THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1991 - 96

SENATE

Wednesday, July 1, 1992

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, July 1, 1992, at 11.15 a.m.

PRESENT

His Honour Senator M. deL. JORDAN, (Deputy President)
Senator the Honourable L. V. H. LEWIS (Minister of Agriculture, Food and Fisheries) (Leader of the Senate)
Senator A. MORRISON
Senator Mrs. V. C. FRASER, B.S.S., J.P., M.C.F.A.
Senator A. J. N. PHILLIPS
Senator the Honourable Dr. C. D. CLARKE (Minister of Labour, Consumer Affairs and the Environment)
Senator Dr. Frank W. ALLEYNE
Senator Miss Y. V. WALKES
Senator Mrs. M. BARKER-WELCH
Senator Mrs. A. STRAUGHN, G.C.M.
Senator Mrs. M. WALCOTT, S.C.M.
Senator the Rev. Canon J. L. SPRINGER
Senator J. G. BELLAMY
Senator J. A. F. COLE
Senator T. E. BARKER
Senator Miss M. A. MOTTLEY.

Prayers were led by Father Errington Massiah.

Mr. DEPUTY PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I am commanded to lay the following documents:

The Annual Report of the Caribbean Broadcasting Corporation for the year 1989.

The Reform of the Direct Tax System Prepared by the Fiscal Affairs Department of the International Monetary Fund.

The Annual Report and Financial Statements of the Public Utilities Board for the year 1991.

The National Insurance and Social Security Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland, Order 1992.

The Duties, Taxes and Other Payments (Exemption) (No. 3) Order,1992.

The Rate of Interest (Exemption) Order, 1992.

The Annual Report and Audited Financial Statements of the Barbados Agricultural Development Corporation for the year 1988-89.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE AND MOVED BY A MINISTER

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move the suspension of Standing Order 45(2) for the period of today's sitting to enable us to proceed with matters as set out in the Order Paper.

The question was put to the Senate and agreed to.

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move that Senator Canon James Springer be appointed to perform the duties of Acting Chairman for the duration of today's sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move the First Reading of:

> A Bill to amend the Health Services Act in order to make provision for reciprocity in matters relating to health services.

I also beg to move the First reading of:

> A Bill entitled an Act to amend the Retiring Allowances Legislative Service Act.

And I further beg to move the First Reading of:

> A Bill entitled an Act to amend the Constitution of Barbados.

I beg to move that these three Bills be now read a First Time.

The question was put to the Senate and agreed to.

PUBLIC BUSINESS

HEALTH SERVICES (AMENDMENT) BILL, 1992

Order No. 1 was called – To move the Second Reading of the Health Services (Amendment) Bill, 1992.

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, this Bill which seeks to amend the Health Services Act comes as a consequence of the entering into force of an Agreement entitled the Reciprocal Health Agreement between the Government of Barbados and that of the United Kingdom which permits citizens of the two countries who may require medical treatment while on a visit to the other country to receive such treatment on the same basis as if they were at home.

The Protocol which I referred to earlier concerning health care was attached to the Convention on Social Security concluded between the Governments of Barbados and the United Kingdom, as authorized by the Instruments of Ratification exchanged on 27th February, 1992 and that Convention came into effect on the 1st April, 1992.

The health care Protocol, Mr. Deputy President, is not covered by the existing National Insurance and Social Security legislation and that is why it has become necessary for this Bill to come before us which seeks to put in place and to cement the coming into effect of the Convention on the 1st April.

The Bill is straightforward and gives the definition of Protocol and it also has attached to it the Protocol concerning health care. The purpose of the Bill is to authorize the Governor-General by Order to publish the Protocol in the Official Gazette in order to give effect to the Agreement between the Government of Barbados and any other part of the Commonwealth, including the United Kingdom, or for that matter, the Government of a foreign country. I beg to move that this Bill be read a second time. 11.25 a.m.

Mr. DEPUTY PRESIDENT: Senator Barker.

SENATOR T. E. BARKER: Mr. Acting President, we are indeed very glad, Sir, to see this amendment before this Honourable Chamber because, as you are aware, Sir, many of our people travel to England and other countries in the Commonwealth to visit relatives and friends, especially noting the large Barbadian population in the United Kingdom and other such places. This is a very timely amendment to the Health Services Act and we on this side have no difficulty at all in supporting this measure.

We would like to see the arrangement extended, not only to Commonwealth Countries, but as given in the amendment, to any other country especially where Barbadians tend to congregate, especially, Sir, the United States of America. Every summer, BWIA and other airlines are full of Barbadians travelling to see their relatives and friends and in general to see that country.

Sir, this gives me an opportunity to talk about the Health Services Act Cap 44, because I am very proud to represent a Party which has been responsible for the upliftment of health services on the island. Sir, we only have to look at the extensive polyclinic network and the extension to the Queen Elizabeth Hospital to see the amount of effort that we have put into ensuring that our health services become second to none in the developing world and rival the health services in the so-called developed world.

Sir, I want to suggest that if we want to maintain our standard of health care that we have to make sure that

any little kinks are ironed out as soon as they appear. Sir, I want to go through the Act to highlight certain things which we would like to see improved upon.

Sir, the Act is very wide-ranging and it gives the Minister tremendous powers in regulating the health services in Barbados. It says, Sir, in section 3: The Minister shall generally be responsible for the promotion and preservation of the health of the inhabitants of Barbados among other things. And it goes on to Section 4 and it gives the responsibility. The Minister shall be responsible for the administration of this Act and without limiting the generality of the foregoing his functions shall include ... And among other things it mentioned the prevention, treatment and limitation and suppression of disease. It mentioned the abatement of nuisances and the removal or correction of any condition which may be injurious to the public health.

The Act gives the Minister, not only power, but responsibilities, tremendous responsibilities. In this light we need to take stock, ever so often, and see where we are in relation to our health services.

I will start, Sir, with the polyclinics because the polyclinics used to function as a provider of primary health care. As I said before, we in the Barbados Labour Party are proud of the development of the polyclinics system in the island and we are indeed happy to see that we left an infrastructure there. So in spite of all the incompetence of the present administration it has not yet reached the health services in general. For that we are extremely glad, and I am going to make sure that they are kept on their toes.

I want to suggest that the polyclinic service is going to become even more important as our people, not only lose their jobs, but suffer from reduction of incomes. Sir, in the past, they would have preferred to visit a private doctor. A lot of them now are out of necessity using the polyclinic services. You cannot blame them because in a sense they have paid for the polyclinic services, so they are making more use of the polyclinic services and as a result the polyclinics need to adjust to meet the increasing demands on them.

Sir, prior to 1986, the polyclinic had a system where they would remain open in the evenings. This was of tremendous importance to people who can ill afford to lose a day's pay for minor things. Sir, I would like to see us go back to that system where we operate some sort of shift system where on evenings a person can leave work, go and get attended to without losing a day's pay. It worked well in the past and I do not understand, Sir, why this present administration sought to stop that evening service. I am suggesting that they look at it again. Look at the feasibility and see if, with the cooperation of the doctors and the nurses, we cannot make better use of the plant that has been provided at enormous cost. The machinery is there, the buildings are there. I believe that better utilisation is called for, especially at a time when we are having a lot of cuts here, there and everywhere. So, Sir, that is one area that Government could look at because it would be of tremendous benefit to a lot of people.

Next we move to the secondary and tertiary level and we are glad that the Queen Elizabeth Hospital has developed into what people would regard as the premier institution in the Caribbean as far as hospitals go. But we are distressed when we hear of some of the inefficiencies and some of the incompetence that goes on at that place. For example, Sir, I will always speak about this. Sir, at a tremendous cost we bought a catscan machine and I was distressed some years ago to have read that the machine was inoperable because rats had bitten the cable. I was aghast. What right ...

SENATOR THE HON. L. V. H. LEWIS: Mr. Acting President, on a point of order. Is the Honourable Member referring to the time when his party was in power and they were found?

SENATOR T. E. BARKER: Of course not. The record will show that what he is referring to occurred when he was in power.

Mr. DEPUTY PRESIDENT: Who is "he"?

SENATOR T. E. BARKER: When the Honourable Minister was in power. I think he was in charge of the Ministry of the Civil Service at the time. If he checks his records he will find that I am right as usual on these points. The rats bit through the machine when the Honourable Member was a Member of the Cabinet...

Aside.

SENATOR T. E. BARKER: Check 1985. Check it out and apologise to me at lunch time.

Mr. DEPUTY PRESIDENT: No. You withdraw that please.

SENATOR T. E. BARKER: Unhesitantly I withdraw it, Sir. We have got to be very careful. There is no sense buying all this expensive machinery and then the maintenance... We spend $2 million or $3 million on machines and then we fail to spend a few thousand dollars to maintain that machine so that if anything goes wrong now the machine has to be fixed at enormous cost. Prevention, Sir, as we all know, is always better than cure. In spite of all the cut backs, Sir, I would implore the Government to ensure that having spent enormous sums on the hospital to spend the few extra thousand in order to make sure that equipment is properly used and properly maintained.

Sir, we in this Chamber would like to know if all of the operating theatres at the Queen Elizabeth Hospital are back in use. Sir, we always read and hear about the amount of time it takes for people, especially those who are non-paying to get operations and such things done. I was told, Sir, that for a long time some of the operating theatres, at the hospital, were out of commission and the story goes that nimbles, brought in by the birds, somehow got into the operating theatre and hence created problems. Sir, I would ask the Minister to give us the assurance that all of the theatres are back in use. People have to wait too long to get, in some cases, minor but extremely painful operations done.

Sir, while I am on that point we have to look again at the St. Joseph Hospital. Sir, I am not going to get into matters which the Public Accounts Committee in the Other Place is dealing with. I am talking now about – Can we or should we have two acute care hospitals on the Island? We know already that the Queen Elizabeth Hospital is suffering from overcrowding and, as I mentioned before, there is a long waiting list and people have to be turned back on many occasions. This causes a lot of confusion. But the question is given the enormous cost of equipping and staffing the hospitals and given the excellent communications that both Governments have sought to make sure are in place, can we afford two well-equipped acute care hospitals? If we are ever going to turn the St. Joseph Hospital into an acute care hospital, we cannot do less. We have to make sure that, if it is an acute care hospital, it must be properly equipped. Take for example the delivery of babies. Sir, we know from our experience that sometimes after a delivery the baby is in such a condition that it requires immediate care in an incubator. Even something as routine as delivering babies, if the equipment is not in place and one has to travel from St. Peter to Bridgetown in a half hour or whatever time, the child could have passed on. All of us know that this is possible.
11.35 a.m.

Sir, the point I am making is that, if we are going to have another hospital, we are going to have to ensure that it is properly equipped and furnished. Now the question is: Do we need a second acute care hospital on the Island? Can we afford it? Sir, I am coming to the conclusion that the answer is probably "no". A case can be made up then for three or four hospitals. But in terms of affordability, we have to be extremely careful. It is better to have one well-equipped hospital that is functioning properly than three or four over the Island.

SENATOR THE HON. Dr. C. D. CLARKE: On a point of order, Sir. I do not think that the Honourable Minister in making his presentation indicated to what use the St. Joseph Hospital will be put. I think it is unfair for the Honourable Member to speculate as to its usage. He is pretty well enjoying himself in terms of setting up straw men and pushing them over. But I think that he should stay with the debate.

SENATOR T. E. BARKER: Sir, with all due respect, the Honourable Minister is usurping your function. Under the Act that we are discussing, the Minister can establish a hospital when he likes. He has that power under the Act that we are discussing. I think, Sir, that I am well within the debate and I would wish in the future that he allows you to perform.

Mr. DEPUTY PRESIDENT: That is entirely a matter for me. Will you proceed with the debate?

SENATOR T. E. BARKER: Sir, the whole question has to be looked at again. Now mention has been made of the St. Joseph which the Government purchased and has spent up to now over $15 million on, and it can be used as a private hospital. But the experiences of private hospitals in Barbados are such that I am not sure if Government should be spending that sort of money in any private hospital given the experiences of the Bayview Hospital as well as the old Diagnostic Hospital. I am not of the view that Government should be going into the business of private hospitals. I am of that view and I am clear on this that Government should get out of the hospital business except for general hospitals.

Aside.

Mr. DEPUTY PRESIDENT: Address the Chair please.

SENATOR T. E. BARKER: Sir, the point is that Government went ahead and purchased that hospital without first of all sitting down and counting the cost, not only the cost financially but all the other implications. Government did not sit down and say, "Do we need a hospital and can we afford it?" They just went ahead willy-nilly and purchased the St. Joseph Hospital and spent enormous sums on it. Up to now as far as we know, it has not treated a single patient. I wonder, Sir...

Mr. DEPUTY PRESIDENT: Senator Clarke.

SENATOR THE HON. Dr. C. D. CLARKE: On a point of order again, Mr. Deputy President. The Honourable Senator does not know this to be a fact that Government did not give full thought and consideration to the purchase and planned usage for the St. Joseph Hospital. I wish he would refrain from speculating.

SENATOR T. E. BARKER: Sir, we know for a fact that Government does not even know what it is going to do with the St. Joseph Hospital. Because we hear of so

many different usages for the hospital that any reasonable person...

Mr. DEPUTY PRESIDENT: Senator Barker, did you say you know that to be a fact?

SENATOR T. E. BARKER: Yes, Sir. I know that for a fact that they do not know what to do with the hospital.

Mr. DEPUTY PRESIDENT: I see.

SENATOR THE HON. Dr. C. D. CLARKE: On a point of order, Sir. I wish that Senator Barker will inform this Honourable Chamber as to the source of his information. As a Member of the Cabinet of Barbados, I do not know of such.

Mr. DEPUTY PRESIDENT: What is the source of your information?

SENATOR T. E. BARKER: Sir, I know for a fact that Government does not know because of their utterances. We saw on three or four occasions the Minister talking about a private hospital and the next time a clinic for drug offenders. I am saying that any reasonable person, and I consider myself a reasonable person, would come to the inescapable conclusion that up to now Government does not know what to do with the facilities that they bought and refurnished for $15 million. I feel justified in making that statement. If the Honourable Minister has information and it does not break the Official Secrecy Act, he should share with any such information.

Mr. DEPUTY PRESIDENT: Senator Barker, you have not convinced me that you know this to be a fact. Be careful what you include in your debate. There is nothing at all conclusive in your debate to give you cause to make that statement. All right. Proceed.

SENATOR T. E. BARKER: Thank you, Mr. Deputy President. I would urge Government again to rethink its whole health care policy especially as it relates to the St. Joseph Hospital. Because I am not at all happy that we spent $15 million on that hospital and all it is doing is treating a few out-patients which could easily be done in a doctor's office. I am not so sure the money is well spent because up to now we do not know to what use the hospital is going to be put. Sir, such are the goings on in the other party.

Sir, I now turn to the environmental issues because the Minister, according to the Act that we are discussing, has the responsibility to make sure that nothing is done which is injurious to public health. He has that responsibility to make sure that nothing is done which would injure the health of the people.

11.45 a.m.

Sir, this brings me now to one or two issues about which I think the Minister has not been careful enough in discharging his responsibility. I will mention one that affects me personally, that is, the dust problem that for many years has affected the residents of Green Hill. This issue has been raised in here on many occasions. We understand that we need quarries, because as we develop we are going to need these services, but at the same time we must not allow action to be taken which although beneficial to the country is going to harm the inhabitants. I am clear on this.

In the 1970s when I was still living in Green Hill we alerted the authorities about the problem. They came and took a lot of tests and they know for a fact that the dust levels in Green Hill and the surrounding areas are too high, but the Minister here has the authority and the responsibility for "the abatement of nuisances and the removal or correction of any condition that may be injurious to the public health". There is one point in this matter that probably we have not focussed on, and it is this: Why in the late sixties was permission given to any company to open a quarry in what is a residential area? That is something we have not focussed on. Why was permission granted in the first place to open a quarry in a residential area? I know this permission was given in the late sixties and that it is over 20 years ago, but the place where the quarry is operating was an agricultural estate called Malvern Lodge, which was arable land. At one time a dairy was there, so permission could only be granted for change of use after permission from the Ministry of Agriculture at that time, as well as the Ministry of Lands, but as far as I know the residents of the surrounding area were never brought into the picture, and they are the ones who over the years have suffered enormously as a result of that decision by Government to allow a quarry to operate in a residential district.

