
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1991 - 96

THE SENATE

Wednesday, October 28, 1992

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, October 28, 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 Dr. E. A. SIMMONS

Senator J. J. PAYNE

Senator Mrs. A. STRAUGHN, G.C.M.

Senator Mrs. M. WALCOTT, S.C.M.

Senator W. LeR. INNIS

Senator the Rev. Canon J. L. SPRINGER

Senator J. G. BELLAMY

Senator T. E. BARKER

Senator Miss M. A. MOTTLEY.

Prayers were led by Fr. Errington Massiah

Mr. DEPUTY PRESIDENT: The Senate is in session.

MESSAGES FROM H. E. THE GOVERNOR-GENERAL

Mr. DEPUTY PRESIDENT: I have received the following message from Her Excellency the Governor-General dated October 13, 1992:

Dear Mr. President,

I shall be away from the Island from October 14 to November 1, 1992 on a visit to Canada and the United States of America.

In accordance with the provisions of Section 29(1)(b) of the Constitution the Honourable Sir Denys Williams, GCM will perform the functions of the office of Governor-General during the period of my absence.

As the Honourable the Senate will not be meeting prior to my departure it will not be possible for the usual formal message to be sent down to your Chamber.

Will you therefore please bring my absence formally to the attention of the Honourable the Senate when next it meets.

I am also in receipt of another message from Her Excellency the Governor-General dated September 30, 1992 which reads as follows:

Her Excellency the Governor-General to the Honourable the Senate.

Her Excellency the Governor-General has the honour to inform the Honourable the Senate that on the advice of the Prime Minister the seat in the Senate held by Senator the Honourable Sir Frank Walcott, K.A., O.B.E., President of the Senate

has been declared vacant under the provisions of Section 39(1)(f) of the Constitution with effect from August 31, 1992.

PRESENTATION OF PAPERS

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 1990;

Reform of the Indirect Tax System prepared by the Fiscal Affairs Department of the International Monetary Fund;

The Annual Report of the Barbados Marketing Corporation for the period ended March 31, 1989;

The Annual Report for the National Housing Corporation for the financial years 1988-89 and 1989-90 and

The Thirteenth Annual Report of the National Sports Council for the financial year April 1, 1990 to March 31, 1991.

INTRODUCTION OF BILLS

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I wish to move the First Reading of the Theft Bill, 1992. Notice of the Bill was first published in the Official Gazette on April 13, 1992 and notice of the Bill was given on October 21, 1992.

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

The question was put and agreed to.

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I wish to give notice of a Resolution which seeks to take note of the Report of the West Indian Commission, having been debated in the other place. The Resolution will be presented to us formally in time for another sitting, but I wish to give notice of that Resolution.

PUBLIC BUSINESS

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, early in this sitting we received notice from the Governor-General relating to the vacancy caused by the resignation of the President, Sir Frank Walcott. I believe that this Senate should seize the opportunity to place on record – and I am certain that members of the Senate have received correspondence indicating that Sir Frank had indicated to the Governor General his intention to withdraw

from the position of President of the Senate – and to pay tribute to Sir Frank Walcott, K.A., O.B.E., LL.D. who was born on September 16, 1916 at Farm Road in St. Peter.

He was 1 of 4 children sired by his parents. His father died when he was quite young and his mother took care of the family's needs. The family moved to Bridgetown and Sir Frank attended the Wesley Hall Boys' School during the time of the late Rawle Parkinson, a man whose imprint on the lives of many young Barbadians is recognised, and a school, indeed, has been named in honour of the late Rawle Parkinson. We have little doubt that he made some impression on the life of Sir Frank.

It was not my privilege to know Sir Frank until the late 1940's. I was a 5th former at Combermere at the time and he, by then had become full-time General Secretary of the Barbados Workers' Union, a position he held until quite recently. During those several years, it is recorded that Sir Frank was the first full-time employee of the Barbados Workers' Union and his illustrious career is very well known. His contribution in the field of politics and trade unionism, not only on the local scene but on the regional scene and internationally has made him one of the best known sons of this country, Barbados.

Sir Frank's affable and straightforward manner made it possible for him to develop relationships with other distinguished West Indians, persons like the late Dr. Eric Williams and Dr. George Eaton and they were associated with him in many of his union ventures. Another of the persons with whom Sir Frank was associated in the trade union movement as well as in politics was the late Sir Kenmore Husbands.
11.30 a.m.

It was indeed my good privilege in 1969 to be part of a Barbados delegation to the International Labour Conference. The delegation was led by (he was then) the Hon. Kenmore Husbands, Minister of Agriculture. Agriculture and Labour portfolios were combined in those days. Sir Frank was the union delegate and representative and I was an advisor to the union delegate. That was the first occasion on which the Civil Service Association, later known as the National Union of Public Workers, was accorded the privilege of having a delegate to the ILO Conference and I can well recall the deference which was given by delegates from Jamaica, Trinidad and Tobago to the views, opinions and interventions of Sir Frank Walcott during that Conference.

It is also my recollection that on that occasion Sir Frank and, indeed, all the delegates to the Conference were presented to the late Haille Selassie, the Emperor of Ethiopia – he was not in exile yet – as well as to the Pope of the day.

I had previously observed Sir Frank in action when I joined the Board of the National Insurance Scheme in 1968. My association on that Board continued until 1978 when I was replaced on the Board. It was during the time in the 1960s and early 1970s when Sir Frank and his colleagues in the Barbados Workers' Union were looking for sources of finance, I was Permanent Secretary in the Ministry of Finance at the time, and we shared several occasions discussing possible sources of finance for the project – the project which is known as the Mangrove Housing Development. I was not only impressed by Sir Frank's commitment to the project but I regarded his foresight in planning for such a development as being quite uncanny. I am quite pleased and I am sure that several persons have been pleased with the successful implementation of that project.

There are several persons who have had much more contact with Sir Frank than I have had but I believe that when I speak of Sir Frank Walcott I speak of a politician, a man who served in the House of Assembly from 1945 to 1966 and then from 1971 to 1976. He served in the Senate from 1966 to 1971 and then again from 1986 to 1992. He was the sixth President of the Senate.

I speak of a trade unionist, a man whose involvement with the Barbados Workers' Union led him to further involvement with CADORIT, followed by its successor the Caribbean Congress of Labour, the International Confederation for Free Trade Unions, with the American Institute for Free Labour Development, the American Federation of Labour, the Congress of International Organisations, the Commonwealth Trade Union Congress, and last but by no means least, his involvement as a serving member for many years of the governing body of the International Labour Organisation.

I speak of a diplomat who served as Barbados' first Ambassador to the United Nations in 1966. I speak of an advisor who served as a member of the Privy Council of this country for a number of years and also as a member of several Boards relating to the development of this country we all love.

When in 1986 Sir Frank was invited to serve as President of this Honourable Senate the Prime Minister of the day gave Barbados an opportunity to benefit from his astute, wise, crafty and persuasive leadership. This Honourable Senate has been able during the past six years to make use of his talents, graciousness and his strength of character.

I count it a privilege to have been associated with him in this Chamber and wish on behalf of my Cabinet colleagues to hope that he will have many years of retirement notwithstanding his thorn in the flesh. This Senate will be the poorer for his having left but we know that all will be well for him and his family.

Mr. Deputy President I crave your indulgence to read into the records of the Honourable Senate an extract from a Book "Frankly Speaking", from pages 44 – 45, and also an excerpt from "The Union Speaks", the publication of January 24, 1975. In the first excerpt and this is Sir Frank writing:-

"The Union is satisfied that the quality of politics is not tarnished by any intrinsic ingredient in politics. Politics can be made dirty by its practitioners. This is true for all facets of life. There are persons who disgrace the life of any institution including politics and there are persons in and out of politics who are dirty. They will dirty anything on which they put their hands. This does not mean that what they have put their hands on is in itself dirty."

The second excerpt:-

"The trade union is also satisfied that politics in the modern state is not a game to be played after normal working hours but is a continuous study of the complex situation facing a modern community. Politics is not a pastime for those who have failed in other walks of life and are seeking a new pathway to power and authority. Politics must be a matter of objectives and faithful service. The objectives should be openly and clearly stated so that the public can understand what the politician is setting out to accomplish."

They are deep, searing comments on politics and the community. I believe that they establish the courage and character of the person of whom I speak.

I wish, Mr. Deputy President, as Leader of the Senate to use the occasion to thank Sir Frank for the very faithful yeoman service which he rendered to his country and to several thousands of Barbadians whom he loved and worked amongst for many, many years.

SENATOR Dr. F. W. ALLEYNE: Mr. Deputy President, I wish to endorse fully the remarks made by the Leader of the Senate. It is seldom that one is accorded the opportunity to comment on the retirement from public life of an individual who is such an outstanding person as Sir Frank Walcott.

The first time I saw the then Frank Walcott in person was in 1956. I was still at school. I remember we stayed up until 2:00 o'clock a morning to see this fellow. We had an image of him. We heard about him as the heavy roller so we were looking for the big man. I remember bright one morning I had been waiting in Oistins just outside what we used to call the Guard House by Mr. Jones' shop. We had to go to school the same morning but we waited up to hear him and ever since that morning I have followed up his career.

11.40 a.m.

The thing which strikes me most about Sir Frank and his career was his commitment to that famous saying, "Where there is no vision the people perish." He has lived that throughout his entire public life. You will recall that as a matter of public record, speaking in 1989 at the constituency branch of St. Michael East on a Sunday afternoon I said then that Sir Frank was the sole surviving national hero in Barbados. Some of you may recall that a public commentator who has never done any honest work in his whole life seized upon my statement to say that I not only said that Sir Frank was the sole surviving national hero in the country but another fellow who shall remain nameless. I said so in 1989 and I will repeat it again today.

There are some things about Sir Frank which are worthy of note. He has always referred to me as his son. He knows I admire his style because in a sense his style has influenced my way of doing things. I have taken time out, as often as I could in the last year, to sit and listen with him at his home. Every 2, 3 weeks I try and take time out and go and pay a visit and we sit down 2, 3 hours and I listen to him. I think it is important and a privilege to benefit from the wisdom of someone like Sir Frank. As often as I get the opportunity I try and avail myself of the chance to do it.

There are two things that are significant about Sir Frank I notice. Sir Frank was born into the First World War. The World War was raging at the time. It was in the middle of the middle of the War in 1916 when he was born. When he came on the scene, when he reached what we called adulthood – 21 at the time – the social and economic uprising, upheavals were taking place in the Caribbean. Some people like to refer to them as riots. I do not refer to them as riots at all. I refer to it as a rebellion. Rebellion was taking place in Barbados and the rest of the Caribbean. History creates opportunities for leadership. It was as a result of that rebellion that the opportunity was provided for persons like Sir Frank to rise. Notice I say history creates those opportunities. But it is only those people who can rise to the occasion who could use the opportunities. When we look at Sir Frank's life and work there is no doubt that Sir Frank was able to live up to the challenge which he took up in the 1930s.

I am told about a story about Sir Frank's early life. Perhaps he might have been in the high teens at the time. He was working in Swan Street and they were paid on a commission basis. So that the more you sold and the higher the price you got, the higher the mark-up on the goods the higher is the absolute amount of money you would receive as your commission. Frank, I am told, was the youngest of these salesmen but he got them together and I am told he was a wizzard at figures, he looked at the landed cost and so on and then he worked out what the boss was saying to them they should sell this product for and he said to the

other fellows, "No we cannot sell it for that. This is exploiting the poor people who we have to go out there to sell these too." The boss discovered he was the ringleader and decided to deal with him.

I recall that anecdote to make a point about it. It is crystal clear to me that from his very early life he was a leader. A lot of these stories which people throw about about somebody coming into Swan Street and taking him out of a shop and taking him into the union and his being able to rise from there, that is a lot of poppycock. If you study the man's life carefully you will discover here was a young man with leadership capabilities from a very early age.

There is another story which I am told, and I like to listen to the older people – some in their eighties today – and I am told by some of them who went on to Harrison College and did well who were at school with Sir Frank at Wesley Hall; some of them say to me to this day they never understood how is it Sir Frank never won a First Grade Scholarship to Harrison College. Because he would beat them all the time at Wesley Hall and they were able to win First Grade Scholarships to Harrison College but somehow he did not make it. He did not make it to Harrison College but certainly he was able to distinguish himself locally, regionally and internationally in a way in which his contemporaries were not able to do it.

I have had in the last 6 years the rare opportunity to work with Sir Frank in the National Insurance Board. It has been a very invaluable learning experience. Invaluable because I got the opportunity to observe how Sir Frank goes about solving problems. He is quick to remind all of us that easy lessons are for dunces. He is very intolerant with people who are superficial. He does not suffer fools gladly at all. There is one thing he kept reminding us meeting after meeting in the National Insurance – that the National Insurance institution is bigger than any one man. Never compromise the rules of the National Insurance to help anybody because once you bend the rules there is no way you can unbend them. That is something which I continue to remind my colleagues in the National Insurance Board. I always draw to their attention those words which Sir Frank continually reminded of in the years when he was able to serve with us.

I am sure you will recall that we held him and continue to hold him in such high regard in National Insurance that on October 3, Prime Minister Sandiford announced that on the recommendation of the National Insurance Board the new Headquarters of the National Insurance was named after him. I can say, without breaking any secret, it is the first proposal I have ever seen in National Insurance which was approved so quickly. It took less than two seconds to approve that proposal. I can say that in this Senate. And it was approved unanimously.

Something which I think all of us in this Senate – and Senator Lewis touched on it – would do well to remember is the way in which Sir Frank earned respect. One felt it was necessary to give back to Sir Frank what he so generously gave. When one speaks in terms of the social graces I will recommend Sir Frank as a study for many of our young people. When you think of the social graces, the way in which he conducted himself.

When I look at the history of Barbados and indeed of the Caribbean there are few persons in public life who will have surpassed Sir Frank with respect to the tireless manner in which he campaigned to uplift the downtrodden masses. There are few persons in Barbados who dedicated so much of their life and their energy bringing social and economic justice to all parties in Barbados.

11.50 a.m.

I believe employers in Barbados will say about Sir Frank as a trade unionist, he was fair and he was pragmatic. I was privileged to be at the Hilton Hotel at the function to honour Sir Frank and it was a rather moving experience, because it is the first time in the man's life time, this is what is significant about it, in his life time ... It was unfortunate he was not present. I was able to hear people like Hugh Shearer, former Prime Minister of Jamaica, people like the stalwart Sir Polydore from Guyana, Carl Tull from Trinidad, the Secretary AFLCIO, these stalwarts speak of Frank Walcott as the person in the West Indies who opened the door on the international arena to West Indian trade unions.

Now, imagine Hugh Shearer, a former Prime Minister of Jamaica, a Foreign Minister, Ambassador of the United Nations, a man who cut his teeth in the trade union movement, and he is saying to us in Barbados that the man who opened the international doors to West Indian trade unionists was Sir Frank and he gave a story that night. I think Hugh Shearer gave it. He said, in Europe, all you had to do if you were a new comer on the circuit, mention that you knew Sir Frank and the doors were opened for you.

I think there is something we have to learn when you look at the life and the times of Sir Frank, that in Barbados we have got to get out of this habit of pulling down people. I think we have to emphasise more and more the good qualities in people. I recall there were some controversies in the public life of Sir Frank and these brought his true metal to the fore. The first I recall was the windfall issue. This was an issue which threatened to tear apart Barbados and I believe that looking back in 1992, perhaps this is the most significant unfulfilled dream of Sir Frank. Because if Barbados was able to embrace the vision of Sir Frank as reflected in that proposal coming out of the windfall payment on that sugar crop around 1963-64, perhaps the plight which the sugar workers are faced with today they would not have been faced with at all.

Mr. Deputy President, I believe that it is time that in Barbados we establish a hall of fame. Other countries have done it. There is no earthly reason why in 1992, young persons, teenagers, should not know who was Sir Grantley Adams and what was his contribution to Barbados. Who was Errol Barrow and what was his contribution to Barbados. Who is Mencea Cox and who is Sir Frank Walcott. Fortunately this Government has taken the initiative to name the new National Insurance headquarters after Sir Frank and in that way successive generations will know about Sir Frank, because once they enter the building, there is that small statement about his contribution.

What I find distressing is that many of our young people do not know who Sir Garfield Sobers is and this should not be allowed to happen. I would like to think that perhaps this opportunity which surrounds the retirement of Sir Frank from public life will jog some of us enough that the private sector and the Government will get together. We do not need an elaborate building, but do something to commemorate the life and the work of outstanding citizens like Sir Frank because it is out of our history that successive generations will draw their strengths.

Mr. Deputy President, in closing I would wish Sir Frank a happy retirement. I know that today he is much more comfortable than he was when he retired. In fact I say to him all the time, he has rolled back the clock by about 10 or 15 years. I am very impressed with the very stoic manner in which he has taken his limitations. In fact he said to me, "I don't have to worry about down there now, so up here is better". I have to tell you, when I saw him at the function to name the National Insurance building on October 3, when he arrived Mr. Deputy President (I remember seeing you on that occasion as well) I recall that when he came in that afternoon there was a signal welcome accorded him, everybody stood to attention and you could feel a difference in the atmosphere that afternoon. I spoke to him the same night and it is the first time I ever found Sir Frank lost for words, he was so moved by that occasion.

I don't believe that in my life time I will be privileged to see another trade unionist of the calibre of Sir Frank and I say that because of the time Sir Frank was born. People who were born at that time had very few opportunities available to them but I would hope that given the stresses through which the trade union movement is passing that persons of ability will be attracted to it and they will stay with the movement and will draw strength from the life and work of Sir Frank. Thank you Mr. Deputy President.

Mr. DEPUTY PRESIDENT: Senator Barker.

SENATOR T. E. BARKER: First of all, Mr. Deputy President, I want to wish Sir Frank, on behalf of my colleagues in the Barbados Labour Party, best wishes and that the rest of his life be filled with pleasant memories and good times and that it would be the start of a new era in his life – a time of reflection, a time of deep concentration, knowing that he has done a tremendous job in this island and we, in this island, must be proud of our heroes. His life is testimony to the fact that a person can rise above circumstances and this country of Barbados is one that we love dearly and we love it especially because of the fact that a person does not have to be born in a certain social class to leave deep foot prints on the sands of history.

