannot but listen, and if you are ever a little stupid, you would believe him too. Those are the days which I hope are gone. I think Senator Boxill will know about that. That is why Senator Boxill goes easy on these charges.

I want specifically to pay attention to the comment about the use of the Caribbean Broadcasting facilities in relation to the broadcast of the speech by the Prime Minister of this country at a party conference. Again it may be a matter of memory being too recent. In 1976 when a breath of fresh air breezed through CBC for the first time — if it was not the first time it would hardly be fresh — C.B.C. opened up its doors, whereas the Opposition was never covered at a Press conference by CBC. We were never given any time and so on. Immediately a decision was taken that if the Leader of

the Opposition has a Press conference, you go and cover it and treat it as news. The Constitution regards him as sufficiently important that he is given special provision in the Constitution, but he was not important enough prior to 1976 to have a press conference televised and you never reported it in any way. Ever since then Mr. Sleepy Smith, Mr. Barrow, Mr. Branford Taitt has never been Leader of the Opposition to the best of my knowledge and belief; I am not even sure he has been Leader of any of the Opposition in the Democratic Labour Party — but Mr. Branford Taitt has been on. I was out of the Island last year and when I came back I heard people talking about the amount of exposure given to Mr. Branford Taitt at the Democratic Labour Party's annual conference. His speech was broadcast over television. There are people who said that CBC could only be mad because as far as they were concerned, Branford Taitt had no right on television because the Democratic Labour Party never played it that way.

No member of the Democratic Labour Party can come in here and talk about press freedom and talk about whether somebody broadcast over CBC. Their history has been completely alien to the use of the media by any but themselves. I am making the point very strongly because I know a lot more about it, and I do not even need to stand up here and talk about it all, but if I get pushed I can talk about a whole lot. (ASIDES) According to Senator Boxill I was involved in it, and according to Senator Boxill I taught him how to be a bad Minister. (ASIDES)

Mr. PRESIDENT: Let us have a little order do!

SENATOR THE HON. N. A. BARROW: I am not sure as to how much I am going to hear I was responsible for and involved in, but it has never sat well with me that I should exclude my opponent from the media, and for two reasons: first of all, I am a media person. I used to do a little thing and get it published; and secondly, Barbados is 166 square miles, good roads all over the place, and there is no way that you can stop anybody from being heard. So people who believe that they can shut the media off to their political opponents are only day-dreaming; but so many people in the Democratic Labour Party did day-dream. CBC was totally closed to the Opposition and yet the Government changed in 1976. That itself ought to be sufficient recommendation that the policy made no sense.

I think, Sir, that Senator Hatch was at some point a Deputy Chairman of CBC and in those days with Senator Hatch as a Deputy Chairman and Senator Wickham a former Chairman, I believe that if one asked one might find a lot that would embarrass anybody who wants to say that what I am saying is not true. I believe, Sir, that in this day and age one is also not to belittle the office of Prime Minister, and if the Prime Minister is making a state-

ment, the Prime Minister is making a statement, and whether we are his opponents or otherwise, particularly when parts of that statement concern national issues, the public must have the benefit of having that statement communicated to them. It is only in Barbados that people make these distinctions which are idle distinctions between whether a person is speaking in this context or in that context. In the United States the coverage given to the Democratic Party Convention is as elaborate as the coverage given to the Republican Party Convention. Why is it that as long as you are a member of the Democratic Labour Party you are afraid of bringing the cameras in and showing what is going on?

I think it is time that we get that sort of thinking completely out of our heads and get adjusted to a new age and came within the area where we understand that man must communicate with his fellow if the society is going to be improved. The argument that Senator Franklin put forward unwittingly I am sure but nevertheless effectively is one for a strangling of the media once more. Are we to expect then that that is what will happen if by some slip the Democratic Labour Party should return to power in this country? (Senator N. W. BOXILL: Slip?) It will have to be, because the people in this country are certainly not entrusting their affairs in the hands of that party at the present moment.