I do not blame the owner of the quarry. He did not give himself permission. You have to blame the Government of that day who allowed a quarry to be opened there in the first place, so if any cost is incurred in the removal of the company I think Government should pay the cost, because they are the ones who made the original mistake, and it was a mistake, but the Minister of Health has a responsibility to make sure that the citizens live in a safe environment. For 20 odd years they have not discharged their responsibility.

Sir, not only the residents of Green Hill and the surrounding areas, we had the disgraceful episode last year and continuing into this area where residents of Arch Hall, St. Thomas were made to suffer because the Minister of Health did not discharge his responsibilities according to this Act. People had to suffer because of the incompetence of the Minister of Health. Sir, the matter should not

be allowed to die there. The Minister has to be held publicly responsible for failing to carry out his duties under the Act.

A third environmental problem that has surfaced recently is the condition at the St. Leonard's Girls' School. The St. Leonard's Girls' School, incidentally, is in the heart of the constituency of the Minister of Health and we have a situation where poor working class children every day have to study in an environment which is not conducive to good health. This matter was raised since 1988. The problem surfaced around that time, and in spite of all the various reports and so on the teachers at that school only about two weeks ago had to publicly demonstrate, walking up and down the area, because the Minister of Health, whose responsibility it is to make sure that the environment is safe, has failed to act decisively and conclusively on that serious problem. I ask myself, if this matter had surfaced at Harrison College or Queen's College, would they have had to wait for over four years? Would they have had to demonstrate before something was done on their behalf?

SENATOR THE HON. Dr. C. D. CLARKE: On a point of order, Sir. Just to clarify the record, it is not the Minister of Health who has responsibility for environmental matters, it is the Minister of Labour, Consumer Affairs and the Environment. I can assure this Honourable Chamber, Sir, that the Environmental Division of my Ministry is currently monitoring the dust problems in Green Hill. I just want the record to show that it is the responsibility of the Ministry of Labour, Consumer Affairs and the Environment and that we are actually looking into the matter to see what can be done.

SENATOR T. E. BARKER: Sir, I am extremely glad that the Minister has made that point, because it only shows the folly of the Prime Minister in taking off certain environmental matters and putting them in one Ministry and putting other environmental matters in another Ministry, because the Minister of Health is responsible for most of the environmental matters in this country. The Act we are discussing gives the Minister of Health, not the Minister of the Environment, primary responsibility for these matters. Sir, the Health Unit is not in the Ministry of the Environment, it is in the Ministry of Health. What happens is that the Honourable Senator has the responsibility, so he says, but all the Departments are under another Ministry. Is that the Prime Minister's way of making the Honourable Minister redundant? I do not know which Minister, you have 2 Ministers of the Environment, so one of them has to be redundant, especially when we are cutting costs. Which one are you going to fire? I recommend that he takes a coin and says "Heads I win, tails you lose." It is 6 of one and half dozen of the other. 11.55 a.m.

Getting back to the St. Leonard School issue, I am calling on Government not to let the next academic year in September commence without positive action being taken to remedy the situation at the St. Leonards Girls School. It has been going on for too long and the teachers are extremely worried. Certain officials at the school cannot work in the school compound because whenever they work there they get sick and have to be temporarily located at the Ministry of Education.

Sir, Government has the right, the responsibility and the authority to make sure that the environment there is safe for those 1200 children and over 60 teachers who every day have to spend 5 to 6 hours in that unsafe environment. September is only 2 months away and I want to see whether anything will be done to alleviate the suffering of those people. We cannot have one law for one school and another for another school. All schools are equal. Let Government demonstrate that they are equal by giving suitable attention to all of the schools, including St. Lucy Secondary School. I am sure Senator Springer is very much aware of the problem because it may be affecting the school of which he is Chairman.

Sir, we want action. We have had a lot of talk and in the meantime poor people are suffering daily. That school must be cleaned up and in this day and age with all the modern science I do not believe that we cannot find out what is causing the problem there. The cause must be identified as soon as possible and remedial action taken. People are watching. This is one area where the public of Barbados is behind the teachers. If I were a teacher there I would make sure that next term, if nothing is done that, there is no school because Government has had enough time to act on the legitimate concerns of the people who work and study in that environment.

With those few words, Sir, we welcome on this side the amendment to the Health Service Regulations, but I hope that Government listens carefully to what is said when we make statements. All of us have a stake in this because if the health service deteriorates it will deteriorate for me as well as the next person. It is in our interest to make sure that we correct any deficiency as quickly as possible because our tourism depends on a healthy environment too. If, God forbid, we were to get a terrible disease we would see how many tourists would come here. It is a matter of utmost importance. I urge Government to treat it as such. Thank you.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, sometimes I wonder if I live in the country that I hear some Honourable Members describe. I begin to wonder if their memories are so short because the problem at Green Hill is an environmental problem and it is not

a new problem. The permission granted to operate at Green Hill was not given by one, stayed by another and granted by another Government. It was granted under certain conditions. Efforts were made to ensure persons operated within the terms of those conditions. A successive Government came and it also sought to restrain the persons under these conditions. Therefore to get up in here and make a song and a dance as if the Government had committed a gross sin is only to play to the gallery and waste words and time. I don't have any time for that. As far as I am concerned Government will continue to use its best efforts to restrain the conditions in the interest of bringing better conditions to persons who live in that area.

In addition, we get in this place and, some of us on the periphery of political matters, make all sorts of comments without recognising that whatever we say is repeated, reported and it tends to show the country which we claim we love in a light that is unjust. We compare ourselves to other countries without recognising that quite often the services which we render is to a large extent on a par with and often superior to... In fact, we put words in the mouths of other people to help pull our own country down. Instead we should be seeking to offer words of encouragement and offer suggestions and solutions. Instead of that the only thing we can do is tear down. I am not part of any tear-down society and I am not party to that.

It is unfortunate, and I have said so already, that nobody from the appropriate Ministry is here to assist in answering these questions. I have noted them on file and I will seek to obtain the answers.

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

The question was put and agreed to.

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. DEPUTY PRESIDENT left the Chair and the Senate went into committee on the Bill, SENATOR THE Rev. CANON J. L. SPRINGER in the Chair.

Clauses 1 to 3 were called and passed.

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. Chairman reported the passing of one Bill in Committee and Mr. Deputy President resumed the Chair and reported accordingly.

On separate motions of SENATOR THE HON. L. V. H. LEWIS the Bill was read a third time and passed.
12.05 p.m.

ORDER NO. 2 – RETIRING ALLOWANCES (LEGISLATIVE SERVICE) (AMENDMENT) BILL, 1992

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, the Retiring Allowances (Legislative Service) Act, Cap. 12A is being amended in the Schedule of Specified Legislative Offices to include the President of the Senate and also to restore the right to a retiring allowance based on previous service where a legislator has been refunded his contributions and subsequently becomes a legislator.

Section 9(1) of the Act permits a person who, on ceasing to be a member of the Legislature, eligible for a retiring allowance to be refunded the amount which he had paid up equal to the total contributions with interest thereon at 4% per annum. But having received such a refund, a person becomes ineligible for any retiring allowance if he subsequently resumes service as a legislator. That is, he is entitled to no additional allowance based on his previous service.

Section 9(3) states that where a refund has been made to any person or a gratuity paid under this section no other award may be made under this Act or in respect of that person in relation to the service of that person as a legislator before the date of the refund. The effect of this is that it is necessary for a person who has been refunded contributions to again build up a period of service to qualify for a retiring allowance in the event he subsequently becomes a legislator.

This provision is considered to be harsh and inequitable. In the circumstances the amendment before us seeks to amend the Act so that the service for which the refund was made may be aggregated with current service provided that the person who had received the refund in the first place pays it back to the Treasury with interest thereon.

In the case of the office of President of the Senate, the placing of this office on the Schedule to the Act along with the other legislative offices is in keeping with the provision where retiring allowances at age 55 to legislators may be made who, by virtue of qualifying service and the payment of contributions are entitled to such an allowance at the end of a legislative service.

The Specified Legislative Offices include at the moment, Minister, Parliamentary Secretary, Speaker, Deputy Speaker, Chairman of Committees and Leader of the Opposition. It is noted that the other legislative officers who are designated relate to leadership functions like in the case of Speaker, Deputy Speaker and Chairman of Committees. But the office that is absent is that of President of the Senate.

It is felt that in recognition of the role played by the President of the Senate that office should be placed on the Schedule appropriately. That is what, Mr. Deputy President, this Bill before us seeks to do, to place the President

of the Senate on the Schedule. After the words "Leader of the Opposition," the words "President of the Senate" should be inserted.

The amendment to the Schedule should be deemed to have come into effect from April 1, 1978. That was the date that the office of President of the Senate was created.

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

SENATOR Miss M. A. MOTTLEY: Sir, I have a great deal of difficulty in supporting this amendment for a number of reasons. One is timing ... the principle and the fact that principle was right because there seems to be a certain distance placed between the concept of principle and this Democratic Labour Party Government.

In the Other Place, I believe this Bill was dubbed as the Sir Frank Walcott amendment and the Anderson Morrison amendment. It is clear, even from listening to the Honourable Senator who just took his seat, that in his words, and I quote him "in recognition of the role played by the President of the Senate" this should be added to the Schedule. In recognition of "the" role. The article being used being "the". I, for fear of misrepresentation would like him...

SENATOR THE HON. L. V. H. LEWIS: On a point of order, Sir. The President of the Senate is an office. It has nothing to do with any individual. There has been more than one President of the Senate between 1978 and now.

SENATOR Miss M. A. MOTTLEY: That may well be true, Mr. Deputy President, but it is an incontrovertible fact that there is only one President of the Senate to date who will benefit from this amendment. That is an incontrovertible fact and that is why in the Other Place this particular amendment was dubbed as the Sir Frank Walcott amendment. What, in effect, this Government is asking us to do at this stage... Indeed, the Honourable Senator, again in his description of why this amendment was needed, said that the circumstances were hard and inequitable and that in those circumstances it was thought that this amendment was needed.

SENATOR THE HON. L. V. H. LEWIS: The words were used but it was not referring to the President of the Senate. The words were used in relation to the persons who retire, go out and come back. Any present person serving is not the first person. They will be others but when I reply I will deal with that.

SENATOR Miss M. A. MOTTLEY: With all due respect to the Honourable Senator again. The only 2 people who would have drawn out who are living and to whom this would apply is a gentleman by the name of Peter Morgan, if he were to enter politics again, and a gentleman by the name of Anderson Morrison who is already in. I have no difficulty at all with a gentleman by the name of Anderson Morrison, none whatsoever.

My difficulty is this that at a time when this Government for the last 18 months has preached how difficult it is for them to continue running the affairs of Government to the extent where they have found it necessary to send home over 5000 people, to preside over massive layoffs in the private sector, at a time when they have told 27 000 civil servants in this country they must take a pay cut of 8%, at a time when as recent as earlier they are placing tax proposals before this country that will alter our tax structure to the extent that it will wipe out the gains that have been made over the last 2 generations by successive Governments in shaping the type of country and society we want in this country by wiping out the middle classes in particular because they took care of the working classes last year, at a time when up to last night it is reported that 75 more people are to be sent home from the NCC today, at a time when up to yesterday .08¢ more is put on gas, not for the benefit of Government's coffers but for the benefit of a multinational called Mobil, at a time when all of these things are being done, at a time when we have asked this country to make the sacrifices and we hear Senators like Senator Fraser making the point all the time that the solution is personal in terms of picking a few more breadfruits, or planting a few more peas in the kitchen garden, at a time when all sorts of exhortations have been made to the people of this country to cut back because Government cannot provide for you.
12.15 p.m.

I am saying that this Government has been deceitful and dishonest in asking the people of this country to foot the bill for matters which they need not foot the bill, to foot the bill for MOBIL as with yesterday with the price increase and indeed to foot the bill for the Barbados Workers' Union for a matter that the Barbados Workers' Union should have taken care of. How can you represent the rights of workers in 50 years of existence and you do not take care of your own, you do not make provision for your own? But that is what they would have us believe in the public.

My information has led me to believe that they have already taken a decision to continue the salary of the particular individual until his death. It is not to say that the individual is not entitled to salary. I am not in any way denigrating the contribution made by Sir Frank Walcott to this country. It has been a sterling contribution and it is one that has contributed significantly to the society that has developed over the last forty something years. But it is a question of timing, Mr. Deputy President. It is

not everything that you would like to do that you are able to do and particularly when the psychological health of this country has been assaulted, the national psyche continues to be assaulted by a Prime Minister who comes across as being totally insensitive and by the rest of a Government who come across as being spineless in terms of doing anything to stop that insensitivity upon the people of this country. And an accusation coming from their own ranks as well that how can you at a time when you have asked the people of the country to bear all that they are bearing and you continue to ask as recent as last night and you are going to continue to ask by the time you bring down tax proposals that are going to tell people that they cannot claim interest, getting allowance for the interest on their mortgages any more or getting allowance for interest in terms of life insurance premiums or get an allowance in respect of home improvement or pensions. All these kinds of things that were done to ease the ability for a middle class to grow and to be a proud home owning and indeed a class that felt that they could build on what they had. That assault is primarily on people under the age of 40 because those are the people who are in the building process of their life.

But what do you do? You continue this Government's policy of gerontocracy and I know that I get accused in here all the time for being young and naive and I am prepared to take all the licks on this because to me it is the most heinous thing that I have seen this Government do since I have been in this Chamber. They are asking the people of this country to foot the bill again. How does it look for a member of the parliamentary club, as they would say, when you have made sure that there are people who do not know how it is they can afford to send to school children when the week comes in terms of all their children, in terms of bus fares or to be able to provide lunch, particularly at a time when the same School Meals has been cutting back and at a time when bus fares have already gone up and you are making a case for two men?

Mr. Deputy President, if it had come 4 years ago or 5 years ago when there was still an element of prosperity in the country...The importance is not the money that is going to be allocated towards the pensions. The importance of this is that the Government has the gall, that they are callous enough to bring an amendment at this stage to make a case for two men. It cannot be right. Anybody who raises children knows that in addition to however you may feel about the child that there are times when you have to say no because you just cannot provide or that it is not in your interest to say yes. I am saying that while we acknowledge the sterling contribution made by Sir Frank and indeed, the contribution of Mr. Morrison that this is not the time to present legislation of this type before this country. We talk about the concept of productivity and how we need to increase productivity in this country to be able to get out of these economic problems. And what are we doing? Rather than seriously attempting to confront the problem of increasing productivity we are sending more signals to the community that will cause them to increase their cynicism and those who are not cynical yet to increase the level of apathy among them. "You see dem tell us that things bad but look what they are doing for their own." I have said in here time and time again that when an economic problem is caused for economic reasons at least you have a chance of solving it. But when it is caused by social reasons like the same violence that I believe all of us in here are *ad idem* on like the same fact that if a person's head has given up hope and that they are full of despair or that they have become cynical, you are talking about a whole generation before you can inspire people again to put their shoulders to the task of doing the job.

Mr. Deputy President, this is all in the context that when they came last year and increased the salaries by 6% of all Members of Parliament we called for a division and we voted against it specifically. Because we maintained even a year ago when things were not as bad as this that you could not, in an economy that was in total trouble – because remember at that stage they had not had the guts to really admit it yet – that we knew that things were going further downhill and that we were not prepared to accept and vote with it on the basis that you already are going to have to take serious decisions that are going to affect the majority of people in this country.

There are people out there whose houses are being advertised. Every weekend you see CIBC Trust Company's logo in about 6 or 7 ads every weekend for people's inability to meet their mortgage payments. There are civil servants out there who work ostensibly for the figure of $2 400 and the take home pay is, eleven hundred and something dollars which is still to meet the mortgage and groceries. That is what their pay used to be.

The issue is not only one of money, it is also one of the signals that you are sending to the people of this country. I am making the bold-faced allegation that the Prime Minister of this country is trifling with the future of this country by continuing to place an insensitive and callous face to the suffering that is taking place in this country.