Sir Frank Walcott never went to secondary school but this did not mean that he would not have the mental capacity for university work and maybe even higher. From all reports he was a man of deep intellect but the conditions of those times meant that people of his class were denied the educational opportunities and 76 years later he can look back with pride and say, yes, even although I was denied the opportunity, by my contribution I have made it possible that those coming up after me, in spite of the lowness of their birth, can reach any height so long as they have the character and the determination to rise above circumstances. That, in my view, is one of his greatest contributions, to tell our people: Do not let the accident of their birth prevent them from reaching their full potential.

12.00 noon.

Sir, we in the Barbados Labour Party can take pride in the fact that he was associated with our party for a long time. Indeed, Sir, if you can remember, he was a loyal assistant from 1945 to 1947 to the then General Secretary of the Barbados Workers' Union, Sir Hugh Springer. He was a man at that time barely in his 30s and the impact he made in those days was tremendous and it would have impressed his mentor, Sir Grantley Adams. So much so that when Sir Hugh left to go to the University of the West Indies in 1947 immediately Sir Frank acted as General Secretary. It was only a question of convenience until he became fully established in the post of General Secretary.

In those early years we had some of the most important pieces of labour legislation in this country, because it was only in 1940 with the passing of the Trade Union Act that trade unions became legal organisations. In the following year, 1941, the Barbados Workers' Union was registered. I do not know by then what association he had with the Union, but judging from what other people have said, he may have been a follower, maybe an organiser. We are not sure, but I feel he was somewhat involved in the early days even before he became Sir Hugh Springer's Assistant in 1945.

It is important that we recognise that during that period in the 40s and 50s, where the workers were just a

little above chattel, we had some hallmark legislation. The Holiday with Pay Act came in during the 50s, the Protection of Wages Act and at that time the foundations were laid for a comprehensive national insurance scheme, and he was part and parcel of that.

Sir, it is true to say that the association between Sir Grantley, Sir Hugh and Sir Frank – they were not all knighted at that time – brought out the best in all these individuals. They fed one on another and they have done tremendous work together on behalf of the working classes of this island. Those three men founded and built the Barbados Workers' Union in those days when they were under severe pressure from the plantocracy and from the merchant community. Sir Frank was there with Sir Grantley and Sir Hugh risking life and limb. I was not around in those days, but I can very well imagine, from reading history, that these men at times risked not only their livelihood but at times some of them were even shot at, all to protect and to advance the status of the working class.

Sir, I have been a bit unfortunate in that the first time I met Sir Frank in person was last year when I became a member of this Honourable Chamber. Unfortunately, because of his illness, there were only a few occasions when he was able to perform his duty as President. Our association was not the happiest. I was learning the job; I was not yet fully accomplished as I am now, and as Dr. Alleyne was saying, he was at times intolerant. This is a personal perception, Sir. I do not wish to be in any way casting aspersions, but this is how I saw it, and one could excuse it for two reasons: One, my lack of knowledge of parliamentary procedure and good debating skills, and secondly, the fact that by then his health was obviously deteriorating. But I enjoyed the confrontations we had and I have nothing but deep respect and admiration for Sir Frank. I wish to place on record the satisfaction I got from working, albeit for a short time, with one of the heroes of Barbados.

Whenever the history of Barbados is written, I do not care who writes it or from whatever standpoint, the name, the times and the work of Sir Frank must take pride of place. Call all the heroes you know, Sir Frank Walcott must be there, because his work and his contribution meant that some of us in here, me included, have developed to the extent that we have.

Sir, there is one thing that troubles me. The association between Sir Frank and Sir Grantley was so strong that I would like to know exactly what went wrong. I have spoken to people who were around in that era. I have spoken to my uncle, and he was sort of distressed, because my uncle was very much involved in the trade union movement in those early days. He said Sir Frank would do anything for Sir Grantley in those days.

Such was the strong relationship, that the breakup... I guess it hurt both of them, but it hurt Sir Frank Walcott deeply, because this was a man whom he looked up to and admired. For posterity that era in the history of the working class movement needs to be explained, because I think it is significant.

Sir, one thing I admire about Sir Frank is that he knows where his loyalty lies; he always knew that the interest of the worker must be paramount. I could very well remember in 1972 or 1973 with the hotel strike where Sir Frank made sure that the people of Barbados knew that he was first and foremost a trade unionist, and that if it came to the crunch he would not sacrifice the interest of the worker to any political organisation. That is what I will always remember about Sir Frank. Yes, he was a loyal member of the Democratic Labour Party, but when the crunch came the whole of Barbados knew which side of the fence he belonged to. It saddens me that in 1992, when he has done more than his bit, the Union, those who saw him operating for so many years have not learned that simple fact of life, that the interest of the worker must take precedence over any other organisation. You are a trade unionist first and everything you do must reflect that sense of priority. No doubt, Sir, Sir Frank would be saddened to see what has become of the organisation he fought so hard to establish, not only in Barbados but also, as the last speaker said, all over the world. The name of Sir Frank Walcott was a household name in the ILO offices in Geneva.

I wish that the present leadership of the trade union would pay the highest tribute to Sir Frank. The highest tribute is not in naming an auditorium after him, but to perpetuate his life's work. His memory would last if the Barbados Workers' Union put aside any other affiliation and make sure that just as in 1972 when the people of Barbados knew which side the leadership of the Union was on that in 1992 they would also. That is the highest tribute that we can pay to Sir Frank.

12.10 p.m.

With those words I want to put on record my admiration and deep respect and regard for Sir Frank. Judging from last week, it seems that he has a new will to live and I wish that his many years will be fruitful and we who are here can learn. On a personal note, I hope that sometime I will get a chance to go and spend an hour or so talking with Sir Frank.

Sir, I quote the words of the apostle Paul to Timothy:

"I have fought the good fight. I have finished my course and I have kept the faith and henceforth, there is laid up for me a crown of righteousness. Not only for me, but for those who love Him."

SENATOR Mrs. A. STRAUGHN: Mr. Deputy President, thank you. In making my contribution I want to be associated with the complimentary remarks that have been made by other Senators. Forty-two years ago I became acquainted with a courageous and determined person, Frank Leslie Walcott. Over the years we developed a mutual respect for each other, and I hold it very dear to my heart. Frank Walcott became an institution in Barbados. His work, his service, his total contribution will be chronicled in the history of our nation as a national hero.

Frank Walcott's name is synonymous with labour relations at every level and labour relations are worldwide. His fame is therefore worldwide. Frank Walcott was frank by name and nature. During the 1960's and 1970's I had a conversation with a University lecturer, who shall be nameless, and he said to me, "Are you aware that your friend, Frank Walcott, is the most powerful man in the Caribbean?" I did not take it to heart then, but when we consider that the human element is paramount to the development of any nation and when we consider that most of Frank Walcott's work was done in the service and through the service of human beings and human relationships then that statement had to be true.

Sir Frank Walcott has grown in stature over the years, not slowly, Mr. Deputy President, not swiftly, Mr. Deputy President, but progressively in all the areas that his service touched. All Barbados and all Barbadians are justly proud of such a man of the soil. In his retirement, I am sure he will continue to be a mentor, a counsellor, a consultant and a fine example worthy of emulation.

When at the opening of the NIS Building, as our worthy Senator has referred to, Sir Frank's entry was greeted by a standing ovation and thunderous applause it was no mistake. It was no surprise, but the atmosphere was charged with emotion. It was absolutely spontaneous. That this building is named after him is a very fitting tribute to start with and I do agree that for such a national hero there is nothing too big or too great to do or to erect a commemoration of his service.

I, too, consider it a privilege to be associated with him and to have known him at a very personal level and at a public level as well. The tributes made to his nobleness and his humanness today are fitting, timely and absolutely right. I am proud to be a part of this occasion and I join with all others in wishing him many happy years of retirement.

Thank you, Mr. Deputy President.

SENATOR Miss Y. V. WALKES: Mr. Deputy President, this morning I am proud and happy, not only to be a trade unionist but to have been tutored, if I can use that term, under the great Sir Frank Walcott. Based on the tributes I have heard here this morning and in every

other area where we have assembled to talk about the work of Sir Frank, everyone has talked about his nobleness and his genuine nature and the kind of frank, bold and confident person that he is.

I want to say that the first time I met Sir Frank was at an interview. I was first going into the Barbados Workers' Union and the persons who had invited me to come to the interview said to me, "Just be yourself!" I was so afraid because in my early life I had heard about this great man and I thought that he was this colossal and he would have been monstrous and, to my surprise, when I got in of course there was a whole line of other officers there with him because he would never have interviews or meet persons alone or at least with only one other person. He believed very much in the kind of democracy and detail of analysis of the situation within the Barbados Workers' Union and therefore, he always felt that he needed a number of officers with him.

I was shocked to see the kind of gentleness and the kind of warmth that came from the interview. Before I left there, I thought I was actually working in the organisation. At least I was sure I had made it and I understand that I was the last applicant. It was really a surprise to me that I did make the interview and got the job at the Labour College at the time. This is just to show you that when you meet the man whom people maybe see sometimes as being aggressive, maybe too frank or too outspoken, you are shocked by his warmth and gentleness and even if you meet him outside of Barbados it even gets into a situation of being kind and protective. He always wants to make sure that everybody who comes from Barbados and who belongs to the trade union is well taken care of and he is always very concerned to ensure that workers are treated at the highest level.

I am very happy to hear this morning that we want to look at having a place, a national gallery, where our pioneers in trade unionism and our heroes in national life can be looked upon by our people and recognise the great contribution that they have made to this country of Barbados. I am happy that all that Sir Frank would have done in the trade union movement will not be lost because there will be a place established for his work to be recognised.

12.20 p.m.

Let me just say that if we can talk about Sir Frank in the Barbados Workers' Union and in the trade union movement as a whole building the foundation of the trade union movement we have to understand that it is not some flimsy affair that we are talking about. This man has been able to create and develop a depth within trade unionism in this country and within the Barbados Workers' Union that the officers who now carry on the work he has done will not compromise the Barbados Workers' Union or the trade

unionists, nor the workers of this country for anyone. Therefore, there is no question about compromising the workers in relation to any party or organisation outside of the trade union movement. I want to make that specifically clear.

I want to say that if we understand politics in this country we would recognise that if you are a trade unionist you are in politics and your political life is an extension of the trade union movement and in terms of helping to establish the social order in this country and the whole question arises that you can assist in politics. If you are a trade unionist it is natural that you would want to continue outside of, if one could call it, your narrow area of the trade union movement and extend it to the workers of the country and furthermore to the other people who think they are not workers to the broader base of the country. Therefore if you are fighting for workers' rights, if you are fighting for the rights of the masses of your country it is obvious that if you see a political force as that area where you can have legislation passed, where you can extend your influence in terms of making good for the workers of this country you would do that.

If there is a question as to which party you belong to then the question should arise as to whether one party should be jealous of the other one because it happens to get the trade unionists aligned to that party. I do not think there is any doubt at all in our minds why, at this point in time, a number of the trade unionists who belong to the Barbados Workers' Union and otherwise, and even Sir Frank, would have taken on the whole area of looking at the Democratic Labour Party as the party to join, the new movement that looked after the masses.

One can understand Sir Frank even in 1964 when already the Trade Union Act had been passed in 1939 that there was not anywhere in that Act which looked at anything for peaceful picketing for the workers. Workers would have had to stay home if they were angry or upset about anything that happened to them. In 1964 the Democratic Labour Party at the time to which Sir Frank was then a member amended the legislation to include in section 39 peaceful picketing where workers could demonstrate peacefully their objection to wrongs or to their rights that were violated.

Furthermore one could under the stance that Sir Frank would have taken as being a member of the Democratic Labour Party and also the kind of situations that would allow trade unionists who belonged to this country to become members of the Democratic Labour Party because in 1974 again that same party who understood the plight of workers, who understood mass movement in a situation looked at the Trade Union legislation and amended the Act to look at section 40A to ensure that workers, delegates and trade unionists in their work place could function and

carry out their roles properly and they had the opportunity to apply for leave to carry out trade union work within their work places once that leave was given to them. Therefore delegates have a right in their work places who belong to the trade union movement to ensure that their union at the work place functions properly and therefore they also have that right to leave on application to operate properly in the work place. I am saying that came through the Democratic Labour Party. One can understand what we are talking about when we talk about Sir Frank joining such a movement and also other trade union members in this country wanting to join such a movement.

You look even at the whole question of severance payment in this country and you look at Sir Frank agitating at that time for social security in the country and introducing the whole question of severance payment at a time when it was important, when workers from Fogarty and Cave Shepherd in the late 1960s had to go home without one cent. That brought to bear the whole question of the urgency of the Severance Payment Act to ensure that workers had a better deal. Sir Frank had been agitating for that for almost 10 years before the Act was actually brought to Parliament in any way to be passed.

The kind of depth that Sir Frank would have given to the whole question of looking at workers' plight is vitally important and his allegiance to the Democratic Labour Party must be seen as his recognising that movement for workers and the masses would be playing a very important part in this country at that point in time.

Let me go further and say that to talk about Sir Frank may be it would take very long. Sir Frank looked at every area regionally and internationally to ensure that the workers not only of Barbados but of the Caribbean were well taken care of. If we look at the whole question of workers' education and his establishment of the Labour College at Mangrove in 1974, we would recognise the kind of vision that the man had for trade union and workers' education in this country and in the region.

Sir Frank was very anxious to have as many workers trained and as many workers educated to understand their rights, roles and responsibilities not only in Barbados but in the Caribbean. At the level of trying to ensure that workers got the best deal ever, Sir Frank made sure that Barbados, if one can say, has the best Labour College in the region. Only yesterday I was talking to a visitor here who is pursuing a doctorate in Labour Management Studies from Malta. He was saying that he has visited a number of places and Barbados may have the best Labour College in the world.

When we look at that I think Barbadians take it for granted. That is why I am saying it is so necessary that we understand what we are talking about. We are talking about

a situation where workers never had the opportunity in any real way or in any great numbers to attend any training to ensure that their work life was better. I do not know if we understand what it is to work for maybe 8 or 10 hours and be in an uncomfortable situation, be very scared and insecure, be unsure whether you are doing right or wrong, be unsure whether you are going to be sent home the next minute if you do the wrong thing.

I do not think in Barbados we understand what workers go through when they want to get training so they could then be more comfortable. But Sir Frank understood what that meant. He understood there had to be legislation in place so that employers could feel that they had a responsibility to workers. Being on the governing body of the International Labour Organisation Sir Frank was very instrumental in ensuring that paid education leave was given to workers so they could be given leave and still be paid when they were there so that their families would not have to suffer in terms of ensuring that their education at the work place was well taken care of.

12.30 p.m.

I would like to appeal to the employers of this country – we understand that we are in an economic downturn – but I would like to appeal to them to recognize that paid education leave is a convention that has been passed by the International Labour Organization and that they should seek, even at this time, more than ever before to ensure that workers are trained and retrained and that the Barbados Workers' Union Labour College which has been established by Sir Frank is open to the training of workers not only workers in the true sense of the worker who might be on the plant floor but in terms of the supervisors and management. Because what we are finding is that workers are understanding what it means to work comfortably and what it means to know their rights and their responsibilities and they want to carry it out. But the supervisors are not sure as to what should happen. We are pursuing the whole question of joint supervisors and shop stewards courses for the workers in this country.

We are talking this morning about Sir Frank. We are looking at the man who will change the whole concept of workers' behaviour in the workplace around. Or let me say better of people's behaviour in the workplace around. Because you see what I find is that we have paid attention – as a country – so much to one area that we are still allowing the other who think that they are on top not to participate with the others, not to involve them in the decision-making in a real way. But even if we look at TQM at the moment in terms of a management level we are trying to look at it moreso as a way of ensuring that you get the most out of workers without letting them enjoy the benefits and share in the productivity of our companies. Therefore we are selling them short, even by doing that.

I am asking that we not only let the work of Sir Frank go by the way and give sweet tributes to him but that we recognize that the work that he has done must not fail and the foundations of that work must be allowed to go on.

I was always amazed at how many overseas trips Sir Frank was able to make in a short space of time in any one year and moreso the long travel that he would be involved in and when he got back to the union how ready he was to become involved, how prepared he always was to become involved in whatever area of work there was or whatever crisis there was. You would not have even known that he had travelled and had travelled sometimes for 8, 10 and 12 hours and would come right back to the office without even, maybe, going home. I am saying that that was always amazing to me how he could behave in that manner.

One of the things that always surprised me also was the way in which he never saw Barbados as small or the Barbados Workers' Union as small or that there was anything, any area of progress that was too big for Barbados. He always thought that Barbados should be involved in that. We could even look at the housing project at Mangrove, an extension from the 98 acres of land that was bought. And I want you to see that that is an asset to the Barbados Workers' Union and to the workers of this country, the trade unionists of this country that the housing project... When Sir Frank looked at the introduction of that housing project there was a number of people at the time who were saying that we could build small houses for the workers, there was no reason why there should be water toilets and baths and why were we going at that large scale to involve workers and we wanted workers to behave like middle class people and all of that. Sir Frank was insistent that that housing project should raise the level and the standard of living of the workers of this country beyond anything else that they could think of. Therefore he made sure that they had adequate land and also adequate and appropriate housing just like any other citizen who, if one could say they were middle class, that they could have been involved in the housing project. If we look at Mangrove today, the housing project of the Barbados Workers' Union we will recognize not only what happened in the first instance with those houses but we would see the extensions and the glorious surroundings that have been added to that housing project. It is really a happy moment when you pass the area to see what has been done in that area.

Sir Frank looked at every area, other than the international scale on a local scale how he could be involved. I was appalled at how he could be a member of so many Boards. When you look at even the Port workers which usually had a large cadre of workers and you see him as Chairman of the Deep Water Harbour Advisory Board, Member of the Displaced Port Workers Allowance

Board, Chairman of the Port Provident Fund Committee, Vice-Chairman of the Port Registration and Disciplinary Committee, a Chairman of the Dockers Sick and Welfare Fund Committee, a Member of the Harbour Extension Committee, this is only one area of trade unionism, at least one division of the Barbados Workers' Union that we are talking about in which he became involved not only at the level of negotiating and looking at grievances and seeing how he could work them out with individuals but at the level of on every Board that it was possible to ensure that those workers got the best deal and that they were comfortable at all time. One must understand that this is a process that goes on. The whole question of industrial relation, of trying to resolve conflicts and the whole question of ensuring that each party in the negotiation has a right to be heard and a legitimacy to exist then one can understand why it would be necessary for him to be involved at every level in the various divisions.