The point specifically made by Senator Franklin referred to the same point made by Senator Boxill, the listing of these Statutory Corporations in Appendix II and the specific provisions in Section 5 that the Governor-General may by order bring these in as opposed to Section 1 in respect of which they are not listed.

It pains me a bit to have to get up and object on this point because once we were of the view that the Bill ought to go to Select Committee, it depends, Sir, on what then emerges from Select Committee and the place certainly to put that kind of detailed argument would, in my view, be the Select Committee. I cannot see that it can be a reasonable accusation to criticise a Bill whose framework envisages the inclusion of these people, to criticise that Bill for not providing for them. That, Sir, is one of the weakest political points and in my view it is the kind of political point that is made only because you want to cover your tracks after you have refused to participate in the deliberations of the Select Committee. You do not go into Committee and make your contributions, you are caught in a vice and you have to say something so you say why do you schedule them and say the Governor-General may by Order prescribe what in fact you could have brought in all one time.

It is one of these arguments that I have little time for and little patience. It is one of those fine points that are hair splitting. It is nothing more than that. Who, Sir, would go to the extent of listing these Corporation?

Then, what are we assuming, that there are being listed because they cannot be brought into the ambit of the Bill? That is the kind of reasoning which I think the minds of Senators would reject.

Senator Boxill made reference to the term "infelicitities" and I was about to tell him that the term "infelicitities" came into the political vocabulary of Barbadians when a former Senator, Mr. Jeffrey Johnson, carried away \$15,000 from the Marketing Corporation and the then Leader and now Leader of the Opposition described it as "infelicitities", *ipso facto*.

The point is that when you look at the word "infelicitities" and you think about Duffus and you think about Johnson you understand that infelicitities is not out of Webster. It may be out of the Barrow Dictionary but not Webster. How can people belonging to a political party could take comfort in the fact that the word "infelicitities" was applied to the Bath Plantation scandal. You can take comfort in a lot of strange things. After the more recent revelation about SRC you can take comfort that the word "infelicitities" was applied to the North Point scandal.

Sir, Senator Franklin thought that because he stuck to one Commission, Duffus, that I would stick to one Commission. His thought was right, Sir. I will stick to one Commission, Hanschell. Mr. Bert Marshall has not even come back to Barbados yet. I do not think that the matter is *sub judice* but I believe that it is fair say that some people feel that if he ever steps back here — let us leave Mr. Bert Marshall. But, Mr. Bert Marshall, Senator Franklin would know, was a high ranking member of the Democratic Labour Party and he would know.

I do not believe, Sir, that he ever surveyed any land for Arlington DaCosta Edwards. I do not believe so, but found no corruption? No corruption? Housing? Mr. President, I believe, Sir, the Senator was not too serious. I believe that if he knew that when he said one thing I would look at it in its totality he would not have made that statement he really made. I really do not want to take this thing too far.

Senator Boxill also had in this little slur about people and mini-buses, apartments and hotels. I do not know who owns apartments. I used to own. Since I became a Minister I had no time to look after them and found myself going down and I had to get rid of them at a great financial loss. I do not know if that is what he is referring to. I do not believe that you would call that any improper gain when you actually lose them as a result and end up with some serious debt that you still have to resolve how to pay them off but there are all sorts of idle talk about who is doing what.

I also want to make specific reference to one thing and it is this, Sir, that we have to be very careful not to allow our present mood to suggest that there is no need for Integrity Legislation because Senator Boxill who has been a Minister for seven years, he said, also made the statement that offers were made to him and if you make that statement you are in fact saying that there is an atmosphere in which some people will seek improperly to induce others to do certain things and this is where I believe that Senator Hewitt's suggestion about an Integrity Commission, perhaps operating on an exceptional basis, is a very, very good suggestion.

What concerns me and I understand the sentiments of the Hon. Senators, is that the legislation we have ought to reflect our own needs. I am not wedded to any particular model but I must tell you, Sir, that the fears expressed as to the probable effects on many whom might otherwise give very useful public service, that those fears are very persuasive in terms of determining the direction where we ought to go.