What do we hear? You would have thought last year after they spoke about all the travel that he would have at least tamed down himself and his Ministers. But no. All about the place again in the last month – Rio – reading, according to an announcer on VOB, odes, not even ode.

Mr. DEPUTY PRESIDENT: What do you mean by all about the place, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: All over the world, Mr. Deputy President, Sir. Nevertheless, the point I am making very seriously is that the signals are wrong, and by sending those signals you are trifling with people's heads. Because those who are already apathetic are going to become cynical and those who are on the border of apathy are going to become more apathetic because they are going to see themselves outside of the mainstream of life in this country purely because this Government continues to provide for the very limited few at the expense of the majority.
12.25 p.m.

The Civil Servants, whether it is true or not, are all walking about this country today worried, particularly those who are older and in similar circumstances to this particular amendment in terms of pensions and leaving the job and whatever. Walking about worried, expressing deep concern, that when they retire they are not going to get their gratuity in a lump sum as they usually do within three months, but that chances are they understand that instructions have been given that they are only going to receive half now and the rest will be paid later. All of these things are stopping them from doing the Government's work when the days come. They are taking it on and they have a right to take it on. The same way that people are being told that they can't get their unemployment benefits easily and in one sum. These are the ones that have already been cut and were cut under circumstances where the Prime Minister seemed to have taken a decision unilaterally, after these recommendations had been at the Board, and in circumstances which led us to believe that they were taken before they were accepted by the Board.

Mr. DEPUTY PRESIDENT: Senator Mottley, you are straying rather far from this subject.

SENATOR Miss M. A. MOTTLEY: I am talking about pensions, Sir, and the way how money leaves Government. Senator Phillips warned me I should come home from Rio and I did so.

Mr. DEPUTY PRESIDENT: Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: On a point of order, Sir. Senator Mottley said, people were told they cannot get unemployment benefits in one sum. I am not sure whom she is referring to. I would be happy if she would qualify it. I am concerned about it as Chairman of the NIS, because we have never made that statement to anybody.

Mr. DEPUTY PRESIDENT: Thank you for the clarification, Senator Alleyne.

SENATOR Miss M. A. MOTTLEY: I would assist Senator Alleyne by saying that at no stage have I said that the National Insurance Board, as an organisation, has made that statement. My allegation refers to the fact that people who are going to claim unemployment benefit are being given difficulty. I also know that discussions have taken place within NIS to monitor the outflow of funds, given the fact that unemployment has increased substantially, and given the fact that as Senator Alleyne, as a good chairman, would want to ensure the integrity of that system and therefore would monitor what is going on in there on a regular basis.

Mr. DEPUTY PRESIDENT: Therefore you would say that they have actually been told that.

SENATOR Miss M. A. MOTTLEY: I am saying they have been told that. I am not saying the Board has told them that. There is a difference. When they go to the office to collect the money, that is what I am talking about, Sir.

Mr. DEPUTY PRESIDENT: In other words you are saying, members of staff, have told them this.

SENATOR Miss M. A. MOTTLEY: Yes. In Barbados a rumour moves fast.

Mr. DEPUTY PRESIDENT: Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I am sorry I have to rise again but I want to assure this House that nobody in the National Insurance has any authority to give that information to any person who qualifies for national insurance benefit. I am quite serious about that because they would have been doing it without the knowledge of the Board. I would be happy if the Senator would be more specific. I repeat, nobody in the National Insurance has authority to say to any member of the public, who qualifies for unemployment benefit, that that benefit cannot be paid according to the Act.

SENATOR Miss M. A. MOTTLEY: I only wish to say to Senator Alleyne that the fact that they don't have the authority does not mean it is not done. It is like a certain judge ordering the cat, but anyhow that is *sub judice*.

I am saying to this Honourable Chamber, Mr. Deputy President, that not only has this Government shown a level of insensitivity and callousness that may well be the straw to break the camel's back, but it has acted contrary to the principle that surrounded the formation of the office of President of the Senate. It was never and has never been intended for that office to be pensionable.

The Committee that sat on the Constitution, the Cox Commission, clearly pointed out that when the Governor-General vacated or was absent from the Island, that it was the President of the Senate who would act

in that position and that was one of the reasons why it was never intended for the office of the President of the Senate to be a scheduled office and to which a pension would attach. The President of the Senate was the one who up until 1986 continued to act as Governor-General whenever there was a vacancy and absence in that office.

Since 1986 this Government has departed from that policy and it has not only departed from the policy just so, it has departed from the policy to the extent that it has had a detrimental effect on the process of justice in this country. It has meant that the Chief Justice has had to go and act and therefore the time of the judiciary was being cut down because of the fact that the Chief Justice then had to fulfil a constitutional requirement. While the President of the Senate was always meant to be an elderly gentleman – Senator Barker is saying, like yourself. I would not want to make that judgment, Sir, because there are people who are much younger than yourself who look much more elderly, so I would not make that judgment at all.

Mr. DEPUTY PRESIDENT: Thank you Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Sir, a gentleman or a lady who was fairly experienced in life, that it was not a full time job and that while an allowance would be paid to them, there was no need for it to be pensionable because the demands on the office were not that great, apart from the fact that the real demand, other than within this office, was that they would act as Governor-General. But this Government has now run counter to that principle which surrounded the formation of the office of President. It has also run counter to the principle that a person who has been in that office and who has not contributed to a pension and who is not being asked to contribute to a pension is to derive the benefits of a contributory pension.

Now, if that should go before a law court anywhere in the world heads would shake. Because the whole principle of contributory pensions is that you must contribute to the pension. So one could argue that even if they decided now that they are still going ahead with this amendment despite its bad timing, despite the insensitivity and callousness that it displays, the least they could have done to mitigate their losses or damage (because a defendant and a plaintiff are both required to mitigate their losses) the least they could have done was require that there be a commensurate contribution so that at least that fundamental principle upon which contributory pensions are paid out would not be breached. But no, once again our backs are broad in this country and the people went through an 8 per cent cut, went through massive layoffs, went through massive increases in food prices, went through inability to get mortgages, went through inability to borrow money from the Banks, went through increase in gas prices up to last night and still facing layoffs. But you know, our backs are broad so we can take another blow, and we can take another blow and another blow. We went through a process where the Barbados Workers' Union deceived the people of this country and what did they do? They turned around and told the people to go on strike for the sugar and then the same people had to ask how it is that the two weeks we were off, we ended up losing more money than we gained. If the Barbados Workers' Union believes so much in principle they should have made full and adequate provision. They believe in principal as in interest, not principle as in principle. That is the "principle" the Barbados Workers Union believes in.

Mr. DEPUTY PRESIDENT: Maybe you had better spell principle.

SENATOR Miss M. A. MOTTLEY: Sir, that is like Serenader's Song, "Sandie weak". He says there should be a sandie week, the only problem is that his spelling is "w e a k". Anyhow, Sir, the point I am making is this. It is wrong and improper at this stage. We are not denigrating the contribution of Sir Frank, nor are we denigrating the contribution of Senator Morrison. We believe that the timing is wrong and after you have inflicted so much on the people of this country you cannot with any honesty or integrity, or any guts or anything come and bring this matter now before them. Sir, it is like somebody who got whipped and then throwing salt on their back to soak in the wound so that they feel the brine as it seeps into that raw wound. That is what the passing of this legislation requires. To say they do not have any shame would be too mild because it goes to the very heart of survival of the people in this country. I am saying, Sir, the time has come and people on that side, the Democratic Labour Party, must stand up and say enough is enough in public as well. They cannot continue to preside over the suffering of people in this country without standing up and saying enough is enough. Because almost everyone of them when you meet them in the corridors will tell you, "I do not understand how the fellows could bring this now."
12.35 p.m.

Aside.

SENATOR Miss M. A. MOTTLEY: The point is this, Sir, that an institution of the kind as the Barbados Workers' Union had and still has a duty especially to report publicly what it has already privately taken a decision to do and particularly in the circumstances where they say that they are so concerned about the welfare of the people of this country. Let them make provision for their own first, but as a Government stop asking the people to pay the price of other people's bills whether it is noble, whether it is the Barbados Workers' Union, or whether it is Ministers of Government for interviewing people.

Mr. Deputy President, with those words, I am registering the strongest possible objection and I do not wish my speech to be construed as any kind of attack on Sir Frank because I will go on record once again as praising him for his sterling contribution to this country in all aspects (including in here) of his public life. The old people say that everything you want to do you cannot always do when you want to do and that is what this Government should have remembered before it brought this [illegible]. With those words, Sir, I strongly oppose this Amendment.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I rise in support of this particular Bill. Let me at the outset, however, make it crystal clear that contrary to what the previous speaker said the Unemployment Benefit Fund is today stronger than it was twelve months ago. I need to make that statement, Mr. Deputy President, in my capacity as Chairman of the N.I.S. so as to allay any fears (which are absolutely groundless) emanating from a statement made by Senator Mottley. I chaired a meeting just yesterday.

SENATOR Miss M. A. MOTTLEY: On a point of order, Sir.

Mr. DEPUTY PRESIDENT: Yes, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: The Honourable Senator obviously has misconstrued what I said, because what I have said is something that he cannot dispute. He can say that the Board has not issued those instructions but he cannot construe what I have said to be referring to the Board, because I made it quite clear that I was not dealing with the Board. I have stated and I will state again that certain people have come to me and expressed the difficulty they have had in receiving their Unemployment Benefit and indeed not only difficulty but the fact that they were told these things. So Senator Alleyne cannot dispute that. He cannot say that it was not said.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I cannot vouch for who goes or does not go to see Senator Mottley. That is not my business. My business is Chairman of the National Insurance Board. My mandate is clearly set out in the Social Security Act and that is what I am dealing with. I am not interested in who goes to see Senator Mottley or who does not go. I wish to be very clear on that. I am saying that in my capacity as Chairman of the National Insurance Board that on no occasion has the Board given instructions to the National Insurance Office through the Director to say to people that their full unemployment benefit cannot be honoured within the Act. That is a fact and I am not going to mince words on that. Mr. Deputy President, I speak very directly. I have never been known to beat around the bush when I am dealing with people's welfare and I am not going to come in here and waste time with humbugs. I chaired a meeting yesterday and I am happy to say...

SENATOR Miss M. A. MOTTLEY: On a point of order, Mr. Deputy President. I am on my feet.

Mr. DEPUTY PRESIDENT: Senator Barker, not you. Senator Mottley is on her feet. You will speak now, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Thank you, Sir. I am objecting strenuously and I am asking Your Honour to ask him to withdraw any aspersions that are cast upon any Honourable Senators for being humbugs in here.

Mr. DEPUTY PRESIDENT: I did not hear that.

SENATOR Miss M. A. MOTTLEY: With all due respect, Sir, if we want to have the record read back now, I would ask for it to be read back. He said that he had no time to deal with no humbugs in here and I am saying explicitly that I want that aspersion which was cast implicitly on me withdrawn from the record. I am asking Your Honour to protect my fundamental rights in this Honourable Chamber now.

Mr. DEPUTY PRESIDENT: I am not aware that at anytime you have been referred to as a humbug. All right.

SENATOR Miss M. A. MOTTLEY: On a point of privilege, if it can be read back...

Mr. DEPUTY PRESIDENT: No, I would have to make such a request not you. All right, Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I was just about to say that it was my distinct pleasure to chair a meeting...

SENATOR Miss M. A. MOTTLEY: Mr. Deputy President, on a point of order. I would really like a ruling on this matter because I am not coming in here...

Mr. DEPUTY PRESIDENT: Senator Mottley, I have ruled that I have not heard Senator Alleyne refer to you or anyone else as a humbug. Therefore, I have ruled that Senator Alleyne will continue his speech.

SENATOR Miss M. A. MOTTLEY: Therefore, on a point of privilege, I will ask for the record to be read back.

Mr. DEPUTY PRESIDENT: Can you ask for the record to be read back?

SENATOR Miss M. A. MOTTLEY: Sir, well let the Clerk come in here and tell us whether I can ask for it or not.

Mr. DEPUTY PRESIDENT: Therefore, Senator Mottley, Senator Alleyne will continue.

SENATOR Miss M. A. MOTTLEY: No, no, Sir, on a point of privilege. I am asking for my rights in here to be protected. I have been referred to implicitly as a humbug and I am not letting anybody in here who behaves like a madman interpret...

Mr. DEPUTY PRESIDENT: I have not heard you referred to in such a term, Senator Mottley. Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I was about to say that I just chaired a meeting yesterday and reviewed the Unemployment Benefit Fund and I am happy with what is happening.

SENATOR Miss M. A. MOTTLEY: On a point of privilege, Sir. I am asking for my rights to be protected in here. I am asking Your Honour to have the record read back. Senator Alleyne referred to not dealing with any humbugs in here and I am not satisfied that my rights are being protected in any manner at this point in time. I am making that request as it is Your Honour's duty respectfully to protect me.

Mr. DEPUTY PRESIDENT: Senator Mottley, you will not tell me what is my duty. I will determine what my duty is and I will also make a ruling. I said that I have not heard anybody referred to as being a humbug. I said I have not heard anybody referred to as being a humbug. I therefore make it clear that my ruling is that Senator Alleyne will continue his speech.
12.45 p.m.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I hope you will be kind enough to restore the time I have lost. The interruptions do not worry me, it is just a matter of stretching out the time.

I was saying that it was my distinct pleasure to chair a meeting yesterday and review the performance of the Unemployment Benefit Fund. All the information indicates that the Fund is getting stronger and stronger, so people need not be worried about the unemployment benefit.

Speaking directly to the Bill before this House, there are a couple observations I want to make. I listened to Senator Mottley as she spoke on this particular matter and there is one general comment I will make, a comment which applies to some of the comments made in the Other Place, that is, by their words you shall know them.

There is a pattern of behaviour in Barbados where people will say the most outrageous things about a man in his lifetime and on his death they will shed crocodile tears. I do not want any one of them to shed crocodile tears for me. If you have a poisoned tongue in my lifetime, keep that poisoned tongue in my death. That is how I operate.

It has often been said that the quality of a society and its people is best measured by its attitude to its senior citizens. It is a comment which I fully endorse. I think Barbados as a small society can feel proud with respect to the provisions it has made for its senior citizens. As a small country we have in the Caribbean the most highly developed social security system. It is the most comprehensive social security system in the Caribbean. We have done well as a small country with a slender natural resource base in terms of providing for our senior citizens.

Just to mention a few of them, today we have in excess of 30 000 pensioners on the roll of the National Insurance. Our annual bill for pensions out of National Insurance is in excess of $100 million, and that is $100 million which is not taxed. We provide assistance for senior citizens in paying utility bills where cases of hardship are made out. We provide home help services, subsidised transport and special medical support services. All of these and other things we do to help our senior citizens.

I am saying these things, Mr. Deputy President, from the point of view of making sure that the public gets the correct perspective. Only this morning I heard the Leader of the Senate say that very often people make statements which do not redound to the benefit of the country. The fact of the matter is that Barbados is experiencing difficulty, and so is the world. I challenge anyone to name me a country today which is not experiencing difficulty. Even Japan just last month had the sharpest decline in economic performance perhaps in the last 20 years which sent all kinds of jitters through that economy. There is not a single country which is not experiencing difficulty.

It is this administration which showed, I would say, a level of generosity towards our elderly folk which is unparalleled in the modern history of Barbados. I seem to recall it was in 1986 that this particular administration removed taxes from pensions, and in the time of difficulty now the IMF is apparently trying to put the pressure on Government to tax the pensions.

I make these remarks, Mr. Deputy President, to make the point that the conduct of politicians in the final analysis makes politicians their own worst enemies, not the ordinary citizen in the street. The worst enemy of the politician is the politician himself. When the unthinking politician in Opposition makes all kinds of extravagant claims and allegations against the Government in office, what he fails to recognise is that he is creating a climate within

the country by which he himself will be judged. We watched that ugly incident in Trinidad 2 years ago. It did not happen overnight. You gradually build up these things in a society and you tear down institution after institution and there comes a breaking point where the institutions crumble and people take the law into their own hands. If we are not careful with the way we continue to pull down the various institutions in this country, sooner than later all of us are going to be imperilled.I have great sympathy for any politician elected or appointed to public office. It is a most onerous responsibility. Politicians in a small society like ours are very accessible to people. It is not difficult to see a Minister or the Prime Minister in Barbados, very much unlike the United Kingdom, Canada and the United States, those big countries. Almost anybody can go and see a Minister of Government or the Prime Minister and it would seem to me that that ready accessibility and familiarity tend to breed contempt by the unthinking people, and unfortunately Barbados seems to be generating more than its fair share of people who lack any generosity at all.