If we look at the sugar workers area you see Sir Frank involved in almost every area over the time, a Member of the Fancy Molasses Board, a Member of the Sugar Tripartite Committee, a Member of the Sugar Workers' Provident Fund Committee, a Member of the Sugar Industry Research and Development Committee, I am saying in terms of sugar workers to ensure that the sugar workers got as much as possible then he got involved at every level.

I am wondering sometimes why people think that the Barbados Workers' Union could be a trivial organization to align it to trivialities in terms of taking sides and behaving as though the workers of this country are not important when the foundations are there that all of us who belong to the Barbados Workers' Union know quite well what it was to go through with Sir Frank the problems that we suffered and what it means now to continue trying to solve those problems. We cannot be operating in a vacuum or in mid-air. We are human beings who I would want to think are just as intelligent as those people who think that they are more than trade unionists. Therefore we do not take the trade union lightly neither do we take the Barbados Workers' Union lightly, neither do we take the work of Sir Frank lightly. You can ask anybody who works with the Barbados Workers' Union of the serious nature of how the work of the Barbados Workers' Union is looked at.

I am saying that there is no doubt as to the example set by Sir Frank. If we even look at the handicap that Sir Frank has at the moment and we visit him and we see the depth of knowledge and experience that he is ready to share and seeing him in that way, wanting to be as positive as possible, wanting to fight and wanting to share his views with you, one wonders if sometimes he really has a handicap. You tend, if you are close to him not to even regard it. You don't think of it and of course when he was at the opening of the National Insurance Building which

is named after him, it was the first time he had really been in public after his illness and therefore he was very emotional in that regard but I said that I thought Sir Frank has shown Barbadians, again, another example of what can happen to people, but where they can rise to. It is an opportunity to Barbadians, not only to look at him and say, "Hey he still can move around" but to realise that they too can still function even at that age, because we are not only looking at the possibility of a handicap but at that age and still functioning to bring joy and happiness and positivity to people. I am saying we must see that in that light. I am sure that he will be able to bring other examples to us in that regard.

12.40 p.m.

Sir Frank is a very perceptive person and he has a great analysis of things and persons that I have never noticed in any other person that I have met. What is always amazing to me is that although you may have a great difference in age in relation to him, you always felt that he is not talking above you, he can always relate to you at the level of age or maybe of education or whatever you are involved in. You can mark it that if you ask him something that has not even happened yet and he can look at the situation, analyse what is around and then give you a view, whenever the thing comes to fruition, you can bet as you reflect that you remember that Sir Frank told you that same thing. I am also saying that politically I had to draw on his experience when I was entering into politics in greater depth than I was in the last few years and some views and some information that he spoke to me about I was appalled that it was so true and so exact and I don't know if I had taken it as seriously as he would have wanted me to take it at the time because he said it so freely and so easily as though we were just chatting: "Don't get too worked up about it, but a number of things will happen and you should be very careful". But then, maybe being young and bit inexperienced I might have been a little bit carefree and not have taken him as seriously otherwise I might not be looking over in the other corner at the Opposition Senator in front of me.

I want to say it is very important that we regard the wisdom of people like Sir Frank. Let me just say, in talking about the Barbados Workers Union, the kind of work and the kind of assets that we would have had during the times that it is very necessary to recognise again, the work of Sir Frank. I don't think we can really stop talking about him when we look at where the Barbados Workers Union would have come from and in terms of the systems that he had to set up in terms of the management and accounting of a workers organisation of that nature, one has to be really appalled. When we look at renovations that he would have made to Fairchild Street building, when we look at renovations he would have made to Unity House area and then we talked about the establishment of the Labour College and not only the Labour College but the 98

acres of land, there is still a lot of land at the Labour College that we can work, that we are now opening up for agriculture and we are hoping to get participants who attend the Labour College, involved in the kind of work so that they can have a place that they can call their own that they can get agricultural products from. Sir, Frank did not know that we would have a crisis in Barbados at this time. Look at what he was doing by establishing that from way in the 1970s.

Then if we look at the building of the Solidarity House, Sir Frank did not want just a little 2 door office so that workers would be bundled in there and not be happy even though they would have been working for a Trade Union. He wanted a place that other people could come to, especially recognising that we did not have an auditorium as such at the time in Bridgetown or in St. Michael, that other people in this country could come to and enjoy whatever they were doing, whether it was culturally or educationally. That was the kind of foresight that Sir Frank had and therefore Solidarity House is there for us to see and to get involved in whatever is happening there. Workers can feel proud that they can belong to it.

I was talking to some visitors from Germany and parts of Europe last week and they were really agonising over the fact of the problems that are happening with trade unions and trade unionists in the USSR and the areas in Europe and they were saying to us, "Look how small Barbados is, look at the membership of the Barbados Workers Union, not in relation to Barbados, but in relation to some of those unions and recognise that you have not only a headquarters, you have a Labour College". Some people do not even have a building. I am talking about Europe. I am not talking about the Caribbean and I am not talking about Latin America or any other developing country. I am talking about Europe and I am talking about developed nations and I am talking to you about the kind of foresight that a man like Sir Frank would have. When he was going to Geneva, when he was going to Brussels, when he was going to Germany, when he was going to the USA, when he was going to all of those countries he was not going just because he could move around. He was looking for examples to bring to Barbados to make Barbados the best that he can think of. Being involved as President of the Caribbean Congress of Labour on a number of occasions, from way in the sixties and even before then one can recognise the kind of influence that he would have brought to the Caribbean trade union movement. His vision is very wide and not only for Barbados but for the Caribbean as a whole.

Maybe I can go on and talk more and say that Sir Frank had many firsts within the trade union movement. He was the first Caribbean trade unionist to be a member of the International Labour Organisation Governing Body. He was among the first 5 from the hemisphere, people

like James Baker from the USA, there was someone from Chile, one from Germany, one from Venezuela. I am saying that Sir Frank was always a first on the international scene for trade unionists in the Caribbean and they saw him as a Caribbean man. On the International Confederation for Free Trade Unions he was a Vice President, he belonged to a long list of international bodies other than the ILO, other than the ICFTU.
12.50 p.m.

He belonged to ORIT, to CADORIT, to DGB which is a German trade union, he belonged to the Federation of Plantation and Agricultural Workers IFPA, the ITF, the Transport Foundation Workers, the AFLCIO, CLC in Canada, PTI, CTUC, the Caribbean Congress of Labour. Every possible international body he could affiliate the Barbados Workers' Union to, or the Caribbean Trade Union, he did that and no wonder when the trade unionists came here from the international level in 1976 and recognised that he had not regained his seat on the political scene they were amazed. They could not stop asking: "How could Frank lose a seat in this country?" Because the internationals see him as a Colossus, they do not understand him losing a seat or being regarded as just a simple person to be cast out and ignored. Barbadians must understand the kind of stature he would have taken on the international scene. I heard a brother say this morning that you only had to mention you had come from Frank Walcott's union and there was no question after that about where you went, how you were taken care of, the kind of respect that was paid to you. It was as though the power of the world was in operation.

I am saying that with this kind of contribution we have to be proud to have known him and to have sat with him, and to be a part of him, to see him operating, to see him controlling things, and putting people in their places who did not understand the place they should be at the particular point in time with cool reserve, without having to bother.

Aside.

SENATOR Miss Y. V. WALKES: I want to thank you, Mr. Deputy President, for bearing with me because it is not an easy task for me just to stand here. It is a very emotional time I am going through, being as close to the man as I was and of course on many occasions in our work life, because I saw things different and, according to him, I was young and maybe would not understand where he was coming from, and I was very anxious to have women playing a very high role in the Barbados Workers' Union. Many times, according to him, he had to let me realise which God I was serving, but I am saying that amidst that there is a beauty about him that makes you want to love and respect him beyond any other person, and you cannot even think of hating him if he even ran you over the coals.

Sir, I am saying that even within the Barbados Workers' Union one never thought of getting fired, even though you saw things differently. We always used to laugh and say he would really get down on you and he would quarrel but he would never fire you. Therefore, if you were incompetent, as the brother wants to question, Sir Frank made sure that you knew it and that there would be corrective measures and that you had training. He ran you over the coals, he was blunt with you, he could even be aggressive, until you got to your knees and understood that you had to do something about that incompetence to make sure you could do better, but he would give you a chance, he would not throw you away. He would ever be on your back to ensure that you knew that. I can say that my advancement in the Barbados Workers' Union, and maybe even politically, is as a result of my being a member of the Barbados Workers' Union and being part of the life and work of Sir Frank.

I want to thank you, Mr. Deputy President, for allowing me to say these few words on his behalf and I want to wish him good health. I hope that we will all have an opportunity to be part of things to come for him. I would also like to say that we should join together in letting him recognise that we understand the great work he has done for Barbados and for the workers of this country in any way we can.

Thank you very much.

MR. DEPUTY PRESIDENT: All right, Senator Walkes. I can quite understand your becoming quite emotional on an occasion such as this.

SENATOR THE Rev. CANON J. L. SPRINGER: Mr. Deputy President, just a few words on behalf of the Church constituency which I sometimes represent here. If I had been late I am sure by now I would have turned to my neighbour and asked: "Has Sir Frank died?" Because in this country we are becoming used to speaking well of people at their death and that is why I am happy at this turn of events where we are prepared to speak in the lifetime of a person.

I wish to associate myself with the remarks made in congratulating and thanking the past President of this Senate and to say that I myself have known him reasonably well. I had the opportunity to work with him in two ways. First of all, I do not think it is generally known that I was one of the first lecturers at the Labour College, being visiting lecturer in Sociology, the main field being Caribbean social structure. I mention that to suggest that in the setting up of that institution two things Sir Frank advised. One was that there would be a wide range of persons involved, and he sought to use expertise out of the churches as well. Secondly, I feel honoured to have been chosen to be an Honorary Chaplain of the

Barbados Workers' Union over the last several years and I believe that I was actually only the second Chaplain after a decision had been taken years ago to appoint someone. It is in these two capacities, and in more recent times here in the Senate, Sir, that I have been able to come to an assessment of Sir Frank. I would say he is not only a gentleman, but despite the brash exterior he is a very gentle man. A man full of emotion, feeling, caring and one who always meant well for people.

Just a comment on the importance of religion in his life, for a man who robbed himself of most of the opportunities that others have to worship, because of his very, very full life, he holds religion at a very high premium. Those services before Workers' Union events were very, very important to him and they were never to be seen as just a formality. He really believes that religion is important and when he invited a Chaplain to come and either conduct a service or to say prayers at the start of any Union event, it was because he wanted God's guidance in what was being undertaken.

So, Sir, we are all very proud and happy to have known this man and to have benefited from his life and I would like on behalf of the worshipping community, the churches of Barbados, to wish him a very happy retirement and to thank him for all he has contributed.

Thank you, Sir.

1.00 p.m.

SENATOR Mrs. V. C. FRASER: Mr. Deputy President, I, too, should like to associate myself with the various speakers that have gone before on the greatness of the man Sir Frank Walcott. I should like to say that I first came into contact with the name of Frank Walcott through a number of persons from the Dayrell's Road area where my grandmother lived. Many people went there to lift weights with my father and to do a number of physical exploits. I do not believe that anybody mentioned that Sir Frank was a person who was very disciplined in the area of physical fitness and was a very fit person.

Perhaps, with all of his busy schedules over the years he could not really do as much as he would have liked to, but I remember Neville Boxill and Trini and all these various people talking about what Sir Frank was going to be – this was when I was quite a child – how he was going to be the greatest trade unionist, the greatest politician and he was going to be everything. I would listen, and I came to know him quite early as a youngster in organisations and I found that whenever you asked him to come and talk to an organisation despite the fact that this man was such a busy man he always found the time to come and talk to the group of people. That gave me quite a lot of inspiration.

Then, I even got closer to him in the Democratic Labour Party and also with the National Organisation of

Women whenever there was anything on trade unionism or anything we wanted to grasp on labour legislation I would always go and sit with him and he would tell me, "Look, this has not been done yet. I think you should ask the Government this in a resolution because this is very much needed. If you women do some pushing. You know I will push with you."

I think the women of Barbados could thank Frank Walcott for a number of things especially in the area of national insurance, the mothers with babies and the benefits they derived and the women who were able to take positions and there is no discrimination in the area of pay. He was surely a man who fought for those things.

I would like to say that Frank Walcott came home to me very closely in 1976 when I was about to contest a seat in Parliament for Christ Church West. Frank came to me and said, "I am going to assist you. I am going to speak at your meetings." And I said, "Are you? You are so busy." He said, "You don't worry about my busyness. I am going to support you all the way because I feel that you should be in Parliament." I thank him for those words and although I am not in the Lower House, I am in the Upper House and I have served here with him.

We used to have some wonderful arguments. One morning he called me quite early to offer me a job when the Labour College was first opened. He just said he thought I would be a good candidate for this position and what we are looking for. I said, "Well, I don't think that I want to leave what I am doing at this time." He said, "Fair enough." It was not as a lecturer but surely it would have been a very responsible job anyhow.

Asides.

SENATOR Mrs. V. C. FRASER: One of the things that impressed me very much about Frank also was how he would relate with his political colleagues. I well recall when the Democratic Labour Party lost the election and we were sitting on the Executive together and the Committee met. That evening I believe Errol Barrow was feeling very downspirited from the words he said. He had done a lot for the people of Barbados and he really thought that with all this free education and various things that they would have understood. I remember Frank Walcott telling him, "There are greater people than you, Sir Winston Churchill and those people. They all sat in opposition and you, Errol Barrow, I am saying I am now your friend. I am never a friend of a prime minister but I am a friend of yours again because you are not a prime minister. A prime minister gets friends overnight. I have always been your friend. I come back into the friendship arena now because I don't want to ask prime ministers favours, but I want you to understand that I will support you all the way while

you are in Opposition, but you must promise me that you will sit in Opposition."

I said to myself, "What words of wisdom!" Frank has this way of saying something as if he felt very strongly about it he would not give it up. Sometimes even in the political arena we would have some arguments but, whenever he was finished, he would come and pat you on the back and say, "You know you had a strong point. I like you for that."

I remember one time when I was a shop steward for the ADC for 2 years people did not get an increase in salary that they were promised. I quite quietly organised a little strike action. It wasn't wild-cat. It was well-organised and nobody said anything. The people got their money. That was the important part. Frank Walcott called me and said, "Well, I am going to tell you something. You really got some manoeuvrings there." I was able to call the Advocate the Nation, CBC all the news media quietly without the people who were supposed to be in the hot seats like the Chairman to get...

Asides.

SENATOR Mrs. V. C. FRASER: Some months after, Frank said to me, "You know. You were really slick because if you did not do it in that way you could have been fired from your job."

Asides.

SENATOR Mrs. V. C. FRASER: What I want to say is that Frank Walcott was a man who, if you were doing a good thing, would support you. If you did foolishness he would tell you. That is why he is a man after my own heart. I remember when I saw him in the Hospital he was so very happy that I had come to see him. I was glad because Senator Springer spoke before me. People never seem to realise the deeply spiritual being that this man is. Right there we had a prayer.

When I went to see him in the Hospital, Frank Walcott was deeply concerned about christian things, the good that people could do for people and they did not do. 1.10 p.m.

He was also concerned about praying very solemnly with himself and also with other persons. Many of the nurses have reported he said to them how he felt about what God can do. But I remember him turning to me and saying, "Perhaps that is something that is divine. I am here because of a special reason. Perhaps my Master wants me at this time to stay quiet and pass on my information to other people. I do not mind but I will continue." That was the part that inspired me to work hard with any of the young people who want to talk to him, who wants him to

tell them about the struggles in Barbados and anything he can do for his country he will continue to do. I said surely this is the kind of citizen of Barbados that has made a tremendous contribution to stability in this country.

A lot of people are not aware that it is the Frank Walcotts that have this country stable. Had we had other people there when negotiations were going to be made we would have chaos in this country up to now. Sometimes when I hear people talking I just listen because sometimes they do not seem to understand how a man in an organisation like a trade union could introduce education for the workers, various courses for the workers, send the workers overseas to study, bring them back, get a Labour College started, also sporting facilities, housing facilities and now agricultural facilities because they are supposed to be buying the land up to nearly Bath.

Of course, one of the cooperatives in Barbados that has the most money, I believe, or nearly the most, is the Trade Union Cooperative. That is not by accident because in the early days when I was a little thing in the credit union movement, Frank Walcott was one of the first people to benefit from a cooperative scholarship. All along sometimes when I talk with him he would tell me, "These people need to get together and form more cooperatives in this country. They do not understand." He said when he goes away and he sees people cooperating in the different areas whether it is housing, trade union cooperatives, teachers, whatever, the word "cooperatives" means something to him. That was another thing because he worked quietly with the cooperative movement.

A lot of people did not know how involved he was in a quiet way. Today, because of his hard work behind the scenes, the Barbados Workers' Union has a very successful cooperative. You can only succeed when you have people like Sir Frank Walcott going with you all the way. He knew the people abroad. He knew the people at the international institutions who could assist people. It was not by accident when you travelled, as somebody mentioned, that people used to ask at one time for two people, Frank Walcott and Errol Barrow. They know Errol Barrow has passed on but Frank Walcott is still with us.

As you travel, I remember one day when I was in Argentina this lady came to me and said "I am Joan Gooding. How is Frank Walcott?" I said, "He is fine." She said, "I want you to know I consider him one of the greatest Barbadians that has ever lived". She was then in the Transport Union as a woman. Let me tell you this. Sir Frank is a man who believes in women. If you do not know it, try to hurt a woman and see if he does not get very annoyed and angry with you especially if that woman is very competent and can do her job well. You try to fire her or something and you would get the worst of Sir Frank.

I know this very well because when I talked with him the first World Food Day we had in this country and I asked him "Do you think it a good idea to have a seminar at the Barbados Workers' Union for women in agriculture?" He said "Yes. I would welcome that." I said "Would you be willing to give the opening remarks?" He said, "Yes." We travelled to St. Philip and I remember that day out of that seminar came 20 resolutions from the women in agriculture. I am talking about women in the field, those who worked in the yards at the plantations. Out of that came that they wanted to see women tractor drivers and women to be able to learn about the tractors and a better deal for women in agriculture which the National Organisation of Women at the time always kept on supporting the Barbados Workers' Union about.