Sir, I do not know who has the \$1 million Contract with the Barbados Labour Party or the Democratic Labour Party. I do not think the party was identified but Senator Boxill said that one man was responsible for the Labour Party being able to talk about corruption. What I think was significant in that statement, Sir, was that whereas in the charges made in 1961, one is unable to find the one person associated with the Government of the Barbados Labour Party who can be said to have been responsible for the charges of corruption made by the Democratic Labour Party and, Sir, one is unable to find that there were even infelicities.

We have a situation concerning the charges of corruption which the Barbados Labour Party levelled at the Democratic Labour Party at which a former Minister of Government has been able to identify the one man in their midst who in his view justified the levelling of these charges. That to me, Sir, seems to be a very persuasive bit of information because we are seeing that charges are made by both sides.

We are saying, Sir, that in the atmosphere of those charges, perhaps this legislation was conceived. So, I understand Senator Franklin to be saying and if I also understand his colleague, Senator Boxill, the fears and the charges expressed by the Barbados Labour Party were not without foundation because according to him, there was one man, who put them in all that trouble I believe, that he is referring to the one man, Sir, who they subsequently, are said to have expelled from the Party, in order to make room for Mr. Vernon Smith. But, it is a rather interesting admission, Sir, when one Senator says, that we are turning the country apart, by accusing them of corruption and that we are on a witch hunt, by

accusing them of corruption and then, his colleague says, that it is one of our fellows, who really put us in that trouble".

I believe, Sir, that when one examines the record, that it would be difficult for us not to have had some kind of admission of that sort because it is hard, Sir, very hard, when you have the North Point, Bath and what not and you call them infelicities and then Housing comes up and you do not know what to call that. I would not go into that, this evening, Sir, but I believe, that Senator Franklin is not to be misled into believing, that if he comes in and starts throwing around things, that the internal object of his position is not to be made there.

Mr. President, I believe, that there are a number of other points, which have been made and which have been taken, in the course of the debate. Just let me, before I sit down, say, in the first place, that I cannot respond to Senator MacKenzie's point, Senator Sir Mencea Cox has responded to it already, Senator Boxill has also responded to it, Senator Hewitt responded and I am not in a position therefore, to respond to it. The point he made about the increase in concentration of power in a few hands, I think, that I heard someone refer to that already, Sir.

In passing, I would like to make one comment on that and that is, that a student of Government in the West Indies has often to deal with the term responsible Government and I understand the concept, that a Government, though responsible is not necessarily representative because such has been deemed the Government, which existed, when people did not even have a say, in how their own affairs should be run, responsible, but not representative.

There can be, under a ministerial system of Government, nothing like the concentration of power, that existed in the hands of officials, in the days, when the Attorney General was lord and master of this country. There can be no such concentration of power, in any ministerial system. So that, while a lot of the institutionalisation of the power has been formalised, obviously, it has been institutionalised and therefore, one is easier able to look at these powers and say, look across the board and say, "oh, people have a lot of power." In the limited structure preceding representative Government, any truly representative Government, the concentration and the exercise of power was something fairly akin to the old-fashioned version of the absolute monarchy. I think, that we have come a long way from those days.

Finally, Sir, what is the stage just before Government? I just want to take exception to Senator Wickham's statement, I cannot remember what it was, but I want to take exception to it, any way. Sir, I cannot sit down, without reference to what I personally consider an excellent speech, made by Senator Hewitt,

which seems to me to pose the dialogue, wherein there is legislation before us. We agree, that there is need for some kind of legislation, all of us can agree of course, with Senator Wickham's point, political parties should take care of the selection of the candidates and this itself can go a long way, towards keeping confidence in integrity of those in public life. That is particularly true, Sir, but Senator Wickham, when I said that I was taking exception to Senator Wickham's point, he says, that what I did, that I did it deliberately.