Politicians, apart from having to provide representation, are people who are battered by the most unreasonable demands. People are known to come to politicians and ask them to back loans and then not pay back the loans and politicians have to put their hands in their pockets and pay them.
12.55 p.m.

They have to dispense welfare grants. People come to you saying, "It is time for school and I need to have uniforms for my children" and you are expected to come up with the money to pay for it. All kinds of emergencies politicians are called upon to deal with. Some of the most outrageous emergencies which I do not care to mention in this House. I am saying these things because some of the people who get up and rant and rave on these things should remember that there is a time coming when they might have to wear the shoe. It is all right to shout at this stage.

Mr. Deputy President, a country has got to show generosity to this narrow group of people who are saddled with these responsibilities. I know those who lack generosity will say that nobody asked us to present ourselves for public office. The fact of the matter is that somebody has to come forward. I think it is in the interest of the society that not only able people present themselves but people of character. Fortunately, in Barbados, in both parties which have held government in the last 30 years, there have been people of outstanding character.

I think we have a responsibility to be generous to these people, particularly, in the evening of their days. I have heard mention made of Sir Frank and of Senator Morrison and it saddens me to think that, someone who has served with distinction for 46 unbroken years in this country, entering the House in 1945 and between 1945 and 1991 with a short break serving with distinction people can come and make all kinds of scathing remarks and then come back and say, "Oh, but I don't mean to pull him down." I wish, Mr. Deputy President to separate myself from that kind of conduct. History is going to be very unkind to people who behave themselves like that. What is unfortunate is that people make a mistake between training and education and decency. They are not the same things, Mr. Deputy President.

I recall attending a ceremony at the university some years ago when the university conferred the Honorary Degree of Doctor of Laws on Sir Frank. I concur fully with a comment made by the orator on that occasion when he said that Sir Frank was a legend in his own lifetime. I have looked up and down the history of Barbados and I am yet to find an individual whose life and work has improved the lives of so many in Barbados and beyond. A man who towers like a colossus above all the labour leaders in the Caribbean.

I was privileged to go to Marine House last year and to hear the Rt. Honourable Hugh Shearer speak, to hear the Secretary of the AFL/CIO speak, but particularly Caribbean labour leaders of the 1940's. All of them with one accord was saying their leader was Sir Frank. He opened the doors to Europe and North America to them. To think that you could see people from outside Barbados, in the Caribbean and beyond, can come and give testimony on behalf of one of our most illustrious sons. When you can find people come in a very underhand way to pour contempt upon him, in my view, it is one of the most unbecoming deeds ever committed in both Houses of Parliament in this country. Historians who review this period and this particular experience will find wanting those who use those underhand methods to assassinate people's character.

In my view, Mr. Deputy President, nothing that we do can be too generous to one who by any criteria is a living national hero. I say that without any reservation at all. It is not my intention to speak on a personal basis but attacks have been made on the man, although the commentators have said they are not attacking him. I would say, Mr. Deputy President, that...

Mr. DEPUTY PRESIDENT: Senator Barker, will you keep your voice more *sotto voce?*

SENATOR Dr. F. W. ALLEYNE: As I was saying, Mr. Deputy President, the suggestion that this Bill is out of place and it should not be brought at this time, if you subject those comments to careful scrutiny, you will find that they are without merit. I ask myself why not at this time.

Those who say it should not be brought at this time argue that people are losing their jobs and so and so forth, but the pensioners on the National Insurance roll and the other pensioners still will get their pensions. The provisions for the senior citizens are still in place. The country has not stopped. It continues to go on. This argument "not at this time because of the situation in the economy" is without merit and what is worst, what is the financial bill involved? It is not half a million dollars. You are talking about an economy which is in excess of $2 billion. That's what you are talking about. Yet you hear comments being made that we cannot afford it.

Face the real issue! Is the country going to be generous to those who have served and served with distinction? That is the issue. Don't tell me about a Law Court because the highest Court is Parliament. They take the time from us. That is beside the point. I would say, Mr. Deputy President, that the argument that somebody did not contribute is a very nebulous argument. I sat and listened to the Leader of the Senate set out very clearly the parameters of this amendment. It is crystal clear that a precondition for qualification is that any drawings which you would have taken out have to go back in at 6% interest but when you got it, you got it with 4% interest.

What are we being subjected to? A case of looking for a pin in a haystack and trying to confuse the public. That is what we are being subjected to. I would like to believe, Mr. Deputy President, that in my lifetime I would be privileged to see another Sir Frank. I speak from direct experience. I have had the rare privilege and opportunity of sitting down and working with him in National Insurance and it has been a learning experience. You are not talking about a Gear Box, you are talking about an individual the likes of whom we are unlikely to see for many years. Make no mistake about that.

I listened carefully to that 3-hour session at Dover. I can tell you that any doubts I had then about the greatness and the good fortune of Barbados all those doubts went away.
1.05 p.m.

I regret, Mr. Deputy President, that the acrimony which surfaced around this Bill had to surface. I would have been the happiest person if this Bill was passed by acclamation in recognition of the unmatched contribution which one of the finest sons of Barbados and the Caribbean had given over 50 years of distinguished public service.

Mr. Deputy President, I fully support this Bill.

SENATOR Mrs. V. C. FRASER: Mr. Deputy President, I fully support the Bill. I just want to say a few words in connection with this Bill.

I believe that we all have to look at our senior citizens. We have to look at the contributions they have made to the development of our contemporary society. Sometimes they are not necessarily senior citizens but they are citizens who may have become incapacitated at a relatively early age. Also, there are certain conditions that make some of us not eligible for various pensions and after-work gratuities.

There are a large number of people working in this country who, perhaps, will not see a pension. I feel very hurt when people say some of the things they say. I believe that as strong, loving Barbadians, we should not choose times to say that things are happening at a particular time. God moves in a very mysterious way. I do not know what will happen to me tomorrow. I do not know who will have to help me tomorrow because I do not hold tomorrow.

Mr. Deputy President, I feel very hurt as a Senator and as a citizen of Barbados hearing even the name of the person mentioned. I think this should have been done in such a way that nobody should have even mentioned the name of the person or persons involved. It comes as a Bill. We should deal with it as a Bill. We either accept it or reject it. But then for people to be going through all these long speeches saying what time it came, who is involved, why they should be getting this, really makes me feel like I would vomit.

I have known both persons for a long time. When it comes – because a name was called I could now mention a name but I would have had no intention of mentioning the name – but I am saddened to hear of the office of the person. I am not mentioning the name but the person who was in that office has contributed so significantly to the development of the working-class people in Barbados, that is the thing, providing them with a new innovation in housing, cooperatives, you just name it, preventing the people of this country from rioting because when you find proper representation for people so that they can work sensible hours and be paid and they can work under humane conditions those are the people who really care about the poor people of this country. It is all well and good to shout loudly but the very people who shout loudly are the ones who I know have no interest in poor people. I have seen it time and time again. Go and start to organise something for poor people and you will see the problems you get from the same people who are telling you that you should give poor people this and poor people that. That has happened only last week.

We were talking a lot about fishermen and a lot of people were saying what they have done and what they have not done. They had forgotten completely that fishermen were human beings and they deserved the same kind of treatment anybody else in this society deserves

and that they deserved to go and sit down and have a proper dinner anywhere in this country. Nevertheless, the fishermen turned up and enjoyed themselves. I am only saying that, Mr. Deputy President, to say that you have to fight against the pricks to fight for poor people. I have gone through it for years and I understand what it means. I have been scoffed at. I have been abused, used and all sorts of things because I stood up. I know in this case it will be the same thing.

Barbados has sons and daughters they need to honour and assist. We cannot leave our people for people from other agencies to help them. This is not going to be an asset to any young people to assist anybody if that is the way they feel others are treated when they have spent long years giving of their service, time and talent to the country. We must point the way to the young people. Let them understand the qualities and kindness. If a Government seeks to assist persons who deserve something, we are not talking about undeserving people. We are talking about people who have given their life blood for this country.

I believe when we bring such legislation as legislators to Parliament, we should think carefully before we speak. We should always remember we have families, old and young. We have relatives who might be our cousins. If these things hit our own families we do not want to hear that anybody is talking about anything they have to give them. I think it is always disgraceful to talk about anything that anybody is to be awarded or given whether it is Government or private enterprise. I think we should be mature enough as Barbadians and Parliamentarians. People look at us daily. They measure us. People also come with all sorts of things that are not correct.

I would have Senators to understand that a lot of people believe that we are paid very highly in the Senate. Many times I have had to dispel that. People believe that we are paid fantastic salaries. They say, "Oh you Senators get a lot of money for coming here." They do not understand that we want to give of our time and service to our country because we have been asked to serve in the Senate. We regard this as a very high honour to serve our country in this manner. If we were looking at money we would not be here. If we were looking at this for our daily bread we would not be here.
1.15 p.m.

I believe that it is incumbent upon every single member of Parliament, both Senate and the Lower Chamber to think of your family. You can be rich today and tomorrow you can be very poor. I am not referring to anything specific, I am generalizing. This has happened in the world. We have had some millionaires in the United States who had more money than you could dream about and something happened, they lost a contract. Look at Trump. Look at all the big deals we have been hearing about, Perrier and all these different big companies, monstrosities. I do not think we could ever dream of having anything around here or that anybody would have riches like those people. And just one day, or somebody ceases to buy your product any more, it is no longer popular and you are at the mercy, you are on a breadline then. Thank God we do not have people here on that kind of breadline. But who knows what tomorrow may bring forth. Therefore those of us who have a little more we should try to contribute in some way, whether it is in taxation or whatever to help those who are less fortunate.

Mr. Deputy President, I want to say that in endorsing this I feel like Senator Alleyne myself and I not only feel so – that wherever I have gone the name of the President of this august Chamber is known to be a name associated with hard work, devotion and loyalty, as far down as Argentina. I well remember Joan Gooding who was placed in a very high position in the Transport Workers' Union, the first person I was asked for was the particular person. People went on to ask and to talk about the outstanding work, to talk about the housing that we have in Barbados, to talk about the Labour College, to talk about the co-operative. The people out there in the Caribbean region are watching us here in Barbados. I think it would do us well, the world's eyes are on us. Because there are Barbadians outside of this country who are doing well and are being treated with dignity. And therefore the world's eyes are on us that we in turn will treat our citizens with the same dignity that they deserve.

I never thought that I would live to see the day when anybody would try to do otherwise and, especially, in this august Chamber. However as I said before on another occasion in this Chamber we need God more than we ever needed him before in this country. We need prayer more than we ever needed it before. I hope the mistakes that have been made that people will realize that God is a forgiving God and He will forgive all of us if we ask Him. We have to ask Him to forgive us. As we say, lay not this sin to their charge.

Mr. Deputy President, I wholeheartedly endorse this and as I said, I hope that in some way somebody or all of us or anybody who has any evil thoughts in their mind about anything to do with this Bill would ask God's forgiveness.

Thank you.

Mr. DEPUTY PRESIDENT: Senator Barker.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, if the Honourable Member wishes to make a lengthy presentation then I shall adjourn for lunch.

SENATOR T. E. BARKER: Mr. Deputy President, I will assure the Honourable Leader that I will not be any longer than my stipulated half an hour.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that this sitting be suspended until 2.30 p.m.

The question was put to the Senate and agreed to and Mr. DEPUTY PRESIDENT suspended the sitting accordingly at 1.22 p.m.

RESUMPTION

Mr. DEPUTY PRESIDENT: This sitting is now resumed. Senator Barker.

SENATOR T. E. BARKER: I was in here for the past year and a half. Many pieces of legislation have passed through this Chamber. Some I supported and some I did not support. But none has given me the difficulty and the mental anguish, that this present piece of legislation has given me today. I sat and listened to my colleague give a reasoned, impassioned speech and I also sat and listened to Members on the other side, instead of focussing on the arguments, resorting to personalities.

Sir, we should look away from the personalities involved and look at the principles of, not only the amendment, but the principle of the Bill itself because we seem to forget this is an amendment to an Act, called the Retiring Allowances Legislative Service Act. We are, Sir, amending a piece of legislation which came into force in 1969. The 1st March 1969 is when this Retiring Allowances Legislative Services Act commenced. The Act has been here for over 23 years. It has had many amendments. Up until 1989 it was amended. It had amendments in 1979, 1985 and 1989. This piece of legislation, by virtue of the fact that it had so many amendments, seemed to have caused different administrations all sorts of problems. I will even go so far as to say it is causing the general public some difficulty.

Asides.

SENATOR T. E. BARKER: Sir, protect me, please. Sir, this Bill provides for our legislators as they come to their old age, if you can call 50 years, old age. It provides for them after they have reached old age and the feeling out there is that it is too generous in its provisions. That is the feeling I am getting as I speak to people.

Sir, I will disagree, because I believe, Sir, that the workman is worthy of his hire. I strongly believe that. I believe, Sir, that those who come into public life, make sacrifices. They expose themselves to all sorts of public ridicule and harassment. The ordinary man does not put himself to that pressure, night after night. Sir, I am sure the Honourable Leader of the Senate has got much greyer since he came into political life. So too, Sir, is the Honourable Senator Clarke. Political life has taken its toll on them and I believe, Sir, that they should be able to retire today and the public should compensate them for the gracious service which they have given to the country.

In the Senate, Sir, I believe that in the Senate, our allowances are not enough. I honestly believe that. But, Sir, I would have come in here and served. I would have served in the Senate if there was no allowance because I count it an honour to serve in this august Chamber. To me, Sir, it is an honour. Sir, the other side must remember that when they spit up in the air some will eventually fall back on them.

Sir, if you can remember, when they were in opposition, every time the then Government sought to address the problem of, not only remuneration, but also of retirement allowances the other side voted against it and they will come in here now and play that they are more moral than anybody else, more sanctimonious than anybody else and want to denigrate us on this side because we sought to object on certain principles of the amendment. We did not bring in personalities. The other side brought in personalities. They have taken a Bill and forgotten the principle of it and they want to tell the whole of Barbados that two young Senators from the BLP, inexperienced and young in years, can look at people of that calibre and denigrate them in public. They ought to be ashamed of the assault they made on my colleague on this side when she did not bring in personalities. We were talking, Sir, about the principle which governed this amendment. We were talking, Sir, about the timing and they, because the Press was there, would seek to denigrate our efforts to look at the principles governing this amendment.

Mr. DEPUTY PRESIDENT: I did not hear any such denigration. You must not impute those motives to Honourable Senators.

SENATOR T. E. BARKER: It sounded to me, Sir, as though they were attacking us on this side for pointing out certain things about the legislation. We will not be attacked on this matter. Our record would not allow us to be assaulted in such a manner to be called humbugs.

Sir, the principle of payment for Members of the Senate must be addressed. Sir, as it stands now, only one Member of the Senate, apart from those who are serving in Government, only one Member gets a salary and that is the President of the Senate.

Sir, I will repeat what my colleague said. One of the reasons why the President of the Senate is paid is because, acting on the Cox Commission, we, the BLP who were

running the Government felt that the President of the Senate should act as Governor-General on occasions where the Governor-General either is absent because of ill health or because of other duties. So we felt that he or she, whoever is the President of the Senate, would act as a sort of Deputy Governor-General, and as a result we made a provision that the President of the Senate was the only person in the Senate, apart from those who are in Government, to be paid a salary. It was never intended for it to be pensionable, because at the time the President of the Senate did not contribute to the pension fund. If they have changed the rules and made it retroactive, they must understand the principle which governs the introduction of that, I think it was the 1979, amendment. The principle has gone out of the window but we have now retroactive legislation ignoring the principle that informed it.

I want to reiterate that we, on this side, feel that it is not in the best interest of the country to have the Chief Justice serving as Acting Governor-General on occasions. We feel, Sir, that in the Supreme Court where we note that because of the heavy demands, a lot of cases are not ...

Mr. DEPUTY PRESIDENT: Senator Barker, this is all repetition.