I remember when we were about to present Sir Frank with a certificate of appreciation, he started laughing and said "What have I really done?" I said, "You have stood by us for a number of years and you have done many great things for women behind the scenes but you have also done a number which are public". Then I referred to the various bits of legislation which many people have mentioned before.

I want to say that I have always been a person who believe in giving people their flowers while they are here. If anybody asks Sir Frank he will tell you that whenever I had to introduce him at any conference, course or whatever to speak, I would take the opportunity to tell people who this man really was. Some of them when they heard him speak would be very surprised that Sir Frank Walcott was really the heavy roller.

I do not think I would ever forget the speech he made at what he would call the "University of the Bath Wall" where a number of politicians and very learned doctors stood many a night listening to the Neville Boxills, Allders and all these people who would journey from where they were living to come to the Bath Wall at Dayrells Road. Neville Boxill tells you he went to the "University of the Bath Wall". These are people with great memories. There is no date they cannot remember.

Sir Frank is a man that if you are talking about something he can tell you it happened in such and such a year. I remember even in the Hospital I took along Vernon Chase who worked with him. He was in the trade union for many years and he was so glad to see him. He started going back on all these various dates and times they had done this and that, how they came to get certain legislation passed, the "Advocate" strike and all those things. He can remember every date and every time.

All I am left to say here now is some people are born great. He was not one that had greatness thrust upon him. He was born great because it has developed and we can see

it now. He was born great because in his brain was all the developmental aspects of Barbadian life. Sometimes it is a bit hurtful to see we do not recognise our people as much as we ought to but who are recognised by the entire world.

I should like, Mr. Deputy President, to say I would like to see us holding a function in this Senate Chamber to honour Sir Frank for the sterling contribution he has made to the Senate. I would also like to see some remembrance in the Senate either a painting or something in addition to whatever anybody else thinks but those are my thoughts for honouring Sir Frank.

1.20 p.m.

I think he should be with all of us together so that we can laugh and talk and make him understand we care, we love him, we appreciate him, we understand what he has done to build the foundation for the poor working class people of this country, and what he will continue to do by advising others. He is still doing his work by advising others to do the right thing. He was a very fair person and I know he will only advise trade unionists to do what is legal, what is right, what is fair and what is just.

May God continue to bless him as he continues to pass on his knowledge to others.

Mr. DEPUTY PRESIDENT: Senator Walcott.

SENATOR Mrs. M. WALCOTT: Mr. Deputy President, I should just like to say a few words in tribute to Sir Frank Walcott on his retirement from the Senate.

During the brief period that I have been in here I have considered it an honour and a privilege to have served under the wise and astute presidency of Sir Frank Walcott. I found that he shared his considerable experience very liberally and I benefited from his tolerance and his guidance. In his very wide and varied areas of service here and otherwise, Sir Frank in his wisdom was able to balance tradition with innovation and accordingly he was able to recognize the need to adapt strategies and actions to meet the circumstances in this rapidly changing environment. His career spread over very many, many years. This was quite necessary because there were multiple situations in which he had to deal with and they varied considerably.

Sir Frank was indeed a man who always kept abreast of current affairs at home and abroad. Indeed not only did he keep in touch but he was involved in all of these situations at home and abroad. Barbados must be proud as we all are in here of his invaluable and outstanding contribution to this country at all levels.

I join with others in this House to wish him as happy a retirement as possible.

Senator Alleyne made reference to a Hall of Fame and I should like to support him in that. I remember once when I was travelling I think it was on a holiday in Japan and it was a bank holiday there, a national holiday and wherever we went we saw the schoolchildren in their numbers accompanied by their teachers and we asked what they were doing and they said that they were getting familiar with the national heroes and the national shrines. It was part of their teaching. I really think that our national heroes and national shrines should be made available for our young people to learn from and to see. I support the suggestion made by Senator Alleyne and of course I do feel that our Sir Frank Walcott should be in a part of whatever is decided upon and constructed.

With these few words, Mr. Deputy President, I should just like to pay a tribute to Sir Frank Walcott.

Mr. DEPUTY PRESIDENT: Senator Morrison.

SENATOR A. MORRISON: Sir, I rise to pay tribute to a very great gentleman and at the outset I should like to salute Sir Frank Walcott on his various achievements. I should also like to associate myself with the remarks made by the various speakers who have spoken so far.

I, of course, at this stage, at the beginning of this small tribute would like to sound a note of discord and I am very surprised at the speech I heard from the Opposition Benches today. It is a pity that that speech was not made a few weeks ago when we were debating a Bill in this House on behalf of the same Sir Frank Walcott. Be that as it may. But that is the way of all flesh and Frank Walcott as I know him is a very gallant gentleman and he would have taken the criticisms that we heard then in good faith and he would have forgiven them because they knew not what they were saying.

Sir Frank was always a common sense man and to me he was the highest attainment of the intellect when it came to common sense matters. For that he will rank high in the hearts of all men in this country for his forthrightness, his great ability, his stubbornness and his indomitable spirit, a spirit which still shines today in all that we have known about him. Even in his illness, that spirit will not be quenched. He is a man who people can learn a lot from. He is still alive. He is still in our midst and what we can do, all Senators, is to seek his company at some time whereby he can reminisce and could impart the good things of this life while he is among us. We have a wonderful opportunity to use his great experience and his great common sense in order for us to be able to capture some of the things which he had inculcated during a very long lifetime as politician, as a trade unionist, as an ambassador for this country, in all of those matters, Sir, he has reached a very great measure of success and he has served his country proud. He is always very open in his

remarks. He never bore any malice or ill will towards his colleagues and even though in the performance of his duties in this Chamber he has given us an example to follow I would expect that any future President in this Chamber would take a leaf from the great Sir Frank Walcott's book and rule this Chamber in the way that it is to be ruled. I have no doubt that all of us have learnt a lot from Sir Frank being in our presence and I know that we will put into action some of those things which he has so graciously taught us in his little admonitions from time to time in this Chamber.

The last thing I should like to say is that stubborn though he was and still is and a man of indomitable spirit but I would say he was not an ally in subversion nor privy or an accomplice in any concealment. He has been open and forthright regardless of whatever party was in power he has always spoken from a common sense point of view and he has uplifted the common sense in this country to a very new height. It just shows that if as has been mentioned that he did not go to the university, but ever a Chair of Public Relations was created at the University of the West Indies the only person who can faithfully, truly and very ably sit in that chair it would be Sir Frank Walcott. He would grace any university Chair in public relations. I am sorry that the University has not been able to produce a chair in trade unionism where we could have seen the real Sir Frank Walcott at work which would redound to our great treasure for the future.

Sir, with those remarks I should like to wish Sir Frank a very long life, happiness and that he would live long enough to impart some of his knowledge to future generations and those to come.

Thank you, Sir.
1.30 p.m.

SENATOR W. LeR. INNISS: Mr. Acting President, much has been said about the great Sir Frank Walcott and I would like to associate myself with the remarks that have been made. There are times when in paying tribute to persons people are at a loss as to what should be said but the many words that have been said about Sir Frank Walcott today he deserves richly every one of them.

I too would like to add my few words in tribute to Frank Walcott, politician, statesman, trade unionist, diplomat. I have heard people say that if they had to attend an international gathering and hear a speech from Sir Frank Walcott it always made them feel proud that they were Barbadians. It has been said by persons from many different walks of life, many different countries and clime, that Frank Walcott surprised persons who, for some strange reason, felt that you had to come from a big country to be able to stand up, speak, act and be of the highest and utmost intelligence. He has held his own and

surpassed many people who had opportunities which had never been open to him.

Sir Frank Walcott has passed through the Lower House. Indeed he has participated in every level of Government because indeed he had the opportunity to act as Governor General and thus completed the entire Parliament, because as you know, he came from the Lower House to the Upper House and eventually to Government House.

I would say that the life of Sir Frank Walcott gives the lie to those persons who make the foolish statement that trade unionists have no right in Parliament. I wonder how a person could look and reflect on the life of Sir Frank and make a statement as absurd as that – that a trade unionist has no right in Parliament. He has graced Parliament whenever he had the opportunity to sit in Parliament, whether it be the Lower House or the Upper House and he is an example for 2 kinds of persons. For those aspiring trade unionists who believe they should use the union as a vehicle for parliamentary prominence, they should look at Frank Walcott. He never used his union for his selfish advantage. Those trade unionists who think of using their union should look at Frank Walcott and think differently. Those who are outside of the trade union should hang their heads in shame if they say that *de facto* trade unionists and *bona fide* trade unionists should not go into the place where it matters, that is into Parliament itself.

You know if Frank Walcott were a cricketer he would have been a great cricketer. If he were a Priest he would have been a great priest. The fact remains that he had the stamp of greatness and he excelled in whatever he touched. When he came to this Chamber for the short time that I was here, when he was President, one could not help but be impressed with his stamp of authority upon this Chamber. He would rule impartially. He knew when to give rein, he knew when to tighten the grip. He would be firm without being offensive. Indeed Frank Walcott was not the kind of person who had to demand respect, he commanded respect. He did not need the office of President to make him respected. He brought respect to that office. I am saying that we who lived and happened to rub shoulders with Frank Walcott should count ourselves fortunate to be alive at this time.

I have seen him work with the trade union movement. I have had some contact with the trade union from time to time and one of the things that impressed me was to see a man who had no great formal education, did not have that strange attitude which people like himself had, that is, to be afraid of university people. He never went to a university but he was not afraid of university people and it showed you 2 things about him. He was so confident about himself that he knew no book learning could challenge him and his authority. He also recognised that there were only a few

Frank Walcotts. He never boasted about it but common sense could show him that and there were very few who could come from his beginnings, with his lack of opportunity and rise like a colossus among his peers and therefore he recognised that for lesser mortals that education was important to start putting them in a place which he was able to achieve without that formal education.

As you go around him you will see those who were fortunate to benefit from many of the things he advocated because he was and always is a young man. He has never got old. He rubbed shoulders with youngsters and he was one of them. But never could familiarity breed contempt. He was a strange and distinct Barbadian.

Indeed, Mr. Deputy President, he lived ahead of his time. When he spoke about a Labour College in Barbados people could not understand what school he could want for agricultural workers or factory workers. What college was he talking about and those who objected to it then have seen the benefit today. Many employers objected to it but some of the same employers are willing today to give their employees time off because they recognise that Frank Walcott was not the rabble rouser who wanted to break up their place he was the person who recognised that an educated work force was a useful work force and the employers themselves benefited from the foresight of Frank Walcott. He recognised trade unionism had nothing to do with money only, because it is no use sometimes having increased wages if it is not put to sensible use.

Mangrove stands as a monument to Frank Walcott and I note the calls for a monument to be erected to him. Of course he deserves to have one but he does not need it because when we look at the industrial climate in Barbados we realise he needs nothing from us. This and our very way of life are all tributes to Frank Walcott. His place is ensured in history and we wish him well and hope that those who have had a chance to be with him could not help but learn something from him. He contributed much to the country which he loved and served. Thank you, Mr. Deputy President.

Mr. DEPUTY PRESIDENT: Senator Bellamy.

SENATOR J. G. BELLAMY: Mr. Deputy President, much has been said this morning and I do not intend to delay the Chamber for very long. At a moment like this it is very important, I believe, to make one's contribution and I would not want to be left out of the opportunity of saying a few words about Sir Frank Walcott.

I have not had the privilege as some Members of the Chamber of being associated with him on a personal basis for a great many years. I have of course heard of his name virtually all of my life and when I did come into

contact with this gentleman I found him to be just that, a gentleman. It is impossible for me to stand representing the area of the community that I represent here and say we would agree with everything that Sir Frank Walcott said or did. That would not be true. But the manner in which he did it was one that I have personally held in great admiration and respect. I do not remember hearing any of my colleagues speak in a disrespectful manner of Sir Frank Walcott. I believe that is a measure of the man. I have had the pleasure of sitting with him on the First National Economic Consultative Council that was formed by the Prime Minister 4 years ago. He sat there representing the Barbados Workers' Union and I sat there representing the Barbados Chamber of Commerce and Industry. Previous to that I have heard him speak and I have been involved in meetings in which he was a part and whenever it came the time for him to speak, from the first time I heard him speak, I always paid attention to what he said. I would hope that, if nothing else, the way in which this great man has conducted his affairs throughout his lifetime, and I am sure will endeavour to conduct them, albeit with his physical limitations for the remainder of his life, which I sincerely hope will be a long one, that this will be passed on to those who now have to follow in his footsteps and that they would follow in his footsteps in a way that would make him proud and in no way will do anything to detract from the level of respect that this great man has achieved. 1.40 p.m.

I hope that we will complete the tripartite arrangement on which I have spoken several times in here before as being what I believe is the only way forward for us to succeed and that we will have a true spirit of co-operation existing between the triumvirate that forms that tripartite arrangement. In this regard I believe that Sir Frank Walcott has been very supportive in that measure and will continue to render advice as such.

I would like to wish him a long retirement and I would appreciate that the brevity of my remarks in no way reflects any lack of sincerity. With that I thank you, Sir.

SENATOR M. BARKER-WELCH: Mr. Deputy President, I rise to associate myself with all of the positive remarks that have been made about the former President of this noble Senate. In these days when everybody is looking for role models and a lot is spoken of having role models, Sir Frank Walcott is a perfect role model for the young people of Barbados. One of his greatest achievements is that he did this only on what we call a seventh standard education, and today when education is free the young people need to have that sort of role model where they can see what they can do with the big opportunities they are having. Sir Frank Walcott was also extremely respectful of women and it would do the young men of today good to emulate this noble man.

Mr. Deputy President, several things have been said about him. I would not want to repeat them, but I want to reiterate that I wish to associate myself with all the wonderful remarks that have been made about him. I knew him personally as well, since my husband was in the field of industrial relations and I am sure that he too learned a great deal from this great man. He sat on the opposite side with Sir Frank Walcott very often, but I can assure you he held him in very, very high regard and I came to understand a lot of the greatness of this man. I also wish to agree with others when they say on trips abroad when you travel and talk with international people they would always ask you for Sir Frank Walcott, and we Barbadians who have had the opportunity of going abroad and representing the country in international meets know how proud you can feel to be a Barbadian when people all over the world respect the man, Sir Frank Walcott.

Thank you.

MR. DEPUTY PRESIDENT: It would be remiss of me if I did not make a contribution, however brief, on an occasion such as this. I should like to say that I too should like to be associated with all the positive statements which have been made in support of Sir Frank Walcott.

I remember having served on a committee with Sir Frank when a committee was established for the opening of the Hilton Hotel and I learnt quite a lot from Sir Frank then. I was very impressed by the fact that this great trade unionist would find the time to come there and discuss matters which really were not trade union matters. He and the late Mrs. Olga Ramsay and a number of us really had a very, very enjoyable time, I would say, on that committee and subsequently I got to know him better. I should also like to say that when I was a much younger person my father would always speak highly of Sir Frank and that, at least, says something for an earlier generation to say that they also felt very highly of the man we are honouring today. But we have got to be careful that our tributes do not sound like epitaphs, because I feel that there is still much more which this great man can do for us. When I say that, I refer to an autobiography, and I think it would be a very, very fitting thing if we were to ensure that we get a suitable person who would make sure that the life and times of Sir Frank are suitably chronicled. Therefore, I do not think that his usefulness is passed, but that he can still contribute much to this society, even though he has done so very much already.

I look forward, therefore, to continuing to learn from him. I occasionally visit Sir Frank and we communicate with each other and I continue to learn from him. It would be difficult for me to add anything to this debate which has not yet been said already, and therefore I simply wish Sir Frank a very long and enjoyable retirement.

ELECTION OF A PRESIDENT

SENATOR THE HON. L. V. H. LEWIS: Mr. Deputy President, I move that Your Honour do now leave the Chair to permit us to deal with certain other business, that being the election of a President.

Mr. Deputy President left the Chair at this stage.

Mr. CLERK: Honourable Senators, under section 40 subsection (1) of the Constitution, it states:

"40. (1) When the Senate first meets after any dissolution of Parliament and before it proceeds to the despatch of any other business, it shall elect a Senator, not being a Minister or Parliamentary Secretary, to be President of the Senate; and whenever the office of President becomes vacant for any reason other than a dissolution of Parliament the Senate shall, not later than its second sitting after the vacancy has arisen, elect another Senator to fill that office."

Standing Order 2 of the Standing Orders of the Senate states:

"(1) Whenever it is necessary for the Senate to elect a Senator to be President, the procedure for the election shall be as provided in this Order.

(2) Any Senator, having first ascertained that the Senator to be proposed is willing to serve if elected, may, addressing himself to the Clerk, propose any other Senator (not being a Minister or Parliamentary Secretary) to the Senate as President."

1.50 p.m.

The proposal shall require to be seconded but, except as provided in paragraph (4) of this Order, no debate shall be allowed.

(3) If only one Senator is so proposed, he shall be declared by the Clerk to have been elected.

(4) If more than one Senator is so proposed, the Clerk shall, after all such Senators have been proposed and seconded, propose the question that the first Senator proposed do take the Chair of the Senate as President. After conducting any debate which may then arise the Clerk shall put the question to the Senate that the first Senator proposed do take the Chair of the Senate as President.

(5) If a majority is not in favour of the Senator first proposed, the Clerk shall successively put the same question in respect of the other Senators so proposed, in the order in which they were proposed until the question is carried in favour of one of them.

Voting is dealt with under Standing Order 40 which says that:

(1) Except as provided by the Constitution or in these Standing Orders all questions proposed for decision in the Senate or in Committee shall be determined by a majority of the votes of those present and voting.

Standing Order 41, finally, states:

(1) At the conclusion of a debate upon any question the President or Chairman shall put that question for the decision of the Senate and shall collect the voices of the Ayes and of the Noes, after which no further debate may take place upon that question.

(2) The result shall be declared by the President or Chairman stating "I think the Ayes have it" or "I think the Noes have it" as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division.

Is there a nomination for the Office of President of this Senate?

SENATOR THE HON. L. V. H. LEWIS: I wish to nominate Senator Marcus Jordan to the Office of President of the Senate.

CLERK OF PARLIAMENT: Is there a seconder of that nomination?

SENATOR Mrs. V. C. FRASER: I wish to second the nomination of Senator Marcus Jordan.

CLERK OF PARLIAMENT: Senator Marcus Jordan has been duly nominated and seconded for the Office of President of the Senate. Is there another nomination?

There being no other nomination, I declare that Senator Marcus Jordan has been elected President of the Senate.

The Deputy President returned to his seat.