Senator Hewitt, I think did a very impressive and detailed analysis of this legislation and I believe, that he has probably provided a guide to the Committee when he said, that perhaps, there should be an Integrity Commission to monitor things on the exception basis. I believe, Sir, that in that statement, he has probably come much nearer to identifying what it is, that it needs to prevent, if you can prevent it, the repetition of the situation, which could make Senator Boxill identify one man this evening, in order to try to get away from the repetition of that situation. I think, Sir, that is probably the direction the Committee must go, if it is to find legislation appropriate to our needs. (APPLAUSE).

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

SENATOR THE HON. N. A. BARROW: Mr. President, I beg to move, that this Bill be referred to a Select Committee.

The question was put to the Senate and agreed to.

Mr. PRESIDENT: The Committee of Selection will meet and nominate Senators, in accordance of outstanding orders to serve on the Select Committee.

I do not believe, that the Honourable Leader of Government intends to proceed with any other matters this evening and after he adjourns the Senate, I would request, members of the Committee of Selection, who are myself, Senator Barrow, Senator Trotman, and Senator Cox to meet with me, with the Clerk afterwards.

What is the vacancy?

THE CLERK: Senator Connell.

Mr. PRESIDENT: The Order Paper that I have here with the list of Select Committees does not show any other name under the Committee of Selection. Oh, I see, you mean it has been dropped recently. Well, the Committee of Selection is appointed by the Senate itself. Would it be in order for us now to appoint someone to fill the vacancy on the Committee of Selection? Would it be a member of the Opposition? Would someone make

a nomination for replacing Senator Hunte on the Committee of Selection?

SENATOR THE HON. N. A. BARROW: I would like to nominate Senator Boxill.

SENATOR O'BRIEN TROTMAN: I second that.

Mr. PRESIDENT: Is there any further nomination? Since there is no further nomination, I declare that Senator Boxill has been appointed a member of the Committee of Selection; I would now request that after the suspension that members of the Committee of Selection meet with me inside so that we may nominate members for sitting on the Select Committee, and this will be communicated to the Senate at our next meeting.

It has been suggested to me that it would save time if the Committee of Selection were to meet now and inform the Senate this evening of the nominations so that a time can be appointed for the Select Committee to start meeting even before the date of adjournment. This would involve suspending this Sitting for 15 minutes while the Committee of Selection meets. Is that agreeable to members of the Senate?

SUSPENSION OF SITTING

Mr. PRESIDENT: This sitting will be suspended for 15 minutes and the Committee of Selection will meet in my office.

On Resumption:

Mr. PRESIDENT: The sitting is resumed.

REPORTS FROM SELECT COMMITTEES

Mr. PRESIDENT: The Committee of Selection has met and has nominated for the Special Select Committee which has been appointed on the Order of the Senate, the following Senators:

Senator the Honourable N. A. Barrow

Senator the Honourable D. G. Blackman

Senator A. Truss

Senator R. L. Field

Senator H. R. Linton

Senator N. W. Boxill

Senator Miss M. I. St.C. Blackman

Senator K. R. Hewitt

Senator the Rev. A. Hatch

The Committee will have as its Order of Reference the Bill which we discussed this evening, the Bill whose Objects and Reasons are to preserve the public confidence in the integrity and honesty of persons in public life.

The Committee will appoint its own Chairman, and I direct that the Committee will have its first meeting at 2.30 p.m. next Wednesday. The Committee will be guided by the Standing Orders of this House as from 61 onwards dealing with Special Select Committees. It will have power to send for papers and so on as shown in the Standing Orders.

Members of the Senate who are not members of the Select Committee can attend the meeting of the Select Committee and can speak but obviously cannot vote.

I think that is about all that I need say to cover the Select Committee at this particular point.

ADJOURNMENT

SENATOR THE HON. N. A. BARROW: Mr. President, I move that the Senate do now adjourn *sine die*.

The question was put to the Senate and agreed to, and Mr. PRESIDENT adjourned the Senate accordingly. 7.18 p.m.