SENATOR T. E. BARKER: Yes, Sir, it may be so but I will abide by your ruling. I do want to make the point that the original provisions regarding the President of the Senate should come into force and I am sure that you, Sir, would impress upon the Prime Minister that if and when he makes changes to the office of President of the Senate, that he will go back to somehow rethink the proposal and make sure that the President of the Senate serve as Deputy Governor-General.

Sir, this brings us to the whole ...

Mr. DEPUTY PRESIDENT: Why do you think that should be my role to inform the Prime Minister of any such thing?

SENATOR T. E. BARKER: Sir, I am being futuristic. Sir, this retirement allowance is causing problems because the public out there are of the view that certain people, in Government... Sir, this has been repeated to me and I am sure it has been repeated to other Members in here that certain Members, especially of the Cabinet, are afraid to publicly take a stand against the Prime Minister because their pensions might not be secure. That is something I heard with my own ears, that certain people in the Cabinet are saying, I don't have in my years yet, so therefore I want to make sure that I get my pension and my gratuity.

Mr. DEPUTY PRESIDENT: Are you suggesting that the Prime Minister might otherwise deprive them of their pensions?

SENATOR T. E. BARKER: No, Sir, I am just repeating what was said to me.

Mr. DEPUTY PRESIDENT: Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I rise on a point of order and I ask for your direction on it. The Members of the Cabinet of Barbados are a clearly identifiable class of people. To say that they are not here does not mean that you are not identifying them. You can put your fingers on these people and I thought the Rules of the Debate said that if a person is not a Member of this place you should not be referring to the person. Those persons are clearly identified so if you make a statement that they are not here but they said it, I know who are the people being referred to. I would respectfully ask that that submission be struck from the record.
2.40 p.m.

SENATOR T. E. BARKER: Sir, I was just engaging in reported speech. If people tell me certain things, it is the way they feel and we should not ignore the feelings of people because in the end they are the ones who have to make the payments. I am saying that people out there have this view that this particular legislation is causing some people in Government to act in a way which they would not have acted if this legislation was not in place. That is all that I will say about that. It is the perception out there and the Honourable Leader can "chupse" from now until tomorrow. He cannot change the public's perception neither can I.

Sir, there is a view that politicians look after their own selves and this is a common view. The members over there will deny that, but it is the view that we are a club and we look after our own. I want to go on record that I am not a member of the DLP Club. I do not join clubs and I will speak as I see fit. Sir, I am against this piece of legislation and if you will remember, Sir, last year in March or April a Bill was passed in this Honourable Chamber, which I had the pleasure of voting against which increased salaries of members of both Houses, Cabinet Ministers and so on.

Sir, in September we passed a Bill which reduced the salaries of civil servants and certain other public officers. We passed legislation which severely reduced the severance payments to workers on the whole. We gave an assent to a Resolution which in effect decreased the unemployment benefits payable to people who were laid off and now we are passing a piece of legislation which will increase the benefits of politicians. The only time that we have increased the benefits from salaries is for ourselves. In the eighteen months that I am in here when it came to the people out there, we reduced their salaries and the only time we can increase something is when it comes to ourselves. Sir, this is reinforcing the public's percep-

tion that we are only in it for what we can get and we think of only number one and we do not care anything about the other people.

Sir, I suggest that the Government has a lot of repairing to do because the goodwill, which was so evident even in January last year when the people gave 49 per cent to Government, has been squandered by Government. They are coming across as selfish and self-serving. This piece of legislation reinforces in the public's mind this concern of self-serving politicians. Sir, I do not want to be associated with that. I want to go on record that, if the country is prospering, the politicians (and myself is included) would want to share in the prosperity. But when the country is undergoing difficulties, we the politicians must also share in these difficulties. That is a principle which the Government should act on. When things are going good, all of us should share. When things are not going so good, all of us should share alike. Do not expect 28 plus 21 members to take out of the community. They are having reduced benefits and severance payments and we are giving ourselves, 49 persons, increased benefits and so on. It does not send a good message. I am sure the members on the other side, especially those who were so vociferous in their condemnation of my colleague, should ponder on these things and will reflect that we are not making any *ad hominem* arguments. We are arguing on a sound principle. This is all one country. We all share in its prosperity and its depression, especially noting that every time members on the other side get up and speak they are unanimous in their condemnation that we Barbadians are living above our means and we need a good dose of hardship. We ourselves are not prepared to make the sacrifices but we expect the people out there to make them.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. Deputy President, on a point of order. Nowhere has anyone on this side indicated that we expect a dose of hardship for anybody. Nobody has recommended this, Sir, and I think that I will ask the Honourable Senator Barker to withdraw that because certainly he does not mean to mislead this Chamber or to be dishonest in thought.

Mr. DEPUTY PRESIDENT: Thank you.

SENATOR T. E. BARKER: Sir, I cannot withdraw that.

Mr. DEPUTY PRESIDENT: I am supposed to be taking care of those matters. This has nothing at all to do with you, Senator Barker.

SENATOR T. E. BARKER: Thank you, Mr. Deputy President. As usual, I appreciate your ruling and I am glad you are protecting me from the good Senator.

Mr. DEPUTY PRESIDENT: I am not doing any such thing. All I am doing is making sure that the rules are carried out.

SENATOR T. E. BARKER: Thank you, Mr. Deputy President. We have to be very careful as politicians. This is a reminder of the Biblical statement. We have the voice of Jacob and the hands of Esau. Sometimes our hands are giving one impression and our mouths are giving another impression. All of us are in this together. Let us all share in the hardships and share in the good whenever it comes. Do not let us single out ourselves. Let us forget the *ad hominem* arguments and look at this legislation and tell ourselves in all honesty that, with what is going on around the country like the NCC which is about to close down and are now sending home some of the workers, we cannot...

Mr. DEPUTY PRESIDENT: Senator Clarke.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. Deputy President, on a point of order. There are moments for levity but this Chamber is not the place for levity. I would hope that the Honourable Member would refrain from making statements which tend to threaten or present problems or introduce scare tactics for people who are currently employed. There is nowhere that a decision has been taken or even being considered to close the NCC. There is no point in spreading panic in this community. I know it is after lunch and I do not know whether Senator Barker drank his lunch or ate it. But I would only presume that... Based on the statement I would have to conclude that he drank his lunch rather than ate it for him to make a statement like that.

Mr. DEPUTY PRESIDENT: Thank you. I know of after dinner speeches with a certain amount of levity but not after luncheon speeches. I would only assume Senator Barker that, if you say something, you say it with due regard to accuracy.

SENATOR T. E. BARKER: Sir, I stand suitably reprimanded but I am glad for my statement for one thing because the public now knows that the Minister has said categorically that it is not even contemplated that NCC will close down. Sir, at least in spite of my bad behaviour, it has brought a good. In spite of my irresponsibility, the public is assured that NCC is here to stay. I am very thankful to the Minister for intervening in that way.

With those words, Sir, I urge Government to look again at this amendment because people are watching. Thank you.

2.50 p.m.

SENATOR Mrs. A. STRAUGHN: Mr. Deputy President, my observations will be short. I hope I will

not be considered out of order when I say that debate on this Bill, to my mind, was becoming tantamount to confrontation, disappointingly and uncomfortably so. I personally did not envisage that in the debate on this amendment personalities would have become involved, and I found this unsavoury.

One of the most revered educational institutions this country has ever known, the Rawle Training Institute, had a powerful motto which when translated read: "Posterity shall reap thy fruit". All fruit is not palatable. I submit, therefore, that this Bill as an Act will be recorded in history and will remain for posterity, for future generations to make their amendments and their adjustments. Posterity, Mr. Deputy President, will reap its fruit, whatever that fruit may be.

Mr. Deputy President, I support the Bill.

SENATOR THE REV. CANON J. L. SPRINGER: Mr. Deputy President, I had come to Senate today not intending to make a speech, certainly on this matter. Let me say I should not have been speaking even moreso, because I think both Senator Straughn and Senator Dr. Alleyne spoke well for me, but I must say that I look forward to the day when matters of this nature, as reflected in this legislation, will be dealt with in a much more mature manner at the political level.

The matter was mooted, as it were, put into a Bill and brought to the Other Place and now here, and it was being dealt with without reference to any particular name or names of personalities but along the line, somewhere along the way, it came out that there were specific persons who would be benefiting from this legislation. Since that was not denied as such and most of us now believe that certainly the present President of the Senate will be a beneficiary of this legislation, I thought that would have removed all the suspicion or rancour from debate and that all of us involved – here in this Honourable Chamber as well as in the Other Place – would have welcomed the opportunity to support the legislation if only for the reason that Sir Frank would have been a beneficiary.

I would have liked to know that the political situation in this country was so mature, perhaps, that the matter would have been ironed out at the level of Heads of Parties or the hierarchies of the parties and that it would have been brought into the House as a formality, but that we would not have been called upon to call names in the course of debating the issue, so I too have been disappointed in this regard.

I cannot understand how any legislation by which the present President of the Senate would stand to benefit could be unpopular at all. To say that this is the wrong time is to suggest that there would be another time more appropriate, and I do not know when that time would be. The only time is now, because if what we had been hearing about certain problems and difficulties surrounding persons involved, then I think you could not do it 5 years ago, you cannot do it 10 years from now, now would have to be the time. So there is no argument against the legislation by claiming that this is not the right time.

Sir, I have no difficulty in supporting the matter and I hope that on any such matters in the future it will be possible for persons involved, those bringing the legislation, to put heads together, regardless of their political views and do the very best that can be done for these people who have served us so very well.

Having said that, Sir, let me make reference to some of the inconsistencies of political people. Between 1976 and 1986 there were certain new benefits brought about where serving parliamentarians were concerned. Those were opposed, but there was no promise that the legislation would have been reversed after or if the party in power lost the government. Between 1986 and 1991 there were some other benefits for parliamentarians and there was no promise from the other side that there would be any reversal. I do not understand these inconsistencies where things are done, they are opposed at first and then accepted, fully acceptable. Is this what is happening at this time? A kind of political grandstanding and no promise that if there is a change in government the legislation will be reversed. We do not have a promise.

I support the legislation, Sir, and I call on those who have been opposing it to see that the time is now and that there will not be any other opportunity when we can show how we feel about the present President of the Senate, if no one else.

Thank you, Sir.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. Deputy President, I certainly had no intention of getting into the debate. I thought, like Senator Springer who just spoke and Senator Dr. Frank Alleyne, that it was a matter of simply recognising someone who has made a sterling contribution to the overall growth and development of this country.

I have said on other occasions in this Chamber that for too often we have sought to destroy individuals and institutions in this country, we have tried to reduce everything to its lowest common denominator rather than towards its greatest common factor. I do believe that as a people, if we are concerned with nation building, we must rise to the occasion to recognise and be honest enough about it, regardless from which side of the political

divide the contribution is made and to give due credit to the individual or individuals during the course of their lifetime.

We heard during this debate that there was a question of when is the right time. There can only be one right time, that is when we recognise that a person has made a contribution worthy of recognition and reward, and at that point that is the right time, that is the point of recognition to take whatever action. Too long we wait until people have passed from this scene to speak of them in the most glowing terms and I think it was Senator Alleyne who said he wants nothing said about him after his passing that we were not bold enough to say about him during his lifetime. I feel that, if we feel strongly enough about the contributions that people make, we are, and should be most ready and willing to recognise them at that point in time. So timing cannot be an issue.
3.00 p.m.

Another point that concerns me, and I want to get back to this, is that I, as a Barbadian, am terribly concerned about the way the division in political life is trying to take this country. It is a small country where all of us are neighbours virtually – on 14 x 21 square miles we are all neighbours. We cannot afford to destroy our institutions. I don't care what guise we use to achieve this feat because one morning we shall wake up and realise that, through our actions and through our utterances spoken without the whole realisation of their consequences, we have given this country over to a group of people who have no concern about retaining it in its present form or even advancing its cause.

Let not the quest for narrow, political advantage lead us on to destroy this country which we call home. It is home for us. It is home for our children and hopefully, for our grandchildren and their children. Let us bear this in mind as we get into our debates and let us refrain from trying to ridicule people who have made their contribution. Let us admire and respect them!

SENATOR T. E. BARKER: On a point of order. I just spoke and I never ridiculed anybody.

Mr. DEPUTY PRESIDENT: Senator Barker, you will modify your speech! You will not address the Chair in such a manner!

SENATOR T. E. BARKER: Sir, I was not addressing the Chair.

Mr. DEPUTY PRESIDENT: You are supposed to address the Chair.

SENATOR T. E. BARKER: Sir, you must bear with me, but at times I hear a lot of nonsense coming at me that I cannot always ignore.

Mr. DEPUTY PRESIDENT: Nonsense?

SENATOR T. E. BARKER: Yes, Sir.

Mr. DEPUTY PRESIDENT: All right. Anyhow you are on a point of order, so will you address that.

SENATOR T. E. BARKER: On no occasion have I denigrated. Members in this Honourable Senate should not impute to me improper motives.

Mr. DEPUTY PRESIDENT: Senator Barker, I have not heard anyone say any such thing.

SENATOR T. E. BARKER: Sir, the Honourable Member mentioned denigration and I therefore spoke. My colleague and myself were the two members who spoke against the Bill so any denigration would be on the part of the two of us.

Mr. DEPUTY PRESIDENT: Senator Barker, by the same token when you also spoke, could not the same thing have been inferred?

SENATOR T. E. BARKER: Yes, Sir. I agree.

Mr. DEPUTY PRESIDENT: All right. Thank you. That is enough.

SENATOR T. E. BARKER: At the same time, I want it to go on record that I did not denigrate anybody.

Mr. DEPUTY PRESIDENT: That's enough. You may continue your speech, Senator Clarke.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. President, I did not say Senator Barker, neither did I call any other Senator's name into question. It is not my way of debating. I deal with an issue.

I think that following up on the suggestion made by Senator Canon Springer that in the spirit of goodwill, in the spirit of intellectual honesty and in the spirit of recognising the sterling contributions made by those people whom this Bill seeks to honour, I think today and hereafter (because this Bill is not directed towards any one or two individuals but is based on a principle that people who make sterling contributions should be recognised from hereon)...

Your time will come if you behave yourself long enough...

Mr. DEPUTY PRESIDENT: No asides! Please address the Chair.

SENATOR THE HON. Dr. C. D. CLARKE: It requires certain behavioural characteristics, Mr. Deputy President, in order to qualify and I would strongly suggest that if we wish to redeem ourselves – and this is an opportunity – from some of the less than desirable behaviour exhibited in this Chamber today, I think we can even now reverse our positions...

SENATOR T. E. BARKER: On a point of order. Less than desirable behaviour. I would like to think, Sir, that you would not allow me, in your office as Deputy President, to behave less than desirable. So, that is a reflection on you, Sir.

Mr. DEPUTY PRESIDENT: Senator Barker, if I have to speak to you again today, I shall speak to you in more stringent terms. I do not need you to assist me today or ever in the execution of my duties. You will not interrupt unless it is a genuine point of order. Senator Clarke, you may continue.

SENATOR THE HON. Dr. C. D. CLARKE: Thank you, Sir, for shading me from the other side. I think it was Bishop Pike who had quite a bit to say on the other side. I am sure that Senator Barker has not read it.

I think that this Chamber can come to recognise the performances of those who are likely to benefit from this, and by putting aside the partisan cloaks, accept by acclamation and total support of the Bill in good faith. There is no point in hiding behind the umbrage of "the time is not now" because if you say the time is not now, again my question is when is the right time, after death? I am saying we can redeem ourselves and it is not for us, Mr. Deputy President, to find out who is doing what. We recognise the contribution made within this Chamber and I am inviting this Chamber...

Asides.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. Deputy President, I am inviting the other side to support this Bill in the best spirit. Thank you, Mr. Deputy President.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that this Bill be read a second time.