CLERK OF PARLIAMENT: In accordance with the wishes of this Honourable Senate, Senator Marcus DeLambert Jordan, you have been elected President of the Senate.

Mr. PRESIDENT: Thank you very much. It is indeed a great privilege and honour for me to be elected to this high office and I am accepting it with great humility. I shall do my best by the help of God and with the assistance of my colleagues and of all these Senators to uphold the integrity, the impartiality and the dignity of this high office.

I look forward, therefore, to being of assistance to all Senators at all times and making a contribution, not only in the Senate, but to my Country.

NOMINATION TO OFFICE OF DEPUTY PRESIDENT OF THE SENATE

SENATOR THE HON. L. V. H. LEWIS: Mr. President, there is now a vacancy in the position of Deputy President and in accordance with Standing Orders of the Senate, I wish to nominate Senator Joseph Payne to the Office of Deputy President of the Senate.

Mr. PRESIDENT: Is there a seconder for that?

SENATOR Mrs. A. STRAUGHN: Mr. President, I beg to second that.

Mr. PRESIDENT: Are there any other nominations?

If there be no other nominations I declare Senator Joseph Payne duly elected the Deputy President of the Senate with immediate effect.

Mr. DEPUTY PRESIDENT: Mr. President, before I say anything I would like first to congratulate you on your elevation to the high Office of President of this Chamber.

I also would like to thank all my colleagues for electing me as your Deputy, an Office which I would like to assure this entire Chamber, I will carry out with the greatest honour and integrity and no doubt, I will be willing to be of assistance to you at any time. As Senator Morrison has said in his tribute to the late Sir Frank, you are following in the footsteps of a very great President and, no doubt, I look forward to the time when we, both, in the Office which we serve can follow the traditions and the standard which he has set in this Chamber.

I wish to assure my colleagues on both sides and, indeed, also the independent members of this Chamber that I will be of assistance to them at any time. They can call on me and no doubt you yourself. Again I express my appreciation for the elevation which you have offered me at this time.

Thank you very much.

Mr. PRESIDENT: Congratulations to you, Senator Payne. I know that I can look forward to your support at all times.

SUSPENSION

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I move that this sitting be suspended for 1 hour and that the Senate resumes at 3.00 p.m.

*The question was put and agreed to, Mr. President suspending the sitting until 3.00 p.m.
2.00 p.m.*

RESUMPTION

Mr. PRESIDENT: This sitting is now resumed.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, when the sitting was suspended, I did not delay the Senate but it is meet and right that I should, on behalf of the Senators to offer you our gracious best wishes for a successful term, the rest of the term of this Senate. I do not think that any speeches are necessary for that purpose but I think it would be remiss of me if I did not, on behalf of all the members of the Senate, have it placed on the record that we expressed to you these good wishes.

Mr. PRESIDENT: Thank you very much indeed. I too do not think it necessary to make any lengthy speech but I appreciate very much indeed the kind sentiments expressed. I know that together with the Deputy President we shall do all in our power to make it such.

Thank you.

ORDER NO. 1 – THEFT BILL, 1992

SENATOR THE HON. L. V. H. LEWIS: Mr. President, this Theft Bill which is before us is one of a number of Bills, some of which are now into legislation as Acts, which reform of the Criminal Law system which was introduced in the Other Place by the Attorney-General and which has permitted us to put on the Statute Book the Criminal Damage Bill, the Criminal Law (Arrestable Offences) Act, the Public Order (Amendment) Act, Offences Against the Person Act, among others.

The Theft Bill seeks to replace the existing Larceny Act, Cap. 139 of the Laws of Barbados which had its origin in the U.K. Larceny Act of 1861. Since then in the United Kingdom the law has been updated. But under that Act of 1861 the concept of larceny consisted of physically taking movable property out of the possession of another person without that person's consent and with intent permanently to deprive him or her of it. Intangible interest, crops, wild animals, title deeds and other movables connected with reality were not required as property being capable of being stolen because land itself could not be stolen.

Over the years, however, theft of different articles appeared differently and posed different problems. Special new offences have been created. There has been in Barbados no comprehensive rethinking of the concept of larceny as presently embodied in the Act. This revision and reform which is an on-going process is

considered necessary to simplify and remove the complexities in this area of Criminal Law in Barbados.

This Bill seeks certain reforms. In clause 3 of the Bill a new offence of theft is created to replace those of larceny, embezzlement and fraudulent conversion. The concept of "dishonestly appropriates" is substituted for the traditional phrase "fraudulently takes or converts". By the creation of the offence of theft the distinction between grand larceny and simple larceny disappears.

A common definition of property is adopted for theft now and for related offences. The scope of the definition extends to all kinds of property including land, things in action, other intangibles such as debentures, stocks and shares.

The Bill also provides for a new offence of blackmail to replace the several offences of extortion that now appear in sections 32 – 37 of the existing Cap. 139. This is found at clause 9 of the existing Bill.

In clause 14 of the Bill there is provision for a new offence of making off without payment. At clauses 3 – 10 the offences of criminal deception and associated offences replace those of obtaining by false pretenses. There is a definition of the term "deception".

At clause 15 of the Bill the offence of falsifying accounts and documents is no longer limited to a clerk, office or servant but now extends to director, manager or even to a body corporate. The fact is, Mr. President, directors and other officers of a body corporate are made liable for an offence committed by a body corporate if it is proved that the offence was committed with the consent or connivance of a director or other directors.

Clause 17 – company officers will now be liable for any false statements concerning the affairs of a company which are intended to deceive members or creditors of the corporation or incorporated body.

In clause 18 there is provision for destruction or concealment of documents to become an offence.

In clause 19 a completely new offence of handling stolen property is introduced replacing that of receiving stolen goods.

In clause 20 there is a penalty for advertising a reward for the return of stolen property without questions being asked or apprehension being made.

In clauses 22 and 23 the driving away of a motor vehicle or other conveyance without permission and abstracting utility services dishonestly or wastefully now become offences.

In clauses 24 and 26 the distinction between different offences on the ground of the nature of the building broken or entered is removed with the exception of the offence of sacrilege which is provided for in clause 26.

In clause 25 provision is made for the offence of aggravated burglary. A person who commits a burglary and at the time of its commission has with him any firearm, imitation firearm, weapon of offence or explosive weapon of offence is guilty of aggravated burglary and liable on conviction or indictment to imprisonment for life. I mention that because in the original wording of the Act it says 20 years but certain amendments were done in the Other Place.

Restitution of property would now include proceeds of any disposal or realisation of the same and this is provided for in clause 31.

Clause 32 relates to husband and wife and the question of the distribution of property in relation to husband and wife. It says what a husband may or may not do and a wife may or may not do by reason of interest derived from the marriage.

Then the effect on civil proceedings and the effect on existing law are provided for in clauses 33 and 34. Clause 35 provides for the commencement. But clause 34 relates to the Schedules. The effect of this legislation will impact on the Post Office Act, the Larceny Act, the old Metal Dealers' Act, the Electric Light and Power Act, the Extradition Act, the Bankruptcy Act, the Pawnbrokers' Act and the Legal Profession Act.

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

SENATOR T. E. BARKER: Mr. President, just a few words on this particular Bill. We are glad the Bill has been introduced and has brought to include what is traditionally called white collar crime, that is falsifying reports, accounts and so on. This is a timely presentation. Nevertheless, I just want to touch on a couple of things that concern me.

For example, Sir, Section 25 as the Minister stated, gives a penalty of life for anybody who commits burglary and at the time of its commission has with him a firearm, weapon or an explosive. The section specifically says that that person is liable on conviction to imprisonment for life. Also, Sir, the punishment of sacrilege in section 26 could also be life. I have no problem whatsoever with these but an interesting case is going to develop. A fellow goes to commit armed burglary. He has a gun or knife with him and a watchman sees, what does he do?

3.15 p.m.

Remember, Sir, the penalty for robbery is life.

Mr. PRESIDENT: If you have, what did you say?

SENATOR T. E. BARKER: If you have a weapon and you commit a burglary the penalty is life. Now a watchman sees you and this person can identify you, unless we have the death penalty for murder, that burglar would kill the watchman because dead men cannot identify.

The point I want to make is that I agree with these penalties but in a situation where the death penalty is under question you cannot have the same punishment for burglary as you have for murder.

Aside.

SENATOR T. E. BARKER: I know the penalty for murder is death but I am saying that in a situation where it is under question...I understand it is on the books. But I am making the point because legislation is coming – I do not know when it will come – but there is legislation dealing with offences against the person where it specifically states that the penalty for murder is death. I just want to be cautious. Because I note in another instance a person, quite rightly in my view, got a life sentence for rape. Unless you have the penalty for murder as death you are going to encourage people who commit burglary, who commit rape in order to avoid any possible identification to kill their victim. That is the point I want to make, that I agree with the penalty. I have no problem with the penalty but the other one must be maintained for these to make any sense.

Something has been bothering me for a long time. Suppose I am a photographer who make my living by use of a camera and some person comes and steals my camera. The person may be found but that camera is the property of the crown until the matter is heard before the court. In the meantime I am deprived of my livelihood because I do not have the camera to use. I wonder, Sir, if it is not time that the Evidence Act be updated to allow for the possibility that the magistrate, when the matter first comes before him, can make ... I am told that it is in the course of being updated. I am very glad for that. A person should not be penalized just because somebody else comes and steals his property.

With those few comments I would support the Theft Bill and hope that the police be given all the necessary help, equipment and manpower to fully deal with the increasing level of crime that we are having in our society.

It is one thing to have laws. It is necessary that we have proper laws, updated laws but at the same time you need a properly functioning police force to make full use of the laws that we in here are passing.

Thank you.

Mr. PRESIDENT: Senator Bellamy.

SENATOR J. G. BELLAMY: Mr. President, I rise briefly in support of the passage of this Bill and following on from what Senator Barker just said I should like to reinforce the last call he made for the proper facilities to be provided for the enforcement of these laws and regulations. The reason I am rising is because I feel on every occasion such as this, especially at this time in our economic history that we need to stress and continually stress the impact of crime against our tourists as guests in our land and also those people who are involved here in the offshore business sector. It has been mentioned time and time again but I will rise every time that something like this occurs to reiterate it in the hope that with these improved penalties or with these increased penalties that they will be enforceable and that the deterrent will be much greater towards the commission of these dastardly acts that are seriously impacting on our ability to survive economically. If we do not get that situation right we are going to be in a very bad way.

With that I support the Bill.

Mr. PRESIDENT: Senator Fraser.

SENATOR Mrs. V. C. FRASER: Mr. President, Sir, at this time I should like to say that I am in total support of the Bill but like another Senator I feel very strongly about laws being made and taking so long to be implemented. This often hurts me very much because so many criminals get away with murder. They get away with raping, they get away with stealing and selling stolen goods and all manner of things and some people now believe it is the norm to buy stolen goods or to take stolen goods. These are some of the things that are corrupting our young people. They are being done by a lot of adults who ought to know better.

It seems to me that whenever we are talking about somebody to do something we always seem to be saying the police. Because here we are asking that the police do this and the police do that. What has happened to all of us? Do we not have a role to play in trying to get our children to understand what dignity means, what pride means, what being honest means? It seems to me as though the community believes that the police force who come from the same community are the only people to try to get law and order. I would like to see us change our attitude and stop this nonsense about you hear something happening and you do not even want to report it to the police. How could you be expecting the police to do this and that and the other with limited things plus the fact that you as a citizen are not doing your civic duty by reporting the matter to the police? I think this is something that we need to remind citizens of, that Barbados belongs to all of us and if we keep it good and if the crime decreases we are happier

in our own country. Therefore any tourists who come here will also be happy because we have set the stage here.

We have inculcated in our children the right habits, the right attitudes and a lot of us need to go right back to the Bible to teach our children Thou shalt not steal, all the Commandments and do not encourage children to take up things from school and bring home whether it is toilet paper. Because there have been many such incidences. Soaps. We are forgetting that we are telling the children, "Do not steal" on one hand but when you bring home the toilet paper or anything from the school, "Oh I am glad for it."

I just want to say that in supporting the Bill I should like to stress the importance of the role of the home as the axis or the centre of the whole society. Because to a great extent what happens in that home, the training that the children are given there and then the school, the community, the Church will be back-ups. But do not say that the teachers are to do this and the police are to do the other and the Church is to do the other when many parents are guilty of allowing little children to go at each other's houses and steal things. I have come across the incident several times where I know children went and stole somebody's doll and brought it home to the mother. I was present at a house one evening and the mother asked, "What are you going to do with it?" She said, "I am going to play with it." The mother said, "That is all right." Right away she is encouraging a little child to steal, instead of saying, "Go and carry it back where you took it from." These are things that need to be done in the homes.

We need to realize in Barbados that families have responsibilities and as long as you become a parent to that is attached certain responsibilities. We also need courses for the parents. I know some of the Parent Teacher Associations are trying very hard to get Family Life Education in. But there is not just people going and stealing but it is what has been taught to them. It is good and, as Senator Barker said, the white collar crimes. Some people believe only a certain class of people should go to prison and some people should do things and get away with them because they are in a certain category in the society. If something is wrong it is wrong for every single person in the society.
3.25 p.m.

I really want to see us now taking some strict action on these crimes. I want to see the people in the communities and the neighbourhoods supporting the police and those persons in the neighbourhood who are asking for justice to be done. Thank you, Mr. President.

Mr. PRESIDENT: Senator Springer.

SENATOR THE REV. CANON J. L. SPRINGER:
Mr. President, Senator Fraser has alluded to the need to put

legislation in place fairly quickly to get things done and in this connection, Sir, I note the cries of the Honourable Minister of Agriculture recently who deplored the fact that it took him so long to get legislation in place, or rather to get the Act proclaimed and workable after we had taken so much time in trying to come up with the appropriate legislation to deal with praedial larceny and I support the Minister in his cries.

Now, I am saying that to say that I hope that we don't do the same thing here. According to the process of the development of law there are two routes that are noteworthy; one is that legislation comes before the event, in anticipation of what has to be remedied and since we are not good at prophesying or predicting most of the legislation follows the other route, that is, after the event. We wait until the horse gets out and then we close the stable. However it is the surest route by which we can go, unfortunately so. It would be better if we could predict but after having seen what has to be done one could find that a whole lot of time has elapsed and then the actual process of drafting legislation takes time and then if it takes a while to be proclaimed we could find that much useful and needed legislation is just there waiting. I would like to put in a plea, Sir, that everything be done to cause the legislation which was worked on so hard earlier this year to be effected and effective as well as this particular Theft Act we are dealing with today.

In this connection, Sir, I would like to comment on clause 26 which deals with sacrilege and I note that the interpretation here of sacrilege is entry into any church and I am quoting from the section itself -

"Entry into any church, chapel, meeting house, or other place of divine worship with intent to commit or attempts to commit any arrestable offence, or

(b) having entered any church, chapel, meeting house or other place of divine worship commits an arrestable offence".

Now that definition seems to me to be somewhat limited because a growing number of crimes are being committed around churches and meeting halls and houses nowadays which are not provided for here and I wonder if they are provided for anywhere else because I know that this specifically deals with the Theft Act. Therefore it is possible that the provisions I am going to refer to now are made in other legislation which I am not aware of. More frequently today than in the past lawless people are barging into churches while services are being held and interrupting divine worship so it seems to me that sacrilege should somewhere in some Act provide for dealing with that, not entering to take something or having been caught taking it, but interrupting divine service is in itself a sacrilege.

Then there are those who loiter on church premises and one does not know what they intend to do but one can reasonably be sure that something is being plotted or planned when people are hanging around churches. I had the unfortunate experience, Sir, of standing outside of a church in the presence of a number of elderly people waiting to go on an old people's picnic and to witness a young man rush into the group and grab the bag of one of the elderly people and run off through the church yard and I, forgetting that I am not as young as I used to be, starting to run until I had to give up the chase panting. Now I think that there should be some kind of law that acts as a deterrent to people coming in there. I am happy to note that the penalty can now be life for sacrilege as defined here and I would like to know that what I have just mentioned is also included and that kind of penalty attached.

My main point is that there are other aspects to sacrilege not provided for. People are going and desecrating graves, they are taking away tombstones and supposedly sanding them down and putting other names on them. There is a racket going on and I hope, Sir, if this is not provided for, that some provision will be made under the head of sacrilege that will deter people from desecrating divine property. Thank you, Sir.

Mr. PRESIDENT: Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Thank you, Mr. President. Sir, I just wanted to say a few words on this Bill in the context in which it is coming as well as the legislative context.

As Senator Lewis pointed out in his opening on this Bill this is only one of a series of a number of pieces of criminal legislation which have come down recently and indeed there are still one or 2 more to come. However there are a number of things that cannot really be effectively done in the reform of the Criminal Justice system unless other matters are looked into. If this Theft Bill is to have any great effect in terms of reforming the criminal justice system a number of things still need to be looked at. One of them, Sir, is the reform in respect of other legislation which still needs to come.

Senator Barker referred quite correctly to the need for certain amendments to the Evidence Act. I believe that what is required in terms of the criminal evidence is more than a few amendments and indeed a full Criminal Evidence Bill needs to come. I would go so far as to say, Sir, under the guide of the police and criminal Evidence Bill in England without such measures as the stop and search provisions which they had in England and which caused a great deal of furore at its introduction... But there are a number of very salient points introduced in that piece of legislation in England back in 1984 which would do a great deal to improve certain workings within our system. One of them relates to the question of confessions and the

law relating to the admissibility of confessions in a criminal court.

Now we have basically operated most of our evidence under the Common Law, but the time has come, with our experience in courts, plus the experience of other commonwealth jurisdictions that requires that we have the kind of legislative reform in that aspect of the law. 3.35 p.m.

One of the other things which legislation such as that would seek is also to lay down set guidelines which replace what was commonly known in the Commonwealth as the Judges' Rules. These are guidelines set down governing the conduct of police officers once they had accused persons or suspects in custody. If one is to ensure the integrity of the system and to ensure that confidence can remain within those who are charged with the enforcement and the administration of law, I believe that these guidelines in the form of legislation are necessary. In particular, guidelines such as code of conduct, as to how people are to be treated in custody. I know that the Barbados Bar Association, as well as other arms within this community, spoke out vociferously in November of last year calling upon Government to implement those types of guidelines in the form of legislation after the death of a person in police custody, that being the second one in the space of a year. Also, there are certain guidelines in relation to identification. How do the courts and the police in the compilation of their case treat the question of identification evidence.