DIVISION

The question that the Bill be read a second time was put and resolved in the affirmative the Senate dividing as follows:

Ayes: Senator the Hon. L. V. H. LEWIS, Senator the Hon. Dr. C. D. CLARKE, Senator Mrs. BARKER-WELCH, Senator Dr. F. W. ALLEYNE, Senator Mrs. V. C. FRASER, Senator Miss Y. V. WALKES, Senator A. J. N. PHILLIPS, Senator the Rev. Canon J. L. SPRINGER, Senator Mrs. M. WALCOTT and Senator Mrs. A. STRAUGHN – 10

Noes: Senator T. E. BARKER and Senator Miss M. A. MOTTLEY – 2

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. DEPUTY PRESIDENT left the Chair and the Senate went into committee on the Bill, SENATOR THE Rev. CANON J. L. SPRINGER in the Chair.
3.10 p.m.

Clauses 1 – 4 inclusive were called and passed.

Clause 5 was called.

SENATOR THE HON. L. V. H. LEWIS: Mr. Chairman, at clause 5 there is a printer's devil in the first line. The word "principal" is incorrectly spelt. It is not an amendment *per se*. I draw attention to it.

I beg to move that clause 5 of the Bill stand part.

The question was put to the Senate and agreed to.

Clause 6 was called and passed.

On the motion of SENATOR The HON. L. V. H. LEWIS, Mr. Chairman reported to His Honour the DEPUTY PRESIDENT the passing of one Bill in Committee and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

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

THE BARBADOS CONSTITUTION (AMENDMENT) BILL, 1992

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, quite recently we have had a number of measures presented to us which were part and parcel of certain proposed reforms of the Criminal Law of this country. We dealt with the Criminal Damage Bill and the Criminal Law (Arrestable Offences) Bill among others.

This Bill which seeks to amend the Constitution is one of those Bills which comes before us because of the abolition of the old distinction between felonies and misdemeanours which was included in the Criminal Law (Arrestable Offences) Bill. Certain consequential amendments to the Constitution are required to

delete references to the words "felony or any other" which appear at sections 38(1), 39(3) and 45(2) of the Constitution.

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

SENATOR Miss M. A. MOTTLEY: Mr. Deputy President, The Honourable Senator has clearly indicated that this constitutional amendment is necessary to give effect to certain legislation which has already passed through this Chamber. In so far as we are dealing with the amendment of the Constitution, I would like to say just very quickly that the time has come for a comprehensive review of our Constitution which has clearly been shown in some regards as lacking in terms of its ability to serve the citizens of this country.

There have been a number of areas which have surfaced. Indeed, there is already in our possession the Cox Commission which reviewed the Constitution and which, unfortunately, after the 1982 Election the Barbados Labour Party Government did not then possess the two-thirds majority which would have been necessary to give effect to a number of those considerations in that Commission. The only time any Government has had a two-thirds majority since the presentation of the Cox Commission has been the Democratic Labour Party Government between the years 1986 and 1991.

One of the immediate things that comes to mind in terms of the reform of the Constitution has to do particularly with the savings clause which is enshrined in our Constitution. It is interesting to note that when the Constitution came into being, and the drafting of the Constitution was considered, our Constitution, like those of many others in the Commonwealth Caribbean, and indeed like that of Nigeria, followed the principle particularly as it related to fundamental rights and provisions. The protection of human rights followed the language almost exactly word for word as that of the European protection for human rights which is essentially the Treaty signed by the members of the EEC countries protecting the fundamental rights and provisions. That was signed in 1953 when we were still a colony.

When it came to the drafting of our Constitution, for the most part our Constitution like that of Bermuda and other jurisdictions within the Commonwealth Caribbean and that of Nigeria followed almost word for word the pattern that had been laid down in respect of human rights of the European protection for human rights. This was clearly stated by Lord Wilberforce in a decision given by the Privy Council in the case of the Ministry of Home Affairs vs Fisher some years ago.

My contention is that certainly after 26 years of independence, the time has come for a comprehensive review of our Constitution in so far as its ability to be able to serve the citizens of this country. The clearest example of the injustice done by the savings clause, is between sections 21 and 26 in the Constitution where we find the provisions for the fundamental protection of human rights of all the citizens of this country. However, having given that protection in those sections there is something called a savings clause. That savings clause has been construed by many decisions throughout the Commonwealth Caribbean. starting first with the case of the Attorney General vs Nasralla, or otherwise known as the Nasralla principle whereby it was held that where laws which existed prior to the Constitution and which may well have infringed these fundamental rights that citizens have, because of the fact that it existed immediately prior to the Constitution they cannot be deemed unconstitutional. Mr. Deputy President that is a serious injustice. The purpose for those savings clauses was to allow a transition period so that there would be no uncertainty insofar as the law was concerned. The time has passed. Indeed I would safely say that it has been due to a lack of action and a lack of foresight on the part of all Caribbean Parliaments that some 20, 25 years after Independence for most of our countries we still have these savings clauses in our Constitution which undermine the level of protection that we attempt or pay lip service to in terms of guaranteeing them to our citizens.
3.20 p.m.

The manner in which it should have been done unfortunately was not done and Zimbabwe is probably the case in point which shows the best way in which that transition was attained. When Rhodesia became Zimbabwe and the new Constitution came into force, there was a provision that that savings clause would only be valid for 5 years and that after that 5 years any law which existed prior to the passing of the Constitution which was in its terms in breach of human rights must be unconstitutional. So that we have the anomaly that where a court, for example, can make a value judgement that something is inhuman and degrading or is in breach of a person's human rights for another reason, that because of a section saying that because it was valid up to the 30th November, 1966 that it is still valid now and therefore, although we attempt to provide protection for you the citizens of this country a technicality is going to stop me from doing it.

The time has come for Parliament to act to redress that and to deliver to the citizens of this country the promise of the full protection of the Constitution as was the intention and also as was the promise upon our becoming independent. It is a call not only for our own jurisdiction but perhaps indeed for the whole Commonwealth Caribbean where the Parliaments have failed to act on these types of matters. There are some very serious rights that need protecting.

We need also to look at the fact that section 1 of the Constitution needs re-enforcing. Section 1 of the Constitution stating that the Constitution is the supreme law in this country needs to be re-enforced. And it should be strengthened by making provision expressly conferring on the courts the power to review legislation for conformity with the Constitution. This is particularly so when, in a society, it is very easy for minorities to be marginalized. We have, as a country, to determine whether we are prepared to do all that is necessary to make that fundamental commitment to all members of this society.

I am urging the Government to deal with it. It does not cost them any money to deal with it but it is something that is required in order to shore up the rights and indeed to try and counter-balance the damage that it has done to the psyche of the country by making people feel that they have the right of redress.

There are a number of other issues that have come up. The same savings clause clearly affected the decision of the 8% pay cut, although I have always maintained and still maintain that the solution to that was a political solution and not a legal solution, given the fact of the savings clause.

In respect of other aspects of the Constitution we need to look seriously indeed at the validity of Chambers such as this. We need to look at how it is possible for us to feel that we can be effective with a Chamber that is presently constituted as it is and that still has limited powers in terms of how it is able to deal with things. In fact the same Cox Constitution Commission recommended that there was no justification whatsoever for the Senate to have power to deal with money bills and not with money resolutions and that that was an anomaly that needed redressing.

There was also, late last year, much discussion as to the question of the position of members of Parliament, particularly members of the Lower House and indeed the appointment of a Prime Minister and the ability to move a Prime Minister and the ability not to move. I am not intending to get into the cut and thrust of that debate in terms of details. I am dealing with the concept of what we wish to provide for. Many of us in here already know that the Trinidad Constitution – and there was discussion in 1989 as to crossing of the Floor – provides that where you enter Parliament in allegiance with a certain political party that upon your leaving that political party you should resign your seat and that you should face the polls again to determine whether you still have and enjoy the mandate of the people who put you there in the first place. These are all questions which merit serious consideration and which time has brought out to show the deficiencies in our system, the deficiencies in the Constitution.

A call was made only last week by former Prime Minister St. John for such review and for it to be immediate. Sir, I do not know that I can support that call any stronger than I am doing now because in everything in life unless you are able to constantly review your performance and constantly review what resources you have, you are going to continue to fall down. That, unfortunately, has been a hallmark of this Government. But nevertheless it is an issue which merits national consideration, it is an issue which merits consideration even if only for the reason that the level of apathy out there arises partly from a level of not knowing how the system functions, compounded then by misuse and abuse of the system. And unless we are able to sit down and look at the Constitution and review it and taper it along lines that we feel that this country going into its third decade of Independence shortly needs to have to protect its citizens, we are going to continue finding people "chupsing", turning their back when the system and the law courts are unable to deliver the kind of protection that they feel is theirs as of right and that we as a country have promised them as of right. But until we are able to review the Constitution and reform it to that extent we are in trouble.

The Constitutional debate of 1974 was extremely contentious and that is what led to the establishment of the Cox Commission. As I said earlier it is a major regret of the Barbados Labour Party that it was unfortunately unable to receive the 2/3 majority in 1981 to be able to implement many of these suggestions which were done after a thorough and total consideration of the Constitution guarded by the consultant the eminent Professor Ralph Carnegie. And if you look at the Report you will realize that a lot of it is steeped in sound legal foundation. So that it is not something that has been done lightly. But I would even say that almost 15 years later or almost 13 years later this too needs reviewing as well. But once again we are not talking about a 3 or 4 year review, we are talking about immediate action. If the Government has the interest of the people of this country at heart particularly where our sovereignty is being threatened by the fact that decisions are being taken overseas to the point that there is no shame in the fact that a document which I was supplied with today in this Chamber has on the top of it, it is labelled "Barbados Reform of the Direct Tax System". And what is on the top of every single page of this? May 7, 1992, 1258 IMF Washington, D.C. Particularly at a time when our sovereignty and our ability to take decisions independently and in the interest of the people of this country, there is a need to ensure that their basic right to protection of human rights is preserved at all costs.

It does not cost this Government anything to implement this. In the same way that they can bring this amendment to give effect to the criminal legislation, I am saying that it is possible for them to bring the amend-

ment to give effect to a number of quirks that presently exist within our Constitution. I have not gone into them in detail. I have only thrown out a few which have been the subject of discussion within recent years. But it would be interesting for members of this Chamber to note that when that review was done and headed by Sir Mencea Cox almost every section of the Constitution came in for comment.
3.30 p.m.

On almost every section of the Constitution there was a recommendation as to some slight variation. Even if it was technical or otherwise, it would be interesting for Members of this Chamber to know (particularly since some of them may not, from their very action know it, by their behaviour) that there was also a recommendation that Members of this Chamber should not be involved in contracts with Government unless they publicly stated their interest to the Chamber, and then sought permission from the Chamber as to whether they could continue with their involvement in those contracts. The remedy for failing to do so is forfeiture of one's seat. At a time when the level of disgust, because that is in effect what it is, is so high, *vis-a-vis* the behaviour of politicians, particularly as a result of massive corruption and particularly as a result of people being informed of all kinds ...

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I intervene with a request that the words and reference to massive corruption be struck from the record, because unless the Honourable Senator can prove or draw attention to this alleged massive corruption, I cannot sit here and let that pass.

Mr. DEPUTY PRESIDENT: Senator Mottley, you will withdraw your reference to massive corruption.

SENATOR Miss M. A. MOTTLEY: Sir, I will withdraw whatever you want me to withdraw, but I will only make the comment that in the same way humbug did not refer to anybody in here earlier ...

Mr. DEPUTY PRESIDENT: I repeat, Senator Mottley, that you will not question my ruling you will simply withdraw "massive corruption".

SENATOR Miss M. A. MOTTLEY: You have withdrawn it, Sir.

Mr. DEPUTY PRESIDENT: I object to that. You will withdraw that Senator Mottley.

SENATOR Miss M. A. MOTTLEY: I will withdraw anything that you tell me or I will withdraw anything that Senator Phillips tells me when he is sitting up there.

Mr. DEPUTY PRESIDENT: I will not have any of that, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: I will withdraw anything you ask me to withdraw.

Mr. DEPUTY PRESIDENT: Well I have told you.

SENATOR Miss M. A. MOTTLEY: I will also withdraw anything Senator Phillips asks me to withdraw when he is up there or Senator Lewis when he is up there.

As I was saying, Sir, it is time ...

Mr. DEPUTY PRESIDENT: No. You will withdraw those remarks before you proceed.

SENATOR Miss M. A. MOTTLEY: Sir, I said, I will withdraw anything you ask me to withdraw or I will withdraw anything Senator Phillips ask me to withdraw if he is up there.

Mr. DEPUTY PRESIDENT: I object to that.

SENATOR Miss M. A. MOTTLEY: Sir, what have I said?

Mr. DEPUTY PRESIDENT: And let me hear you withdraw those remarks before you continue.

SENATOR Miss M. A. MOTTLEY: Sir, I will withdraw anything you ask me to withdraw. I will withdraw anything Senator Phillips or Senator Lewis ask me to withdraw.

Mr. DEPUTY PRESIDENT: I object to that and if you persist I shall take some very stringent measures.

SENATOR Miss M. A. MOTTLEY: Sir, I will withdraw anything you ask me or any other Honourable Senator who is sitting in that Chair, ranging from Senator ...

Mr. DEPUTY PRESIDENT: Well, I have told you so we will wait to have the withdrawal of that statement.

SENATOR Miss M. A. MOTTLEY: Sir, I withdraw the remarks that you asked me in the same manner that I will withdraw them if Senator Phillips got up and objected to them now.

Mr. DEPUTY PRESIDENT: I do not understand that.

SENATOR Miss M. A. MOTTLEY: I don't understand either.

Mr. DEPUTY PRESIDENT: So you will withdraw the remarks which I have told you without any other reference.

SENATOR Miss M. A. MOTTLEY: Sir, I have withdrawn them already in the same way that I said that it would be my *mens rea* to do it, were I asked by Senator Phillips, were I asked by any other Member who would be acting in that Chair.

Mr. DEPUTY PRESIDENT: Well, I do not understand that, so when you cease to refer to all of that and you simply withdraw what I have asked you to withdraw, well then we will proceed.

SENATOR Miss M. A. MOTTLEY: Sir, I can't help you to understand it. With all due respect, I have said that I will withdraw it.

Mr. DEPUTY PRESIDENT: All right that is all I ask.

SENATOR Miss M. A. MOTTLEY: If you require clarification on that point perhaps the Honourable Prime Minister is the person who can help you, Sir, with that, given his vast experience of Parliamentary affairs.

Mr. DEPUTY PRESIDENT: Senator Mottley, this is not the place to exhibit that type of behaviour and if you persist I shall certainly know what to do. You will continue.

SENATOR Miss M. A. MOTTLEY: Sir, the only behaviour I know about ...

Mr. DEPUTY PRESIDENT: You will continue with the debate, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Sir, I am continuing about the debate in so far as the Constitution provides for this Chamber, and in so far as this Chamber ... Over the years, obviously the Constitution never provided, unfortunately, for humbugs in here but Honourable Senators have referred to humbugs in here.

Mr. DEPUTY PRESIDENT: I resent that and you will continue with the debate.

SENATOR Miss M. A. MOTTLEY: Honourable Senators referred to denigration and humbugs in here and that ...

Mr. DEPUTY PRESIDENT: I repeat, you will continue with your debate. If you have nothing further to contribute then you will sit.

SENATOR Miss M. A. MOTTLEY: Sir, I am not sure you are finished speaking. I did not want to disrespect the office of the Acting President of the Senate by ...

Mr. DEPUTY PRESIDENT: Either you continue with the debate or you will take your seat, Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Has Your Honour finished, Sir, so that I may continue.

Sir, in a debate earlier, reference was made to the fact that the situation of President of the Senate was a post that was forecasted that when the office of Governor-General was vacant by temporary absence that the President of the Senate should fill that position.

Indeed, once again, a reference to the Cox Constitutional Commission will see that it is expected, normally, that the President of the Senate would be the one to fill the office of Governor-General when the Governor-General is absent from the Island. Unfortunately that has not been a practice that has been accorded with for the last 6½ years of this country's history, although it is perhaps understandable, in the last year, why it was not acceded to.

Sir, with those remarks I would only say that the time has come for urgent review of the Constitution. The time has come for the urgent review of the validity of this body as it exists and the farcical nature of a composition of 12 Government Senators, 7 Independent Senators and 2 Opposition Senators. If we feel it is necessary to continue perpetuating that, I believe that we will only contribute further to the level of apathy and the level of cynicism that exists out there, particularly when we can come at this stage and make a special case for one Member of this Chamber in terms of an office of this Chamber when other people have been suffering at the hands and at the instance of the same Government.

With those words, I say, Sir, I understand the Government has suppressed people economically over the last year but I am asking them at least to preserve or to shore up their fundamental right to basic human rights as was promised by this same Government in its existence back in 1966 when the Constitution came into force. There are a number of provisions that can be removed without harm even if we want to look and wait for a total review of the Constitution. But the time has come at the very least for the savings clause which says legislation which was passed at the time when value judgements were different and had different reasons requiring its existence that the time has come, at least, for the abolition of those savings clauses and I would say that the Civil Servants of this country, who have now suffered, all 27 000 of them, because of that technicality will be the first ones to

agree with that. Nevertheless, still maintaining my position that their real solution was never a legal solution as it is, but it was a political solution, particularly given this Government's intransigence to amend the Constitution so that they would benefit from not having the right to have that property deprived of them.

With those words, Sir, I will end my contribution at this point.

Mr. DEPUTY PRESIDENT: Senator Barker.

SENATOR T. E. BARKER: Mr. Acting President, I am indeed happy to get an opportunity to speak on the Constitutional amendment because it is my view there are some things that are wrong with our Constitution – things that we probably did not foresee at the time that the Constitution was framed.
3.40 p.m.

So I want to support my colleague's call for a comprehensive review of the Constitution. There was a review in 1979 by the Cox Report which unfortunately was never worked on because not only did we not have the Government majority but the then Leader of the Opposition said that he would have nothing to do with any changes in the Constitution. Sir, the changes could not have gone through without some members of the then Opposition agreeing to them. When I hear Senators talking about us in the previous Bill, they must reflect that when they were in Opposition on every chance they frustrated good government. Now members on the other side are going to come in here and cast aspersions on us calling us "humbugs" when in a matter so fundamental as the Constitution they refused to support us even on measures which they knew were to the benefit of the country. I have heard a lot of hypocrisy in here. They conveniently forget that when they were in Opposition a lot of important things that should have been done were not done because of their arrogance and intransigence. Sir, the reason for this, in my opinion, is the fact that the Constitution was framed by and large by the Democratic Labour Party. It is true that members from my party and the then Official Opposition, which is the Barbados National Party, were also there in London.

Aside.

SENATOR T. E. BARKER: I know they were there. Let me talk. They were there in London. Regarding this Clause 26 in the Constitution laws, members on our side said in no uncertain terms that this clause should not be in the Constitution. The argument then was that, if we did not put it in, it would cause a lot of confusion and upheaval in the legal system. We accepted that argument. But 25 years have passed and the ones who said that were only there for a short time to recognise the situation. We have not seen it fit to change this important clause.

Mr. DEPUTY PRESIDENT: All right, Senator Barker, will you debate the Constitution?

SENATOR T. E. BARKER: Sir, I thought that I was debating the Constitution with all due respect. I was talking about Clause 26 of the Constitution. So I am sorry if I have strayed. Sir, the Constitution needs amendment in certain respects and I will just go through the areas which I think we need to look at. It is true that there is discrimination against women in the Constitution. For example, Sir, in Section 3 it states that a woman who on November 29th was married to a Barbadian and became a citizen and so on. It makes no provision for the husband of a Barbadian wife. There are elements of discrimination against women in the Constitution and I think that we need to look at it again because this section in the Constitution clearly says that the woman was married to a Barbadian citizen and has rights. But I am not sure if there is a parallel clause for the man. Otherwise, they would not specify specifically the woman. It would say any person who is married to a Barbadian citizen. But it is specifically stated "woman".

Aside.

SENATOR T. E. BARKER: Precisely, because the Constitution is supreme. Sir, we need to look at that again. Then we need to look at the position of the magistrates in our judicial and legal system. Sir, the Constitution makes adequate provision in my view for the judges. In other words, we saw in the legislation to cut salaries that the judges were exempt from any such tampering but there is no protection for the magistrates and the other measures...Sir, the magistrates are extremely important in the judicial system because, in a sense, they are the first persons...

Aside.

SENATOR T. E. BARKER: ...the court of first instance. I am very grateful for the Honourable Senator for correcting me. In a lot of cases, matters go before the magistrates and are dealt with there before being sent on to the Higher Courts. It is important that these magistrates be afforded some protection in the Constitution from their political masters, because we know that Lord Acton said that power corrupts. It is important that in the judicial system these people be treated in some ways similar to how a judge is treated in terms of how they relate to the political directorate. That is one area that we can probably look at.

Sir, in regards to the Governor-General, I believe that in the Constitution the post of Deputy Governor-General

could be created. We could create a post for a Deputy Governor-General.

Aside.

Mr. DEPUTY PRESIDENT: Will you continue please?

SENATOR T. E. BARKER: Sir, there is a case where a specific office of Deputy Governor-General could be created and, as I said before, it could be linked with the President of the Senate where that particular office could be created. I am sure that some of us in here will make excellent choices for that particular post.

Sir, there is the composition of the Senate. That was alluded to by my colleague and I want to reinforce that because I am in here for approximately 18 months and it is obvious to all and sundry that two Senators to put the case for the Opposition are not enough. Sir, when this matter was raised after the 1981 election, the then Prime Minister offered two more seats to the Opposition to have a 23 Member Senate so the Opposition would have four Members. But the then Leader of the Opposition said that the only way they would accept two more seats is at the expense of two from the Government side. The matter obviously had to die there. Sir, the matter needs to be raised again. I have found that it is a strain because I am sure, Sir, that Senator Clarke does not like hearing me talk so much but I do not have any choice. It is only two of us and we have to fight against twelve. I use the word "fight" in every sense of the word. Well, we have to fight against eleven I should say because the President is impartial, not that we are in any way scared because the 11 at times do not add up. The point is that if there were a better 11 we would be in serious trouble. I feel that there is a strong case to be made for more Opposition senators. Looking at the composition of the Senate in other Caribbean territories, it is interesting to note that of the other Caribbean countries Barbados has the least number of Opposition senators.
3.50 p.m.

Sir, the Senate is a political Chamber because matters of tremendous political import come before the Senate. I don't think there is any sense in saying that we should not be political in here because this is a political Chamber. You, yourself, Sir, are a political person.

In my view, the value of the Senate is that you have several persons in the Senate who have no political allegiance and hence they can bring an independent view on things. I have to be political and Senator Clarke has to be political but the value of the Senate is to have 7 persons who can bring a freshness to the debate. I would never make a case for a reduction in the present number of members but I would make a strong case for an increase in the number of Opposition senators. I am sure that everybody in here agrees with me on this point. Silence gives consent in this case.

We need a Constitution review to look at these matters. There is the position of the Prime Minister, as was stated before, and that is something we have to look at again because, under the Constitution, if the Members of the Lower House vote that they have no confidence in the Prime Minister, he has 3 days to advise the Governor-General as to whether to dissolve the House. I am not a constitutional expert but I feel that if the other place voted to the effect that they want to remove the Prime Minister, and they can only do that if they have the support of the members of the governing party, then he should have no say in the matter. I feel the House is supreme, not an individual. As long as he commands the support of the House there is no problem, but when he does not command the support of the majority of the House I see no reason why he has the option to say whether he will advise the Governor-General to dissolve Parliament.

As I said, that matter may have more legal implications than I see at this present time. I have never yet studied law but it is something that we need to think about. By virtue of our Constitution we have given the Prime Minister certain powers.

Another matter that we need to examine is based on the saying that when your neighbour's house is on fire, you wet yours. The recent decision in Trinidad has far-reaching and enormous consequences. I do not know if I am at liberty to comment on it, but I notice that in our Constitution the Governor-General quite rightly has certain powers to commute sentences and to pardon people. According to the Constitution she can give a pardon. Probably we can look and see if certain safeguards.... Section 78(1):

"The Governor-General may, in Her Majesty's name and on Her Majesty's behalf –

(a) grant to any person convicted of any offence against the law of Barbados a pardon, either free or subject to lawful conditions;

(b) grant to any person a respite, either indefinite or for a specified period, from the execution of any punishment imposed on that person for such an offence;

(c) substitute a less severe form of punishment for that imposed on any person for such an offence; or

(d) remit the whole or part of any punishment imposed on any person for such an offence..."

This section gives the Governor-General, and it says nothing about taking any advice, the power to do this. So, the case in Trinidad has me very worried because while the Courts...

Mr. DEPUTY PRESIDENT: Let us not comment on the Trinidad Parliament. Proceed.

SENATOR T. E. BARKER: I want to say that we should ensure the same thing cannot happen here.

Mr. DEPUTY PRESIDENT: All right. Proceed, Senator Barker.

SENATOR T. E. BARKER: I hope the advice will be taken in the spirit in which it was given. I want to reiterate my call for a Constitutional Review Commission to be set up. It should be an ongoing thing because ever so often we need to look again. We are only 25 years old as a nation, which is very young, and we are still growing. We need as a nation to sit down and see where we are and how well things are working, to take stock so that we can better provide for the future. With those few words, I will support the amendment to the Constitution.

SENATOR Mrs. V. C. FRASER: Mr. Deputy President, I should like to support any constitutional review, any amendments, any changes that are going to be for the betterment of Barbados generally. However, I should like to say that sometimes it is difficult to understand why some references are made to things that people do not know the facts of.

I should like to point out that many years ago in the 1970's, I think it was after the 1976 elections, the National Organisation of Women set about to have a number of changes rectified under the then Attorney-General who was Minister of Women's Affairs who cared a lot about women and loved women so much. One of them was that same law that we are talking about, the foreign husbands situation.

I am all for changes and for benefits to Barbadians but I could not understand why the same people that did not notice that are the very people now saying that we are discriminating against women. There was not only that law. There were several other laws that we were asking to be changed, looked into, discussed and nobody paid us any attention. I can make that very clear because I was the President in the Organisation and I know what I am talking about. We went all out to try to get that because there were a number of Barbadian women who had gone abroad and they had met their spouses abroad and they got married and they felt very badly when they realised that they could not become citizens of Barbados. The same Democratic Labour Party are the people who changed it. The children can go on the mother's passport. That was something that was not seen before but it is done now.

When I hear people talking I like to listen very carefully because they seem to talk as though we, on this side, have never experienced any requests for changes in the Constitution when we were in the Opposition. In this case, I am not talking about anything political. I am talking about a national organisation which held a grand conference every May. The Resolutions which have been passed are the ones we see passed by the Democratic Labour Party Government. The Government who loved the women so much nothing was done or passed for them.
4.00 p.m.

Aside.

SENATOR Mrs. V. C. FRASER: Mr. Deputy President, I do not listen to asides and I do not care about them. I want to make it very clear that I can bring the documents to this Senate. I have brought them before. I have read from them where we have put forward a number of Resolutions that were directed to the Department of As a matter of fact, the subvention was taken away at that time from the women so do not come telling me anything about that because I know what I am talking. I am not a lightweight. Get that straight. I can afford to talk because I have spoken at international fora. If you look in the United Nations booklet you can see there where I put forward the Resolution for women in agriculture. I did that. You can afford to clap because it is there in holy writ. You cannot change it or anybody else.

We were a delegation of 4 comprising at that time the Minister of Education. But I put the Resolution and solicited from all the countries when Madame Sadat made it quite clear that that was the Resolution they wanted to have put so they all know it. That is clear. I do not want people to think that when they refer to people about 2 – 11 and this kind of foolishness that they are referring to people like us who have experience. There is no question of my taking anything seriously. I want to make people understand in this Honourable Chamber there are certain innuendoes that people make. I want to make it very clear that I object strongly when people get in here and talk foolishness about they are more than anybody else.

Mr. DEPUTY PRESIDENT: All right. Ignore the asides.

SENATOR Mrs. V. C. FRASER: I am not talking about any asides because I am not listening to them. I am talking about what was said when I was seated listening as a Senator in this Chamber, when it was spoken and I listened to it. We have all been selected by the various groups whether we are independent or we are from one

party or the other. I think we have all come here to make a serious contribution and not to behave badly and belittle any officer of this Chamber. That is not my purpose for being here. I am not concerned with who is greater than whom but I am concerned with the contribution the person makes in here. I believe that all Honourable Senators were chosen because they are people with integrity, commonsense and people who have knowledge and who will continue in pursuit of knowledge. We are here to learn too. We are not here to teach. The Senate is a place where we learn.

As regards the Constitution, it seems to me that some people believe what they have said is correct and what other people have said is not correct. We are all entitled to the same basic rights and freedoms that we hear talked about so much in this Senate. Some of us seem to believe that we come to teach people exercises in various subjects. They believe that some of us are stupid.

I want to make it quite clear. Jesus called 4 people who were fishermen and people thought they did not have any commonsense but St. Peter became one of the greatest people. In this Chamber we have people who are in touch with people in various walks of life who understand what people would like to see done and if it is not done, they will ask their parliamentarians to see what can be done about it. This is what I believe brings about a lot of constitutional changes in various countries. People call for things. Therefore, legislators respond to the call. They try to get it implemented and have it in the Constitution of the country which is supposed to be a very important part of the country's legislative matters, if I want to put it that way.

A constitution is supposed to be a document that has an input from the people. It is supposed to be a document that has an impact on the lives of people if the laws are implemented, because sometimes many laws are put in books but they need not necessarily be implemented. What I would like to see is a lot more implementation, interpretation and educating people about their own Constitution in addition to the fine-tuning and reviewing of the Constitution.

I agree that a constitution has to be reviewed because life changes. Times change. Laws change. We are not living in isolation. Therefore, in order to make things work we have to get together as legislators along with what people have asked us to try to do, to help to free up situations for the benefit of the people of the country and make life smoother so that people understand their constitutional rights.

I think we need to have much more intellectual debates. When I say "intellectual" I do not mean that it must be above the heads of people but I mean commonsense debates with simple language that the people of the country can understand what the Constitution is all about. We should get some answers from the people how they feel about certain aspects of it and what they feel, in turn, should be done. Then the legal people can couch it in their language. That is how I believe we should operate as far as a constitution is concerned. I feel that many people are ignorant of certain things. That is why sometimes we get people calling in to programmes and saying things because they do not know. Therefore, it is our duty, if we know to pass on the information. For the benefit of those that know, I would like to see associations like the Bar Association, for instance, giving information to people. They can use the media....

SENATOR Miss M. A. MOTTLEY: On a point of elucidation, Sir. I just wish to bring to Senator Fraser's attention that the Bar Association has already conducted four such lectures in its present series informing people of the Constitution and discussing the need for constitutional reform. Those started some 2 months ago and have been contributed to by our own Senator Inniss from in here, Dr. Pat Emmanuel, Mr. Ricky Singh and somebody else. They have had wide, across-the-board public attendance.

SENATOR Mrs. V. C. FRASER: You see this is where we always slip up. You are talking about lectures that are being held at certain venues which will only involve a few people...

Aside.

SENATOR Mrs. V. C. FRASER: How many people can fit in the NUPW? Three hundred.

Mr. DEPUTY PRESIDENT: All right.

SENATOR Mrs. V. C. FRASER: I am talking now about using the electronic and print media.
4.10 p.m.

The reason for this is that television is a very strong medium. A lot of people watch television. I believe that if the Bar Association really wants to carry this thing to the people – people are very afraid of going out of their houses at night. Some because of lack of transportation and things like that. And even going to church. This is not happening now. A lot of churches have stopped keeping night service because people do not like to go out at night. They stay home and watch the TV. Therefore the television is the place you can get across the information to a lot of people.

I would compliment the Bar Association on starting it but I would say they should carry it a step further

to inform the wider public. I knew that that would come up. Because I heard that they had started it. But I have not heard anything yet because I did not go to the NUPW nor I do not have to read the paper but I can sit down and watch my television and watch them and understand the discussion. Perhaps they should have some people there to ask them questions. I think that would be a very meaningful exercise. I should like to commend that to the Bar Association, because we the people want to hear what they have to say. They are the lawyers. Our society has educated them and therefore they owe us something. They owe us to inform us and interpret the law for us. All those lawyers that we have educated out of the money of the taxpayers' of this country. Let them understand that they owe us something. Do not let them feel that they do not owe the people of Barbados anything. We want them now to explain the Constitution for those of us who are ignorant to what it says so that we will have a better grasp and when it is reviewed and certain changes are about to be made that people will be able to discuss these changes in a more informed and enlightened manner. That is the whole thing of a Constitution.