All of these are various aspects that can be governed and dealt with in a Police and Criminal Evidence Bill. At the end of the day, even though you have a Theft Bill, if you cannot prove your case by evidence, and prove it properly, it is no use having any legislation; the law courts are governed by the rules of evidence and therefore I am making the strongest possible call for the introduction of a Police and Criminal Evidence Bill, or at the very least, a Criminal Evidence Bill to deal with a number of these pieces of legislation that have come down to reform the criminal justice system.

While I speak on the question of legislation, I think it is about high time that the question of penal reform, the question of how do we look at how we punish people who are found guilty in our courts. This should be addressed in a very strong manner. Anybody who has any kind of dealings with the prisons will explain and tell you the conditions up there, unlike popular belief, are not of four square meals and reasonably comfortable accommodation. People talk about it being too good, but the reality is that unless you are able to provide a certain minimum standard in terms of complying with people's rights up there....

Aside.

SENATOR Miss M. A. MOTTLEY: Yes, victims have rights but everybody else has rights too. You are going to find yourself dealing with some kind of serious problems. Sir, there are doctors in here and the doctors will tell you that when you have a cut and you allow it to fester you may well lose the area the cut is on. I am issuing this very strong warning that unless we deal with certain basic aspects of complaints at the Prisons – one, the question that the Prisons is very seriously short staffed, and that it must be addressed as a matter of urgency that they be given the relevant manpower to be able to run the Prison properly; two, the continual and incessant complaints about medical treatment at the Prisons must be seriously addressed. At the end of the day the person has been punished by the court, there is no additional power to punish them by depriving them of proper medical treatment. As I say, when people build up reservations of pain, then they do things that are not rational or reasonable, or indeed would have been done had their grievances been dealt with properly along the way. If you do not tend the cut, you may end up with gangrene and amputation. It is a very serious problem. Prisoners complain and have been complaining for a number of years that when they complain of medical problems very often they are given two tablets without even any sort of examination.

Sir, you already have people who have a disposition to criminality in that small environment. I need to say no more, lest I be accused of inspiring or inciting anybody. I believe that those of us in here know fully well what I am referring to as dangerous up there. Secondly, Sir, in respect of penal reform, not only must we deal with conditions in the Prisons, but I believe that the time has come to stop talking about how we are going to implement community service orders in respect of first offenders, of trivial offences or of relatively minor offences. Prior to the Criminal Law (Arrestable Offences) Bill we would have referred to these as misdemeanours. There are other ways of treating people on first convictions for misdemeanours rather than remanding them to prison to serve a sentence, and indeed there are ways that would inure to the benefit of the community in terms of not only providing direct service to the community, but secondly, finding a way of involving them back into some sort of relationship with the community. A lot of studies done by criminologists and psychologists will tell you that very often there is this feeling of alienation among a significant percentage of criminals, and one has to find some way after they have served the punishment that has been inflicted upon them by the courts of having them relate back to the same community from which they have come. If not, they are going to end up committing the same crime again.

Sir, I call very strongly for us to start implementing and stop talking about community service orders, and indeed things such as suspended sentences, where, for example, if a person receives a suspended sentence they are given the benefit of the doubt until they go wrong again.

Should they go wrong during the course of that suspended sentence, not only are they liable to be sentenced for the new offence, but they must then serve out the time for the offence for which they had received the suspended sentence.

These are just a few aspects of penal reform that we need to look at. I do not think it can be done piecemeal. I think Government must act with a sense of urgency in getting a comprehensive piece of legislation that will deal with the penal reform, not just to bring down the community service orders one day and other aspects of penal reform another day. I believe it requires us taking a serious look at ourselves as a society. It requires us also being cognisant of the public views; it requires us then acting with the greatest amount of speed and ensuring that we are able to introduce this penal reform to complement the criminal legislation that has passed through the two Chambers.

In respect of the administration of justice, time and time and time again it has been the complaint of those around the justice system that the administration of justice is given very little priority in the allocation of public finances, and indeed once again I go back to the principle of prevention being better than cure.
3.45 p.m.

I have spoken in here *ad nauseam* about the back-log of cases, particularly within the criminal Magistrate's courts in this country. I believe that the Minister of Justice is making provision for additional courts up at St. Matthias to help relieve the burden, but I am strongly advocating a special court, particularly within District A, that deals almost exclusively with new cases as they come in the morning and that magistrate will either set bail if it is a case where the person does not have to enter a plea or where the person has entered a plea of not guilty or a sentence where they have pleaded guilty so that the other criminal courts then can start work promptly at 9 o'clock without having to bother about getting off the back-load of new cases that need attention on mornings. That is the only way we are going to start to make an indentation into the serious back-log of cases that presently exists, particularly within District A.

It will also serve the purpose of ensuring that the magistrate... Because at the time when bail is being decided a magistrate has a right to look at the antecedents of the accused. It is a way also of ensuring that the magistrate who has looked at the antecedents of the accused, being the arbiter of both law and fact, is not biased in the determination of the case having had a look if antecedents in fact did exist. So we are killing 2 birds with 1 stone if we take the approach of having a special court that is set up particularly and exclusively to deal with new cases and any matters arising ancillary to those new cases.

Sir, computerisation of the courts. If judges and magistrates have to continue writing long hand in terms of evidence we cannot get that backlog off either. The time that it takes for a person to give evidence is probably tripled by the fact that a magistrate or a judge has to sit down and write out long hand. Not only does it hamper the length of time and the process but it also affects the ability of counsel on both sides, the ability of witnesses to come and be heard and go back to the work that they are doing. All parties are affected by it.

The cost of computerising the courts is not as prohibitive as one might otherwise think. Indeed, I believe that it is an investment that would pay back in very quick time because it means that instead of hiring more judges it means that one judge or one magistrate will be able to get through far more than they otherwise would be able to get through in the taking of evidence long hand. At a time like this when we are hearing calls around the country for an increase in productivity I believe that that must be a priority of Government.

Even little things within the judicial system can be used to finance such an activity as this. There is no reason, for example, Sir... Anybody who has to get a police certificate of character goes for the reason that they are going to get some kind of job that requires a certificate of character or they are going to get a visa to travel. In either instance, Sir, it means that they have some recourse to some kind of finance. An increase from \$10 to \$15 to finance the same administration of justice. I believe it was said somewhere by the Minister of Justice that such an increase would bring an additional \$600 000 in revenue. That would more than get us going in the computerisation process, relieve the need to bring an excess number of judges or magistrates to serve the court system because it means that one judge will be getting through much quicker what he has to do.

Sir, there are also a number of other little fees, and while one wants to remain faithful that the cost of access to the judicial system must remain reasonable and that it must be accessible to every man, woman and child in this country there are a number of little costs that presently exist within the judicial system that might be able to handle some sort of minimal increase which will go towards offsetting these kinds of costs to implement the improvements that are needed so urgently within the judicial system.

The conditions of the Supreme Court. You know, Sir, lawyers are a much maligned fraternity, but at the end of the day, there are no reasonable conditions for barristers, lawyers, in the Supreme Court. There is not even a robing room. There is not even a room where lawyers can sit and wait for their cases to be called. Indeed, on the one morning that you have Chambers all the lawyers are there with all the litigants in the same room. Everybody is there

together. If there is a chance of a settlement before you go in court you have to try and talk in the corridors and see what can happen there. There are no facilities that would accommodate the ancillary services. Even for the policemen who have to wait to give evidence in the Assizes Courts.

Having talked about the Assizes Courts, we have something like over 60 cases in this Assizes and it is very much expected that the Assizes will run right into December. The one in April ran right into June. July was a short month. What I am saying is that I believe that the time has come for a Criminal Assizes Court to sit all year round. We have more than enough work to justify the sitting of a criminal high court all year round. Perhaps an additional one at the time that Assizes would have normally sat. I would even venture to say that there is probably enough work for 2 to sit all year round, but at least to start the ball rolling.

In respect of this particular Bill and the other pieces of criminal legislation that are coming up, there is a need for public education as to the terms of a lot of these Bills. People must know what kind of behaviour constitutes breaking the Law. I am not one of those who believes that anything relating to the Law is solely the province of lawyers, anything relating to Medicine is solely the province of doctors, etc., or anything relating to Government for that matter is solely the province of politicians. I believe that there is a fundamental right to information and part of that fundamental right to information would suggest to me that we have a duty as legislators to ensure that Government apprises the public of this country of the substantial measures that go through the 2 Chambers that we sit in and, indeed, when it relates to something that can constitute a criminal offence it is all the more incumbent that people be educated about these rights.

I would commend the Barbados Bar Association for their series of lectures relating to the Constitution but that is not enough. This public education programme, I believe, is sufficiently serious that it should also be included in the school system, in the community groups across this country and indeed, through television and the press, even if coordinated by the Government Information Service which has all the information there at hand and which only needs to coordinate it and place it in a language that is readily understandable by the general public.

I would hope that we do not stop at the Governor-General's signing the Assent to this Bill being proclaimed. People must know what behaviour constitutes a criminal offence, and, indeed, what are their rights.

In respect of this particular Bill, Sir, there is one technical point that I would like to make and that relates to Section... I would say this, the case law on this legislation is extremely vast. When this piece of legislation

was introduced back in the late 1960's in the United Kingdom there was a flurry of appeals to the Court of Appeal and the House of Lords and I believe that they have finally settled on what constitutes a proper definition for the word "appropriates", because that gave them no end of trouble in the administration and the prosecution of offences under this piece of legislation. To that extent, Sir, we will be fortunate that a lot of those teething problems will have guidance by much case law that already exists from the Privy Council, the House of Lords and the Court of Appeal.

In relation to Section 29 which is the section dealing with the arresting and searching for stolen property and warrants of arrest, the only thing that bothers me, Sir, - I say this quite seriously - for every right that someone receives there must be a responsibility attached to that right and I do not believe that Section 29 goes far enough in ensuring the integrity of the legislation as well as the integrity of those charged with the responsibility of enforcing the legislation. There must be a return of service to the warrant, to the person who signed the warrant, in my view, to minimise any chances of abuse, because it is an extremely serious thing to give someone the right to go into another person's house, not on substantial evidence but on the suspicion that things exist in that house. The *de facto* situation is all I have to do is go to a JP and say I believe that so and so has some stolen property by them. Very often there is no questioning of what is the basis for that belief, whether it is a reasonable belief or whatever. 3.55 p.m.

I am saying to ensure against those things there should, in this section 29, be the requirement that there be a return of the warrant to the person who has signed the warrant. That return having been made that person at the end of the year must also submit to some central body within the administration of justice system or to the Ministry, or whoever, the names and the purposes of the warrants they have signed over the course of the last year so that there can be a regular review to minimise any chances of abuse within the system. You cannot take lightly the right given by the law for somebody to allow someone to come into your house, particularly when you cannot test the suspicion or the basis upon which they have gotten that warrant to go into somebody's house. Yes, in most instances there is no problem but by the same token there is opportunity for problems. We all know that sometimes if somebody has you in bad mind, look out. The system must protect itself against those possibilities and abuse.

Therefore, Sir, I will really like to see an amendment. I am not a draughtsman. I am an attorney and I do not know how best it can be drafted. I do not know whether, and I believe it is a matter serious enough to warrant adjourning. The Honourable Minister who is charged with

introducing the Bill can see whether it is possible that we may not have to send back for an amendment.

This matter was supposed to have gone to Select Committee. I am a bit surprised that was not raised in the course of the deliberations of the Select Committee because I believe it is a matter, as I have said, that can open itself up to abuse. Cap. 116, the Magistrates' Jurisdiction and Procedure Act also provides for returns of warrants but given the fact that this is a separate piece of legislation, it may well cause some confusion in determining which legislation is to override what. Indeed, the preferable argument would be that this, having a section of warrants already, search warrants and searching for stolen property, may well be the one to override that since this particularly deals with the type of offences that warrants are issued for.

I really, Sir, am appealing that it be looked into and the question be raised as to whether we cannot amend that section to ensure there is a return of warrants and then, practically, that some sort of system be imposed by the Ministry of Justice to ensure that all those who are charged with the responsibility of signing warrants do a return of all they have done and send them back in and let there be a regular review of these matters.

In respect of white collar crime, Sir, one or two people in here have already welcomed the fact that this piece of legislation deals with it. I will add my words to that. I believe it is about time that citizens of this country understand it is not only people who do not have money nor access to anybody to represent their cause or whatever, who should go to prison in this country. There are a lot of other people who commit a lot of other serious crimes in this country. It is about time they face the hands of the law too.

It is interesting to note, Sir, that the British Government has taken the decision to prosecute a former Chief Minister right here in the region for elements of corruption - bribery specifically I think it was. I would just like to say that it is not good enough for people just to condemn people when they figure that somebody has done wrong because very often they may be being condemned wrongly too. Let them go before the Courts. Let the legislation be there to put people who commit crimes and are in normally what one would consider privileged positions go before the Court and either clear their name or, if the Jury so determines, suffer the consequences of conviction.

I believe very strongly, Sir, in the due process of law. I have taken a lot of licks for believing in it but I believe that unless you preserve the integrity of the due process of law you cannot ensure when someone might come at you, and when I say "you" I mean anybody, for some sort of offence for the wrong types of reasons. While the

judicial system may not be perfect, it goes very close to ensuring that those who must come before it are dealt with as fairly as possible.

Mr. PRESIDENT: Senator Mottley you have two more minutes.

SENATOR Miss M. A. MOTTLEY: Thank you, Sir. If a man has been convicted and convicted properly and after the appellant process has expired it is found that he is to be punished, then, Sir, I am the first one to put my voice to his being punished severely. But until that has happened he or she has the right to a fair hearing. The right to a fair hearing is as old as the cause of humanity – The rights to natural justice and the right to a fair hearing by someone who does not have an interest in the matter that is being heard.

Sir, what frightens me in Barbados today is while, yes, the crime rate has gone up, while, yes, there are a lot of vagabonds out there too, if we compromise the integrity of a person's right to due process, tomorrow it might be because of their having broken a piece of criminal legislation, but next week it might be for a purpose or reason that is not known to our laws in the form that we have interpreted it to mean. Everybody must have that right.

Sir, I close by saying, yes, I support the passage of the Theft Bill except for that minor amendment I would really like to see in it. But I think that for the effective working of this Bill in the criminal justice system which does need urgent assistance from Government, there are a number of things, some of legislative, some of administrative, and some of a financial nature to ensure the proper workings of the criminal justice system in this country particularly at a time when it is under pressure and particularly at the Magistrates' Courts level which still operate under the same number of courts and the same Magistrates Courts rules of 1956, at a time when our crime rate was much less. They cannot be appropriate to govern the rules of administration in our system today.

Thank you, Sir.

SENATOR THE HON. Dr. C. D. CLARKE: Mr. President, I had no intentions of rising to speak on this. I am not an attorney but as a citizen of Barbados I am concerned about some of the things I have observed going on around me. I agree with Senator Mottley when she said that some reform is necessary. I can assure her and this Chamber that this Government is currently undertaking a revision of the Rules of Evidence and within a short period of time some new legislation shall be coming before us for our consideration.

Of even greater concern to me is the position taken in our society today, the number of bleeding hearts that we

have appearing on the scene seeing only the rights of convicts, forgetting the rights of victims, assuming only that convicts have the right to speak the honest words, and that victims themselves are solely out for revenge. I also believe that we must balance the right of the accused or convict against the rights of the victim. We must take the word of the victim against that and compare it with that of the convict. Above all, as we talk about various reforms in society, we must consider the cost of these reforms.
4.05 p.m.

There is a limit to the resources that we have available in the country and for each dollar that we give up in any one area it means a dollar that we do not have available to go into other areas. As a consequence we must be fully cognizant of these additional costs that we are asked to incur to protect the rights of people who have been convicted and who have violated the rules of a civilized society. And should we take the scarce resources we have and channel them in that direction at the expense of expending them on preventative medicine, should we spend the money in looking after the rights of convicts, at the expense of looking after our educational system? These are hard questions we have to answer. Resources are limited.

On one other point, the police and the question of section 29 I think it is the right to stop and search.

Aside.

SENATOR THE HON. Dr. C. D. CLARKE: In the Bill.

Aside.

SENATOR THE HON. Dr. C. D. CLARKE: Yes, search warrants, on suspicion. Mr. President, Sir, on the question of police and search warrants, over time the police force has served us well. In this society we have had no pronounced cases of abuse of power by the police. As a matter of fact more often than not the police too often have not been able to prosecute cases with the amount of vigour and zeal for fear of infringing the rights of the accused.

I do feel that if we are serious about eradicating the crime that is running rampant in our society then of course we must give respect and accept that the police that we have in our system have acted responsibly over time; they have not abused their power and we must believe that most of them are honest, most of them understand the law and that they will act in the best interest of the society.

Thank you, Mr. President.

Mr. PRESIDENT: Senator Alleyne.

SENATOR Dr. F. W. ALLEYNE: Mr. President, first permit me to associate myself with the remarks of the Leader earlier today in congratulating you on your elevation to office and best wishes for a successful term of office.

Mr. PRESIDENT: Thank you very much.

SENATOR Dr. F. W. ALLEYNE: I support the Bill entirely but I have a particular interest in section 19 and Part II. Section 19 deals with handling of stolen property. On the information available to me it stiffens the penalty for handling stolen property.

I take note that quite recently – I think it is – Justice Chase earlier this week commented on the escalating level of criminal activity in the country. What that is saying to me is that in spite of the laws relating to dishonest conduct some elements of this society continue to flout those laws. One of the greatest threats to the survival of Barbados today is plain and straight dishonesty – stealing. It is threatening to destroy the tourist industry; it is threatening to destroy agriculture; it is threatening to destroy the offshore sector; it is threatening to destroy all aspects of life in this society.

I have been called a hardliner in this Chamber before. If by being a hardliner one means walking behind the law and dealing very firmly with people who flout the law, Mr. President, I am proud to be a hardliner. We have got to be prepared to deal seriously and firmly with thieves.

It hurt my heart to see the General Manager of Rediffusion in the early hours of the morning having to be awakened from his bed to go to protect his property somewhere in St. John. I have no sympathy whatever for people who decide that they are going to take people's property. In fact I seriously start to question whether our approach is the right one.

I am told that in Kuwait and those countries the money lenders go to pray at midday and they leave the money there on the location from which they trade and no man moves one penny. I am not saying we should do it in Barbados because I do not believe in that kind of outlandish approach. But given the experience of Barbados, and when I look at the experience of those countries, I sometimes start to wonder if we are going the right road.

I know Senator Mottley has always been arguing for more liberal conditions at the prison but a prison is nowhere that anybody should want to go to be comfortable.

SENATOR Miss M. A. MOTTLEY: On a point of order, Sir, I have never argued for more liberal conditions at the prison. I have argued for the improvement to make them decent conditions – livable conditions – not for more

liberal conditions. There is a difference. Liberal conditions will impute far more beneficial advantages to the prisoners.

Mr. PRESIDENT: Thanks for the elucidation.

SENATOR Dr. F. W. ALLEYNE: Thank you, Mr. President. The point I am making is that the prison should not be a place where anybody should look forward to going. It is not a school or college or some place of higher learning. People should get the impression that prison is somewhere to stay away from. You must stay away from prison, not look forward to going to prison. Some people have a room inside there and they talk about returning to that room.

I am saying that on this business of section 19 one reason why there is so much aggravated robbery and plain robbery in Barbados is because there is a market for the goods. If there was not a market there would not be that escalation. But it is a common thing nowadays. It happened quite recently with somebody who is very close to me walking 11.00 o'clock day time in Constitution Road just outside Queen's Park. A young man comes and takes the chain from around the little girl's neck just like that. Fortunately the girl had enough common sense not to fight back. You must be able to walk the streets without fear of robbers. This is Barbados.

I am saying that while I understand some of the positions Senator Mottley is taking I take a different view. Protect the law abiding citizens of Barbados first. Let them be our first concern. If you want to get on my side, decide to walk behind the law. But I am not going to go out there and cry for anybody who gets life imprisonment for aggravated robbery. Lock you up and throw away the key. That is my approach to it. I have no sympathy for them. And the people who are providing the market for the stolen goods I am glad to see the maximum penalty is raised to 15 years. I hope the maximum penalty would be imposed on some of them.

It is a common thing nowadays you see people who do not work anywhere with 3 and 4 big gold chains. I cannot wear one and I have been working now 34 years. We just have to address this problem and deal with it firmly.

On Part II of the bill which Senator Springer spoke about earlier, Part II deals with offences relating to burglary of buildings. Again I am very happy these offences have been tightened up. I recall some years ago – I think it is in the 1950s – a character who is well-known to many of us was given 7 years for sacrilege, breaking a church and stealing an altar cloth. He only got 7 years at that time. But I notice as I read the press nowadays that with increasing frequency people are breaking in the churches and stealing. It is telling me something. When I was a little boy we had a reverence for a place of

worship. You dared not even go around the place of worship and make a noise or speak so that somebody could hear inside the church. Nowadays it is becoming a commonplace thing to go in and steal. What it is telling us is that there is a subculture there which is threatening to become the dominant culture.

4.15 p.m.

The dangerous thing about it is that some of the young people idolise this type of culture. I sometimes go to a barber shop in a particular area and if you hear fellows talk about nocturnal activities at graves in Westbury Cemetery your head would grow. That is correct, Mr. President. You will hear fellows talk about things they do at night on tombstones. The fellows sometimes talk about having a game of gambling on the tombstones. So I am happy to see that this section is tightened up but I would go a bit further. I think I have made this plea before, Mr. President, and I fully support Senator Dr. Clarke on the police. Our police in Barbados do not have a reputation of being outlandish. That does not generally characterise the Force. I think we have got to be more compassionate as far as the police is concerned. They work in some of the worst physical conditions in Barbados. If you go and visit the police stations, I believe with few exceptions... The one perhaps in Oistins might be an exception, but if you go at that place called the Bridge Police Station I believe it is one of the most run down offices anywhere in Barbados. If you go at Central in the charge room – the charge room I believe is in worse condition than in 1948 when my father was working at that place. It is time that we provide better physical conditions for the police to work in. It is atrocious and I know the Government is strapped for financial resources but I believe that the private sector should recognise that if law and order breaks down in a country the prosperity of the private sector is threatened. It is time they consider to what extent they can put up resources which can be written off against taxes payable, resources which can be earmarked for improving the physical conditions within which the policeman has to work.

Senator Mottley spoke about computerisation of the courts. I agree with her. I believe that of even greater priority is computerisation of the records of the police force. In 1992 when policemen are trying to solve crime the police should not be required to go through those dusty old index cards to check information of possible culprits. I don't think it is costly to computerise those records, but I think the benefits of computerising the police records far outweigh the cost. Sir, again I would plead for computerisation of the police records and I endorse the plea from Senator Mottley for computerisation of the courts. Mr. President, I fully support the Bill.

Mr. PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I would like to thank the several members for

the observations made. I believe that some of the answers to the questions raised by Senator Springer may be found in the definition of arrestable offence in the Criminal Law (Arrestable Offences) Act. I am not altogether certain that all of the instances which he mentioned have been covered but I believe that some of them are covered by that definition.

The more recent comment of Senator Alleyne with relation to the computerisation of police records, I would like to give him the assurance that a decision has already been taken in principle and I know that the police have themselves, from private sources, obtained some computers for some of their work and that the Government is committed to ensuring that not only the police, but also the Immigration services are computerised in the short term. Of course, at this time, one knows there is the question of much demand on scarce funds and I believe that I can safely say that this is regarded as one of the priorities of the Government.

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

The question was put to the Senate and agreed to.

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

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 to 35 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. PRESIDENT resumed the Chair and reported accordingly.
4.25 p.m.

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

ORDER NO. 2: RESOLUTION TO APPROVE CROWN LANDS (VESTING AND DISPOSAL) ACT, CAP. 225 TO MILL REEF COMPANY LIMITED OF LAND AT PRESCOD BOULEVARD

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the Resolution seeks approval for lease under Section 5 of the Crown Lands (Vesting and Disposal) Act, Cap. 225. Government proposes to lease 1 631 square metres of land at Prescod Boulevard in the City of Bridgetown to Mill Reef Company Limited on behalf of Chefette Restaurants Limited. It will be observed that Chefette Restaurants Limited having widened the driveway to the outlet on the Harbour Road expressed an

interest in leasing the land. Negotiations were carried out between the Company and Government, and the Board of Tourism who have adjoining premises were consulted and together it was agreed that there would be no objection to the lease of the land for the provision of a car-park.

Consequent upon the discussions, it is proposed that the lease shall be for a period of 25 years and the rent payable is to be at the rate of \$15 000 per annum subject to review every 5 years during the 25 year period and Mill Reef Company Limited to be responsible for the payment of all taxes, utilities and other outgoings arising out of the use of the land.

I beg to move that the Resolution be passed.

The question that this Resolution do now pass was put to the Senate and agreed to.

ORDER NO. 3: RESOLUTION TO APPROVE THE
LEASE UNDER SECTION 5 OF THE CROWN
LANDS (VESTING AND DISPOSAL) ACT,
CAP. 225 TO CARIBBEAN AIRWAYS
LIMITED OF LAND AT GRANTLEY
ADAMS INTERNATIONAL AIR-
PORT, CHRIST CHURCH

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the introduction of the Clerk speaks for itself. In June 1991, Caribbean Airways made application to the Ministry of Housing and Lands to lease a portion of land at Grantley Adams Airport for the purpose of erecting a building to accommodate a maintenance facility and office facilities for aviation and related purposes. There is much development going on at Grantley Adams International Airport and there will be another Resolution coming to us shortly for a further lease of lands which have been zoned for airport development.

The views of the International Transport Division were sought and the advice was that there would be no objection since the area is designated for such activities. Engineering drawings prepared by the Civil Aviation Division's engineer and a survey plan prepared by the Lands and Surveys Department recorded in March 1992 showed the area of 2 537.2 square metres to be leased.

I beg to move that the Senate approve of the vesting of this land by way of a lease which will be for 15 years with an option to renew, the rent to be reviewed every 5 years, the lessee to be responsible for developing the site at its own expense, the lessee to be responsible for the payment of land taxes, utilities, insurance premiums and other outgoings associated with the use of the premises, and at the end of the term or any extension thereof the buildings on site to revert to the Crown for nil consideration.

I beg to move that the Resolution do now pass.

SENATOR T. E. BARKER: Thank you, Mr. President. I must confess that this Resolution took me by surprise because I was not honestly aware that Caribbean Airways was still functioning.

Aside.

SENATOR T. E. BARKER: I am told that they are running a duty-free business out at the Airport. Sir, I am glad that Caribbean Airways is now getting back into the business for which it was designed, because our tourist industry is suffering from a lack of airline seats from the United States. I am told, Sir, that Caribbean Airways have a lot of routes to the United States. I wondered last year when Pan Am folded up, and, given the demise of Eastern Airlines, why we did not seek to enter into some arrangement, but not with Trump Airlines, because that was one of the worst things we ever got into...

Mr. PRESIDENT: No, no, please. That has nothing to do with the debate. Let us continue. Go on.

SENATOR T. E. BARKER: Sir, the point I was making is that, with a registered airline like Caribbean Airways where we hear they are leasing lands for a maintenance building and so on, one would wonder why it was not used last year when our tourist industry was in tremendous trouble as a short term measure, so that instead of us having to put \$1.2 million in another airline we could have found a way of leasing a plan or whatever to service our important tourist markets which are still suffering from lack of airline seats.

When I saw this Resolution, I said to myself that we are now getting back into the airline business. I would wish the Minister to give me the assurance that Caribbean Airways will soon be flying the flag again. If we are going to put up maintenance buildings, then I would assume they have something to maintain. Perhaps the Minister can give me the assurance when he speaks. It is very important because we are not paying enough attention to this important area of civil aviation.

Aside.

Mr. PRESIDENT: Alright, Senator Barker. We shall sit and wait for his reply as they say with the song, "He is a jolly good fellow." Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Sir, I just really wanted to raise one thing. Although the Minister stated in his opening remarks, but my understanding of this was that this decision for the maintenance building had something to do with the provision of maintenance for American Airlines, Liat and I am not sure what other airlines

at the Airport. Sir, given the fact that Seawell Air Services have already sent home a number of people, I really am asking to what extent will Government by this lease allowing Caribbean Airways to establish these maintenance operations be further eroding the base of Seawell Air Services in terms of the duties or duplicating Seawell's services. If the Honourable Senator Lewis or Senator Morris has the answers, I would be grateful for their enlightenment on the matter because I think it is a question of to what extent does Government become involved in activities that can normally be carried on properly within the private sector. This is all part and parcel of the question as to the role of Government which I believe we urgently need to examine. Thank you.

4.35 p.m.

SENATOR THE HON. L. V. H. LEWIS: Caribbean Airways is a company registered under the Laws of Barbados which permits it to provide airline services, among other things. It is known that Caribbean Airways has for several years been operating the only VIP lounge to which John Public is normally admitted. Anybody can for a fee use that lounge. So it provides a very useful service at Grantley Adams International Airport.

In more recent times Caribbean Airways was permitted to operate a duty free shop in the incoming passenger area, but for several years Caribbean Airways has been using its route entitlements in order to obtain income for Caribbean Airways, without having to put out any outlay. Several charters have operated from the United Kingdom and out of Europe on the basis and under the flag of Caribbean Airways. Some have also come out of the United States from time to time.

It is not intended that Caribbean Airways will get into the area of leasing aeroplanes at the present time, but under this particular arrangement Caribbean Airways will provide important service facilities and, in the true nature of the private sector, will provide some competition for the monopoly which previously existed at Grantley Adams Airport.

I believe that is the answer to your question.

Caribbean Airways, I understand, as a company is now a profitable company and this activity which it is going into will further ensure continuing profitability – at least one of the ventures in which Government had some interest – and you cannot expect Government to lose money on everything; it has to make money on something.

I beg to move that the Resolution be passed.

The question was put to the Senate and agreed to.

ORDER NO. 4 – RESOLUTION TO APPROVE THE LEASE OF LAND AT WILDEY TO THE BAR- BADOS LAWN TENNIS ASSOCIATION

SENATOR THE HON. L. V. H. LEWIS: The Resolution, Mr. President, is again one of two or three Resolutions which will come before us relating to Government's thrust in the field of sports tourism. But this particular Resolution relates to something more than sports tourism; it relates to the efforts of a private not-for-profit organisation, the efforts of the Lawn Tennis Association, to provide sporting facilities to replace those which existed long ago in the City of Bridgetown, which had to be abandoned when the harbour came into existence.

The Crown is now proposing to lease 1.2414 hectares of its land at Wildey to the Barbados Lawn Tennis Association for a period of 25 years. The parcel in question is in close proximity to the gymnasium as well as to the area for which Government is in the process of arranging a lease with the Barbados Swimming Association. The Lawn Tennis Association has indicated that the land will accommodate some seven hard courts, a pavilion, as well as other seating accommodation. The area will eventually be developed into a national tennis arena which will be used as a facility for staging competitions, tournaments and coaching programmes involving players from all strata of the Barbados community.

The Association has already taken possession of the site and there was a formal opening of three courts, which are the initial phase of the project. It is anticipated that the National Tennis Centre will be a national asset. It will complement the other infrastructure in the area which is being developed; it will be available for tourists, visitors and hotel guests; and it relates to the small hotels that have no tennis courts of their own. The National Tennis Centre will permit the organising of regional and international tournaments for the benefit, not only of Barbadians, but of visitors as well.

This Resolution seeks permission, Mr. President, to lease the land for the development of a tennis centre for a period of 25 years with an option to renew, the rental to be at the rate of \$100 per annum, subject to review at year 20. It can be seen, therefore, that it is virtually a pepper corn rent and that is Government's contribution towards the initiative of the Barbados Lawn Tennis Association.

I beg to move that the Resolution be passed.

SENATOR Miss M. A. MOTTLEY: Mr. President, I welcome the leasing of this land to the Barbados Lawn Tennis Association. I believe this is a promise which was made some years ago and that during the last administration of the Barbados Labour Party Government would have played some part in that promise and

indeed, a part of the infrastructural development of that part of Wildey, having negotiated with the Chinese for the construction of the gymnasium.

Senator Lewis started off by saying this was part and parcel of their package for sports tourism, as well as it went over and beyond servicing particularly the local needs. I am glad to see that, Sir, but I do not think that the Government has properly exploited the potential for the growth of sports tourism, or indeed the sporting industry in Barbados. Sports, like cultural activity, like manufacturing, like tourism, all of them, are capable of generating foreign exchange and the question is to what extent Government is prepared to facilitate the earning of this foreign exchange by the sporting industries, and indeed to what extent Government is prepared to allow sports to be part and parcel of its overall tourism policy to attract tourists to this country as well.

Having said that, Sir, there have been a number of steps, but I term them as timid steps in the right direction. We have been, very often not due to the Government but to independent participants, staging a number of festivals. For example, within the wind surfing sport we know that Barbados gets a considerable amount of coverage or has received a considerable amount of coverage every time that we have had an international event here. That coverage, I believe is carried by ESPN which I think is the sports network on cable Television and it is carried worldwide. 4.45 p.m.

Invariably you get 1 hour of prime time advertising of what Barbados is reputed for all over the world. I do not think it is good enough for us to sit back and wait for these people to come and stage events here. I remember back in 1985, we were able to attract Mistral, the world championships of wind surfing here and that gave us a considerable boosting in that sport and, indeed, in terms of advertising across the world.

Surfing is another activity. Barbados just sent a team of surfers off to France and there would have been some assistance there, but I do not think it is sufficient for us to wait for the organisations to say they are planning to hold a festival here or a competition at such and such a time. I think that in the same way that we actively solicit investors within the manufacturing industry and within the offshore services sector, the time has come for us to identify a key number of sporting activities which we have the infrastructural facilities to accommodate in Barbados; that we have also people who have a reasonable level of proficiency in terms of their ability to compete; and that we are prepared also to fasten the growth of these sports by 2 very small things.

I believe the Barbados Labour Party has been advocating one of them for the very longest time. If you remove the duties on all sporting and musical equipment

that revenue to Government does not exceed \$1.4 million. You cannot make anybody into a good sportsman by wishing it upon him or make a good musician or a good dancer or good photographer by wishing it upon them. What you can do is to ensure that access to these disciplines is so easy that there are a proliferation of people who become competent in them.

In the same way that I will hear all of you at the lunch table talk about how many people used to play cricket back in the 30's, the 40's and the 50's and that is why we were able to produce as many good cricketers of world standard as we did because it was common and people spent most of their free time doing it. It was a common discipline in terms of access to any and everybody.

In the same way, road tennis is the perfect inner city sport. Road tennis is a sport that Barbados should export. How do you export a sport, Sir? I am not talking about exporting the players. I am talking about exporting the sport. I maintain, Sir, that if the Caribbean Broadcasting Corporation would spend more of its time looking at doing productions relating to the community and stopping a lot of the propaganda that comes out of it that it would have the opportunity....

Mr. PRESIDENT: Let us not have that, please.

SENATOR Miss M. A. MOTTLEY: Yes, Sir. It would have the opportunity to foster an interest in road tennis at a national level totally. It would create economic advantages to the game and the sport of road tennis which does not presently exist.

First of all, Sir, CBC just cannot film and show it. CBC has to acquire the rights and they can only acquire the rights by purchasing either in money or in time. Not only that CBC has the ability through STV to show and broadcast a number of sports for a minimal fee and allocating part of that fee to help in the purchase of the rights from the various sporting organisations. Not only the road tennis but cricket or whatever.

If, for example, they say that they do not want it to affect the game, I believe that a man or woman who wants to watch cricket at Kensington is going to watch cricket at Kensington, and the fact that they are showing it on TV is not going to make a difference. There are those who would still like to watch it who do not like to bustle with the crowd. Unfortunately, I am one of those who like to go and watch it at Kensington. I like the grounds.

The point is this. The Barbados Cricket Association can raise a considerable amount of revenue from the sale of the rights to CBC and CBC in turn can raise revenue not only from advertisers broadcasting during the slot

when cricket is showing but they can show it at STV for a minimal fee of \$5 or \$10 for a whole day. In 4 days you would be surprised at the amount of revenue that it would raise.

I have used the same concept in respect of Cropover Festival and other major cultural activities. People have to understand that rights in sports and culture do not only accrue to live performances but indeed to the recorded performances and to the residual rights that remain in the performance. For artists, because of the fact that, unlike politicians who are in Parliament, they have no pension rights, the Law has therefore found ways of protecting property rights in their creations. Those property rights are perhaps the most generous that are known to mankind because they exist for 50 years after you die. In some countries, 75 years, and there is virtually unanimous agreement as to those principles as most of the countries in the world are either signatory to the Berne Convention or the Universal Copyrights.