There is no point people talking about who did this and who did the other. I made the points that I made about women because I was hearing that this person did this and the next person did the other. I am not concerned with that at this stage. What I am concerned with is what is going to be done now. I have said in here today that you forgive a lot of people for what they have done. We the women of this country have forgiven them for what they did not do. But at the same time we want those same people to assist now whether they are in opposition or whatever, it is their duty now, not to say that I am in opposition and my Party did this before. It is what contribution you can make to this Constitution, to any amendments in the Constitution or even things that we may not see that Barbados may need for the future. I think that we need to look at these things very carefully.

Mr. Deputy President, I am a firm believer in some document to lead us but I must say that sometimes these documents do confuse us more than guide us. In organizations you have Constitutions and sometimes if you stick to every little piece and every letter you would not have a meeting. That is well known. In the same way if everything they have to do in Barbados they are going to say the Constitution says this, the Constitution says that and they do not try and implement things then we will get nowhere. We would be just sitting down reading a Constitution to walk, reading a Constitution to open a school, reading a Constitution to start a business place and employ people and then we will be getting nowhere.

I hope we pay the attention that is necessary. I hope the Bar Association will see it fit to teach us who have not been taught before and to guide us who have had no guidance before and to open the eyes of us people who are so ignorant to the Laws of Barbados that we will truly be able to say that they have done an excellent job and we are happy to have educated them at the expense of the taxpayers of this country. We do want more of the intellectuals to get involved in helping us to understand that we can be better legislators. We ourselves would like to continue to learn from others as we are in this Chamber. But for God's sake I hope that in any kind of action we are taking in this country that we will not waste time in discussing all the years that went before and all those people that were so right and never did anything wrong. Because that is not going to get Barbados anywhere.

My advice then is to let us go forward. I am happy that we are amending aspects of the Constitution and we will be reviewing it and that all of us will be involved in this exercise.

Thank you, Mr. Deputy President.

Mr. DEPUTY PRESIDENT: Senator Morrison.

SENATOR A. MORRISON: Sir, I just wish to make a few remarks on this amendment which is a simple amendment as a consequence of laws being passed in these Chambers.

But I should just like to say that I am glad to see that the Opposition has come around to being in favour of Constitutional amendments because from the inception when we tried to bring this country as an independent country and when the Democratic Labour Party passed an Independence Bill in the Lower House which was opposed not only by the Opposition at the time but they went to the length and breadth of this country to oppose Barbados' Independence. And then we went to the Conference in London at Marborough House and they were up there in large numbers.

All of those clauses which we have in our Constitution were agreed to by the Opposition at that time and not a murmur was raised when we were given our Independence Charter from England. It then continued again, Sir. The Democratic Labour Party Government tried to make certain amendments to that Constitution and all hell broke loose in this country. It was supposed to be sacrosanct. It was the most sacred thing you could ever do. You should never attempt even to change one word of that Constitution.

We are hearing now from the other side that it has certain imperfections and certain things should be amended. I know that as a prelude and a preface to those simple

amendments which were being done in 1974, they were very simple...

Aside.

Mr. DEPUTY PRESIDENT: Order please, order.

SENATOR A. MORRISON: They went out there again and were saying that we should never attempt to touch that sacred document.

Sir, a Constitution is a dynamic thing dealing with people's lives. It is never static. We were making that point from 1974 that a Constitution is not written there that when it works hardship on the very people it is supposed to... Government, it is at that time that we seek amendments. It is a living document. We were trying to impress on the Opposition at the time that it is not a hard and fast rule there for all times. It must change to suit the changing times in which people live because it is the people's Constitution.

I am glad today that the Opposition has come around to the fact now that the Constitution needs amendments as we go along. I do not feel that we should hear after now any kind of opposition when we try to move certain constitutional amendments in this country. I am very glad that you have come around to that thinking. But from what you all have done to this country before, on various platforms, involving the whole public, you went out there doing night meetings, "They are trying to amend the Constitution. It should never be touched."

Aside.

SENATOR A. MORRISON: You all said so.

Mr. DEPUTY PRESIDENT: Order.

SENATOR A. MORRISON: Just as you opposed the Independence motion at the time. I remember the former Prime Minister saying when he saw the Leader of the Opposition, along with other members it reminded him of Snow White and the seven Drawfs. Remember that famous statement by a former Prime Minister when he saw those fellows belonging to the Labour Party behind Snow White in order to oppose the people's Independence motion. We brought Barbados into Independence.
4.20 p.m.

This is a simple amendment. This should not be debated. There are times when we have to do serious amendments which call for 2/3 majority and I hope the Opposition would be equal to the task when such time arises in that this will be the last time you will hear that we do not need any constitutional amendments. It is a living document and we must look at Constitutions in that framework. They have always got to be amended to suit the dynamics of the situation and not on the whims and fancies of any political party. We are not here trying to do anything that would benefit the Democratic Labour Party in particular at the time. They were very sympathetic at that time in 1974. We had all Hell break loose in this country because we tried to make those amendments. So I am very glad that the Opposition has come around to the point that the Constitution needs amending at some time and we are *ad idem* on that situation. I am very glad the Opposition has seen the light and in the future you will give meaningful assistance and concurrence to any amendments which might arise. I thank you, Mr. Deputy President.

Mr. DEPUTY PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, this amendment to the Act is a simple amendment which needed less than 4 sentences to debate has taken us a lot of time, most of what has been said is totally irrelevant to the amendment which we were doing.

SENATOR T. E. BARKER: On a point of order, Sir, it is not for the Minister to say that my intervention was irrelevant. Sir, that is a function of the Chair.

Mr. DEPUTY PRESIDENT: Thank you very much. Senator Barker, you will take your seat. Senator Lewis, you will continue.

SENATOR THE HON. L. V. H. LEWIS: The amendments were so simple, Sir, that much of the debate was altogether not necessarily on target in relation to this specific amendment and some of the matters introduced, obviously had to be responded to so we have had lengthy discussion, not on this amendment, but on extraneous matters relating to the Constitution of Barbados. The trouble is, Mr. Deputy President, Barbados is a free country. It is a real true, true democracy. Indeed, it is probably one of the freest democracies anywhere in the Western hemisphere. It is held up as a model of democracy. The trouble is that many of us take that democracy for granted and not only do we take it for granted, but we misuse the rights which are ours, available under the terms of the Constitution. I don't want to go down that street. I only wish to have the matter passed so I beg to move that the Bill be read a second time.

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

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. DEPUTY PRESIDENT left the Chair and the Senate went into Committee on the Bill, SENATOR THE REV. CANON J. L. SPRINGER in the Chair.

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1, 2 and 3 were called and passed.

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY PRESIDENT resumed the Chair and reported accordingly.

On the motion of SENATOR THE HON. L. V. H. LEWIS the Bill was read a third time and passed and cited as the Barbados Constitution (Amendment) Act 1992.

RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND AT CLEVEDALE ROAD, SAINT MICHAEL, FOR THE CANALIZATION OF AN EXISTING WATERCOURSE

SENATOR A. MORRISON: Mr. Deputy President, this Resolution deals with the acquisition of 48 square metres of land at Clevedale Road, St. Michael, belonging to Miss Etta Springer.

Sir, some time ago, as far back as 1985, some works were carried out down there in order to canalize an area in order to improve the drainage in that area at the time and the works involved the canalization of an existing water course. By some oversight this 48 square meters of land, owned by Mrs. Springer, was not properly acquired and it was utilised during the process of canalization by the Ministry of Public Works and we are now seeking formal acquisition for that parcel of land in order to recompense Mrs. Springer for her land. We are asking for Parliamentary approval that the Government be able to acquire 48 square metres of land from the estate Etta Springer for the canalization of the existing water course at that time. With those remarks I beg that this Resolution do now pass.

SENATOR Y. V. WALKES: Mr. Deputy President, in supporting this Resolution I would like to make a few points here this evening on the whole question of the canalization of the water courses in this country. I think there is no doubt that the Island of Barbados has a well developed infrastructure so I don't think we have to bother too much about that aspect and we recognise that from time to time, Ministry of Transport and Works will go into areas where there are, if one can call them, ill-defined watercourses and canalize these areas so that the water can flow into a well-defined area.
4.30 p.m.

My contribution to this is to ask that after these areas have been well defined and canalised that they be regularly serviced. I know that if we are talking about water courses that we must try to prevent blockage. This has caused a lot of problems in areas where there is flooding and I think we should try to prevent flooding or limit flooding. Therefore, we need to look at how we service these areas. I have a very good example of the Speightstown area, especially Gills Terrace in St. Peter, where that area has been canalised. If there is flooding which is most of the time because it is not regularly serviced, there are large branches of trees that block the entrance of the canal if one can call it that. Therefore, a lot of water tends to feed back into the general housing area thus causing a lot of discomfort to the residents of that area, especially if there is a sudden downpour of rain in the area. Only in late 1990, an incident like the one that I have mentioned occurred and the people were very anxious because it happened during the night time. Luckily, the rain stopped and then MTW came after we had contacted them. I must congratulate them for this. They came immediately and cleared those branches which had blocked the entrance of the canal. Sir, I am asking that we pay very great attention to this area of servicing the water courses.

My other concern will deal with looking at another source for the waste water. I am saying to my mind the waste water goes into the sea. If we are looking at the Black Rock area and the canalisation that was done in the Tudor Bridge area that goes through to Black Rock by the Catholic Church into Goodland and Westbury and then enters the Spring Garden area and goes into the sea, I am suggesting that the water can be allowed to go into the ground. This is nothing that is a new initiative by me really. If the water goes into the ground, this waste water can be recycled. If we look at the Barbados Water Resources Study that was done around 1976-78 by Stanley Associates and Engineering Limited jointly with Barbados – That is a Canadian company and I know that the six volumes of that report was laid in the House. I know it is a document of the House. – we will see that a recommendation was made for a ground water recharge system and also for alternative sources and methods of supplying water including the feasibility of recycling waste water.

Sir, when we look at the whole question of water going into the ground, we cannot say that technically it will be a large amount of water. There are so many reasons why I believe that we should not wait to be reactors but to be proactive in lots of areas. I am saying that the time has come where we must seriously look at how we can recycle this water rather than let this water go into the sea. We can look at the whole question of irrigation. I am of the mind where I think our whole agricultural situation might take a different turn and there will be a need for irrigation of lands. Therefore, I am saying that we can look closely at that situation and see how we can utilise that water. Of course, when we talk about letting the water go into the ground, we have to be very careful that we recognise

the areas of zoning in this country and we are careful not to effect the Zone 1 areas. I am very much concerned about the protection of our environment. At this time when it is so very necessary for us as a developing people to recognise the importance of the protection of the environment, we have to be very careful with our Zone 1 areas. I am saying this for the mere fact that I think that a lot of disregard has been given in this country. I am very much afraid that we are getting into a situation of so much party politics that we have become blind on a national level to understand what we have to do as a people and as a nation. This has blocked our whole vision of how do we progress as a people. We can no longer look at this as a partisan thing that when one party gets in and politicians for a few votes forget the importance of the environment and encourage our people to think that there is a need where they can construct houses and also have industrial waste just thrown around. If we are going to look at letting our water go into the ground and maybe look at the whole question of suck wells and how we should organise that, then we must ensure that the Zone 1 areas are not affected. We know for sure that this country was divided into 5 zones around the 1962-63 period. The whole question of the Tulstrom Scheme discusses that and suggests areas and how zoning should be done in this country. I am not too sure that as a country we are well aware of the significance of these zones and that we have been able to identify them and clearly understand the reasons why we have zoning. I am not talking about, if one can say, the ordinary citizen out there. I am talking about people in positions who should know better and who go around trying to fake people that they can do something even when they are in a Zone 1 area to make them think that it is all right. That concerns me because it means that we are not really very serious about our people and about the development of our country.

Sir, when we look at our water courses and how we canalise them and when we also try to get our water recycled by letting it go into the ground, I am saying that we still have to ensure that the Zone 1 areas are well protected. These are the areas that immediately surrounds all of the existing and potential public water supply wells on the Island and not in any one particular place. I am talking about a number of areas in this Island where no residential or industrial development other than the ones that existed during 1962-63 when the zoning system was looked at and were permitted to remain and no new construction was to be done in those areas. Earlier in another place, Mr. Deputy President, I called for the whole question of the identification of these areas. I am saying that the areas must not only be known by the MTW, Town and Country Planning Department or, broadly speaking, maybe some areas of the Ministry of Housing and Lands, which to my mind are the professional people.

4.40 p.m.

I am saying you or I or any other citizen who walks into an area that is identified as zone 1 because this is the most important in terms of our water supply wells and where it has been defined that nothing is to be constructed around these wells... Markers, and I want to definitely state that markers in the way of pegs that can be seen, should be placed in these areas so that anyone can be very sure that this is an area that should not be involved in any kind of construction or anything of that kind.

We have the question of education of our people and a public education programme is necessary if we are going to do a number of things in the Island. We understand the need for education, and if one can say that there is any government that should understand this, it is this one that is operating at the moment. A public education programme is necessary when we are going to look at the whole question of the protection of the environment because the public must be aware that there are certain things that must happen, and not only to protect the individual but it must also be for the protection of citizens as a whole and if these rules, regulations and laws are not kept then they are going to be certain sanctions that will be brought. If this is so, then they must know the level and the degree of these sanctions and also they must be informed as to how they themselves can be involved in the protection of the environment as a whole.

I am saying that broadly looking at the water supply. I think it is very important because we were all involved in the Earth Summit in Rio and we understand what that means. Now is an opportune time for the Government to get into a programme, a kind of follow-on into looking at the kinds of things that are necessary in developing countries based on things we can afford, although we would love to look at it in terms of a developed country and we would like to bring a lot of programmes and schemes that we have heard of in developed countries.

In terms of health, and it was admitted in this Honourable Chamber this morning by the people who oppose most of anything that is brought here that the standard of health care has been maintained in this country, there is no quarrel over that. This is as good a time as any for a programme of this kind to be introduced in this country and to bring to the people the whole question of the protection of the environment.

Mr. Deputy President, with those words I want to support the Resolution.

SENATOR A. MORRISON: I would just like to assure the Honourable Senator who just sat down that Government attaches very great importance to the problems in this country. During the last 5 years we have tried

to do a few projects including the Speightstown project. We have done the Bank Hall Canalisation, St. Davids in Christ Church, St. Catherine in St. Philip, Hothersal Turning, Hillaby, Parris Land, St. Philip, Ashton Hall, St. Peter, Crawford Road, St. Peter and so on. We have approached the World Bank and also the Caribbean Development Bank to discuss loan funds in order to pursue a very comprehensive project for this country. I think the Caribbean Development Bank is already committed to doing a study which will upgrade the present study which is about 20 years old and we hope that after that study is completed that we will be able to upgrade our information and we will get loan funds in order to carry out more development in that area.

We have increased the number of well diggers in the last 5 years and we have sunk many wells in all parts of the country in order to provide the drainage that is necessary in those low-lying areas. The institution which was mentioned appears to be very favourably disposed towards these developments and we hope that we will be able to utilise those waters that now run away to the sea as a water resource and also for agricultural development. I can assure the Honourable Senator we will be pursuing those matters in the next year or so with a certain amount of vigour.

I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I beg to move that this Senate be adjourned *sine die.*

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

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2. Reform of the Direct Tax System – Prepared by the Fiscal Affairs Department of the International Monetary Fund.
3. Annual Report and Financial Statements of the Public Utilities Board for the year 1991.
4. The National Insurance and Social Security (Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland) Order, 1992.
5. The Duties, Taxes and Other Payments (Exemption) (No. 3)Order, 1992.
6. The Rate of Interest (Exemption) Order, 1992.
7. Annual Report and Audited Financial Statements of the Barbados Agricultural Development Corporation for the year 1988-89.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE AND MOVED BY A MINISTER

SENATOR HON. L. V. H. LEWIS 791

1. Standing Order 45(2) was suspended for the remainder of the Sitting.
2. Senator the Rev. Canon J. L. Springer was appointed to act as Deputy President for the remainder of the Sitting.

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