With sports it is not as easy as for the artists, but with sports it can still be done and the beneficiary in the immediate instance in Barbados will be the sporting organisations and, indeed, it will allow for an element of semi-professional participation in sports to occur. For example, football, tennis, lawn tennis and road tennis, instead of a fellow playing free all the time you would be able to pay a gentleman the same thing – \$200 a week – that he may get in a clerical job in Bridgetown, thereby, allowing him to concentrate exclusively on becoming more proficient in his sport and more competitive without having to worry about going to work 8 hours in Bridgetown, rushing to practice and rushing to play. What would be required of him as well would be to put in those 8 hours a day in the practice of his discipline whether it is lawn tennis, or whatever.

So you allow for an element of creation of employment within the sporting industry, but the only way you can do it is by the creation of further demand in the industry. Football, basketball, netball and volley ball are sports that presently attract that demand. Road tennis can do it and the most powerful medium to create that demand in our society is television.

I am saying very seriously that the Caribbean Broadcasting Corporation must help facilitate in the same way that Government is expected to help facilitate the development of these industries and the important thing is that the employment that will be created is almost exclusively youth employment. It is only in cricket or lawn tennis that you find people doing it for fun that you will find people over 30 playing in a serious manner. Most people tend to be under the age of 30 so you are talking about predominantly youth employment.

You are talking about those same people who do not have access to jobs within the overall system now while at the same time they practise the various disciplines. It does not call for anything other than a little bit of imagination in terms of allowing the taping to be done and the creation of the demand. It does not call for a loss of any considerable amount on Government's part to remove the duties on the sporting and musical equipment while at the same time it makes that particular equipment much more accessible to the youngster who is operating under the limited budget of his family, given the current economic constraints today, Sir, and given the fact that he does not have to bear the wrath of somebody like Senator Alleyne who feels that for theft or for receiving he should get 15 years. He wants, therefore, to have access to sporting equipment at a cheap and reasonable rate so that he, too, may have the chance like Gary Sobers to become proficient at his sport.

I say this, Sir, and I also wish to endorse the need for us to attract in the same way as we attract foreign investment here, foreign sports. I believe that the golf tournament planned to be staged here is an international one which will not have much involvement of Barbadians, but the point is that the television process that goes with it will ensure that Barbados will have access to prime time viewing in many countries across the world.

I think there needs to be far more marketing of Barbados as a destination to which sporting activities can take place, whether it be boxing, whether it be wrestling, whether it be cricket, whether it be lawn tennis.
4.55 p.m.

To that end, Sir, Government's role is in ensuring that the marketing can take place, ensuring that the fiscal incentives are there to encourage people to invest money in that type of activity in the same way they would invest money (I cannot say in manufacturing shirts anymore because I do not think they get many exemptions anymore for that) in the provision of hotel services that there be fiscal incentives also for people who are prepared to take the risk and invest money.

Some time last year there was this semi-professional football tournament I believe between Barbados, Trinidad and some of the Eastern Caribbean Islands. I sincerely hope that it would be able to continue. We have not heard much more about it but I hope it has not gone the way of other activities they have tried and flunked. I hope we would hear more about those types of activities. I think people who are prepared to take up their money and invest in those types of activities that are capable of providing youth employment, providing foreign exchange to Barbados and providing indirect benefits to our main productive sector of tourism deserve to be encouraged.

With those few words, Sir, I support the lease to the Lawn Tennis Association. I would say that

Government must, particularly at a time when our traditional productive sectors are giving us gripe, to put it mildly... We need to be far more imaginative and aggressive in areas that were not formerly productive sectors but certainly have the potential to be so.

SENATOR Mrs. V. C. FRASER: Mr. President, I will be pretty short. All I wanted to say was I heartily congratulate the Government for doing this as far as tennis is concerned because it was the same Government who started tennis courts in poor areas in this country like Rudder Pasture which I know very well. I never thought the day would have come that there would be a tennis court at Rudder Pasture because tennis was seen as a sport for the privileged few and the nearest you got to tennis was going down by the Garrison and watching it or seeing some of the same youth...

Mr. PRESIDENT: Where is Rudder Pasture, for the benefit of Honourable Senators?

SENATOR Mrs. V. C. FRASER: Rudder Pasture is between Paddock Road and Deighton Road. When you go up Paddock Road the pasture open there by the Garrison School is Rudder Pasture. Many famous cricketers have played on Rudder Pasture. Thousands of people used to be out there so I want to make that quite known, that it is a famous pasture. Many famous doctors and all sorts of people played at that pasture because it was the only pasture covering Hastings and all those kinds of areas you had nearby there.

My point is that in view of the fact that tennis was for the privileged few, I am happy that the Democratic Labour Party Government saw it fit to introduce tennis into many of the schools. I know that the PTAs have been doing a very good job in helping with those courts and so on. When we talk about spending money on various aspects of development, whether it is sports tourism or what, it sounds good in here in this Honourable Chamber. I sincerely hope that those who advocate it will not, when Government starts to spend some money, say that we are wasting the money on that particular area. It is often that people will say something is good and encourage it but then for some reason... I do not know if they get another feeling when they are somewhere else, but you will hear all sorts of things about what the Government should not do.

In view of the fact that this is going to be near to the gymnasium and we have seen some budding young tennis stars, I think it augurs well for the future. I would like to see some more coaching clinics established. It does not take Government to do that. There are many private sector organisations who sponsor netball clubs and so on who can also sponsor youngsters in tennis. We are talking about the development of Barbados, not the development of any individual.

Mr. President, with these few remarks I sincerely hope that the same way we have treated it in here (and we are happy about it) when the time comes for Government to put some money there to make it as attractive as possible in the tourism sector we will not hear any weeping and gnashing of teeth.

Thank you.

SENATOR Dr. E. A. SIMMONS: Mr. President, I will be very short. I rise to support this Resolution but before doing so let me take this opportunity of congratulating both you and our new Deputy President. I am quite sure we will be proud of you in this Chamber.

Mr. PRESIDENT: Thank you very much.

SENATOR Dr. E. A. SIMMONS: I just want to take up a couple of points that were made previously by Senator Mottley and that is the provision of facilities and the improvement of sports. I do not think that necessarily follows as a sequence. If you look back at the development of cricket in Barbados, for example, when we were kids we know for years we produced some of the best cricketers the world has seen. I say this because I think we have to understand there is a difference between the provision of facilities and the approach of individuals and their dedication to what they are doing. This is a theme I keep harping on all the time because the young people today have more facilities in every sport than we have ever had. But I think it is their attitude, their attitude not only to sport but to education, to everything.

I think we need a proper analysis of how to motivate young people. Part of that involves how we treat our celebrated sports people. I think someone alluded to this earlier today, that when we look at Sir Garfield Sobers, for example, we have to ask ourselves in our society in which we live, if a youngster had an opportunity of choosing to be a Sir Garfield Sobers, or imagining to be an Eyre Jordan which is a flight of fantasy, who he would want to be. You can see all the Chicago Bulls shirts they wear around. They want to be who they cannot be.

I think we really need to analyse in our society what we ourselves do to our heroes. If we do not create our own heroes, if we do not make them the sort of super people that other countries make them to be, then all the tennis courts we build, all the cricket fields we provide, we are not going to be able to motivate the young people to want to be like them. What I am saying, therefore, is part of the fault of the young people not succeeding is our fault.

If you look at our youth cricket, Barbados for the last few years has been producing some of the best youth cricketers in the Caribbean yet when you get to the age of 21, you cannot find a single one of them. We have to ask ourselves what is happening to that transitional phase.

It is something that needs proper analysis. I think that we are moving Barbados into the tourism sports area but, as Senator Mottley said, we want to see more local people involved. If we are to get more local people involved we have to analyse where our failures are. I think until we do this at a very serious analytical level we are not going to move forward.

I heard in the news this morning that Martina Narvatilova is sponsoring some sort of tennis tournament in Antigua. The sports area is coming closer and closer to Barbados. Once we have that Complex in Wildey we are sure we can attract some of the best. I think we want to see Barbadians involved. We want to know that if we have good facilities we can compete with those at the top level.

Just one other point and that is the point of television in cricket and television in sports.
5.05 p.m.

Whatever fee you put on. If you charge a dollar for School Meals people complain it is too much. So whatever fee you put on people are going to say you are discriminating against them. I think it is an area that needs to be looked at. I also say that in sports like cricket, the ball games sometimes from a technical point of view it is better to watch it on television than to be there because you can get the instant replay which you cannot get when you are at the game. Very often the instant replay, if you like the game from a technical point of view, reveals much more than if you are seeing it for one time and offshot. I think we need to analyse that very, very carefully. I think there is money to be made in the area but I think we have to be very careful how we go about it because there are sensitivities there that we have to take into consideration.

With those few comments, Mr. President, I support the resolution.

Mr. PRESIDENT: Senator Springer.

SENATOR THE REV. CANON J. L. SPRINGER: Mr. President, I have two questions really. But before I ask the questions I should just like to respond to something Senator Mottley said. I have had the honour of being associated with CBC for the last 6 years and I am currently Deputy Chairman of the Board. Anybody who has watched CBC over that period of time would have noticed that there has been an increase in local programming. That cannot be gainsaid. That is a fact. Senator Mottley might not have noticed and others might not have noticed that the propaganda that CBC used to be used for does not any longer exist, not in my knowledge. So we are talking about different stations.

My question really pertains to the allowing of this body to have this land for tennis. I would congratulate the

Government for doing so at the peppercorn rent of \$100 per year. But I should like to ask, Sir, is there any control by the Wildey Complex? I note that there is a new Manager or Managing Director in the person of Mr. Cammie Smith. Will there be any control over this area? Because we could make the sacrifice and allow people to have this area of land at a peppercorn rent with the view of helping the young people of the country and then to find that there are so many restrictions that they are not permitted to use the facilities. That is my first question.

The second has to do with recording for re-broadcast on radio or television. It was drawn to my attention that no facility was put in at this complex for outside broadcast. I thought that was a terrible omission in this day and age. I agree with what has been said about the importance of televising sport and broadcasting sport. But it would seem to me that in building a complex at this time you would be looking towards the twenty-first Century and with all the advance in information technology one would have thought that the centre would not be dependant on a unit being brought every time from CBC but that some facility, much as the facility that exists here in this Honourable Chamber for televising and so on... Why was not this done when the complex was being prepared?

I would support the resolution of course but I am just curious about those two questions.

Mr. PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Yes, Mr. President, if we take the last question first. We have to be very careful when we use the word complex what we are talking about. That is why I was uncertain that we should ever have called it the Wildey Sports Complex Inc. Because Wildey Sports Incorporated is aimed at – and it is a non profit organization – facilitating the development of the gymnasium and certain other facilities which our Government spearheaded as an annex to the Gymnasium, namely, a football field, the hockey field, the cricket academy which are to come some time by 1993. So that the Sports Complex Inc. does not relate to this private activity of the Barbados Lawn Tennis Association. It is a separate non-profit organization and that is why they are getting it at a peppercorn rent.

Although there may not be any expressed controls which Government will have over the activities to determine what areas will be available to the poorer citizens of this country yet it is an implied and agreed arrangement that this facility will take the place of the one that I mentioned at the Reef and one or two other facilities which were formerly available at very small fees to anybody who wanted to use the courts. It is my understanding that at least one or two of the courts will continue to be available for such uses, even although the Lawn Tennis Association will itself, most of the time,

be making use of the other facilities. So that whenever there are tournaments all the courts will be used, I would think, by the Lawn Tennis Association. But when tournaments are not going some will be available to any citizen of Barbados as well as to the guests from hotels. That is my understanding of the arrangements.

Just as in the case of the Swimming Complex that is available to any person who can get in slotting to make use of the facilities in the same way it is intended that this will be available for everybody. Not so the Gymnasium. The Gymnasium will have to be a commercially operated activity although not a commercial organization. When I say commercially, I better not use the word commercially. I better say it has to be operated on the basis of its ability to generate funds to pay for its maintenance and upkeep rather than commercially. Because as a non profit organization it has to make a profit but yet it has to look at the performance. It has to look to see what services it renders in the enhancement of youth and sporting and other activities because the Government is in no position to find monies from the public Treasury to keep that organization going. That is why a special Board of Trustees has been established which will act not only in an advisory capacity but also further in a fund-raising type of activity for the

benefit of the gymnasium. The developmental activities of the Gymnasium therefore will in future be the responsibility of that body. They would be the ones who will do the sort of things that Senator Mottley was talking about and indeed some of this has already been undertaken as far as we are aware because there are some functions and activities which have already been scheduled to take place later this year and early next year.

I believe that the dreams that a lot of us have for the development of sport will see some fruition.

I beg to move that this resolution be passed.

The question was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. L. V. H. LEWIS: I beg to move that this sitting of the Senate be now adjourned *sine die*.

The question was put to the Senate and agreed to and Mr. PRESIDENT adjourned the sitting sine die at 5.15 p.m.

CONTENTS

MESSAGE FROM HER EXCELLENCY THE GOVERNOR-GENERAL

Mr. DEPUTY PRESIDENT 939

1. Letter dated 13th October, 1992 from Her Excellency the Governor-General informing him of her intended absence from the Island from 14th October, 1992 to 1st November, 1992 on a visit to Canada and the United States of America and that the Hon. Sir Denys Williams had been designated to perform the functions of the office of Governor-General during that period.
2. Message No. 2 informing the Senate that on the advice of the Prime Minister the seat held by Senator the Honourable Sir Frank Walcott, K.A., O.B.E., President of the Senate had been declared vacant with effect from 31st August, 1992.

PRESENTATION OF PAPERS

SENATOR THE HON. L. V. H. LEWIS 940

1. Annual Report of the Caribbean Broadcasting Corporation for the year 1990.
2. Reform of the Indirect Tax System – Prepared by the Fiscal Affairs Department of the International Monetary Fund.
3. Annual Report of the Barbados Marketing Corporation for the period ended March 31, 1989.
4. Annual Reports of the National Housing Corporation for the Financial Years 1988–1989 and 1989–1990.
5. Thirteenth Annual Report of the National Sports Council for the Financial Year April 1, 1990 to March 31, 1991.

BILLS READ A FIRST TIME

SENATOR THE HON. L. V. H. LEWIS 940

The Theft Bill, 1992.

NOTICE OF RESOLUTION

SENATOR THE HON. L. V. H. LEWIS 940

Resolution to take note of the Report of the West Indian Commission.

TRIBUTES TO SIR FRANK WALCOTT, K.A., O.B.E., LL.D.

Senator the Hon. L. V. H. Lewis, 940; Senator Dr. F. W. Alleyne, 941; Senator T. E. Barker, 944; Senator Mrs. A. Straughn, 945; Senator Miss Y. V. Walkes, 945, 950; Senator the Rev. Canon J. L. Springer, 950; Senator Mrs. V. C. Fraser, 951, 952; Senator Mrs. M. Walcott, 953; Senator A. Morrison, 954; Senator W. LeR. Inniss, 954; Senator J. G. Bellamy, 955; Senator Mrs. M. Barker-Welch, 956; Mr. Deputy President, 956.

ELECTION OF A PRESIDENT

SENATOR THE HON. L. V. H. LEWIS 957

Nomination of Senator the Hon. M. deL. Jordan as President of the Senate.

Senator Mrs. V. C. Fraser seconded the nomination.

No other nominations.

Senator the Hon. M. deL. Jordan elected as President.

ELECTION OF DEPUTY PRESIDENT

SENATOR THE HON. L. V. H. LEWIS 958

Nomination of Senator J. J. Payne as Deputy President of the Senate.

Senator Mrs. A. Straughn seconded the nomination.

No other nominations.

Senator J. J. Payne elected as Deputy President.

RESUMPTION

SENATOR THE HON. L. V. H. LEWIS 958

Best wishes extended to Mr. President on his election.

Mr. President Spoke.

PUBLIC BUSINESS

THE THEFT BILL, 1992 958

Senator the Hon. L. V. H. Lewis, 958, 968;
 Senator T. E. Barker, 959, 960; Senator J. G.
 Bellamy, 960; Senator Mrs. V. C. Fraser, 960;
 Senator the Rev. Canon J. L. Springer, 961;
 Senator Miss M. A. Mottley, 962, 963, 966;
 Senator the Hon. Dr. C. D. Clarke, 966; Senator
 Dr. F. W. Alleyne, 967.

RESOLUTION TO APPROVE THE LEASE OF
 LAND AT PRESCOD BOULEVARD,
 BRIDGETOWN TO MILL REEF COMPANY
 LIMITED 968

Senator the Hon. L. V. H. Lewis, 968.

RESOLUTION TO APPROVE THE LEASE OF
 LAND AT GRANTLEY ADAMS INTERNA-
 TIONAL AIRPORT TO CARIBBEAN
 AIRWAYS LIMITED 969

Senator the Hon. L. V. H. Lewis, 969, 970;
 Senator T. E. Barker, 969; Senator Miss M. A.
 Mottley, 969.

RESOLUTION TO APPROVE THE LEASE OF
 LAND AT WILDEY, ST. MICHAEL TO THE
 BARBADOS LAWN TENNIS ASSOCIA-
 TION 970

Senator the Hon. L. V. H. Lewis, 970, 974;
 Senator Miss M. A. Mottley, 970, 971; Senator
 Mrs. V. C. Fraser, 973; Senator Dr. E. A.
 Simmons, 973; Senator the Rev. Canon J. L.
 Springer, 974.

SUSPENSION 958

ADJOURNMENT 975

SPEAKERS IN THIS ISSUE

ALLEYNE, Senator Dr. F. W.

BARKER, Senator T. E.

BARKER-WELCH, Senator Mrs. M.

BELLAMY, Senator J. G.

CLARKE, Senator the Hon. Dr. C. D.

FRASER, Senator Mrs. V. C.

INNISS, Senator W. LeR.

JORDAN, His Honour Senator M. deL.

LEWIS, Senator the Hon. L. V. H.

MORRISON, Senator A.

MOTTLEY, Senator Miss M. A.

SIMMONS, Senator Dr. E. A.

SPRINGER, Senator the Rev. Canon J. L.

STRAUGHN, Senator Mrs. A.

WALCOTT, Senator Mrs. M.

WALKES, Senator Miss Y. V.