THE

SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1991 - 96

SENATE

Friday, March 5, 1993

The Senate met in the Senate Chamber, Parliament Buildings, on Friday, March 5, 1993, at 11.20 a.m.

PRESENT

His Honour Senator M. deL. JORDAN, (President)
His Honour Senator J. J. PAYNE, (Deputy President)
Senator the Honourable L. V. H. LEWIS, (Minister of State, Prime Minister's Office) (Leader of the Senate)
Senator A. MORRISON
Senator Mrs. V. C. FRASER, B.S.S., J.P., M.C.F.A.
Senator A. J. N. PHILLIPS
Senator the Honourable Dr. C. D. CLARKE, (Minister of Labour, Consumer Affairs and the Environment)
Senator Dr. Frank W. ALLEYNE
Senator Miss Y. V. WALKES
Senator Mrs. M. BARKER-WELCH
Senator Mrs. A. STRAUGHN, G.C.M.
Senator Mrs. M. WALCOTT, S.C.M.
Senator the Rev. Canon J. L. SPRINGER
Senator J. G. BELLAMY
Senator J. A. F. COLE
Senator T. E. BARKER

Prayers were led by Fr. Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

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

The Estimates 1993–94 and the Schedule of Personal Emoluments 1993–94.

SUSPENSION OF STANDING ORDER

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I beg to move the suspension of Standing Order 45(2) to enable us to deal, in all stages, with a Bill that is on today's Order Paper.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I move the First Reading of the Employment Levy (Amendment) Bill, 1993.

The question was put to the Senate and agreed to.

PUBLIC BUSINESS

ORDER NO. 2 – RESOLUTION TO APPROVE THE LAND REGISTRATION (SUSPENSION) ORDER, 1993

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the Resolution before us seeks to give effect to the Order cited as the Land Registration (Suspension) Order, 1993 which in fact authorises the suspension of sections 14 and 15 of the Land Registration Act for a period of 3 years.

Section 14 of the Land Registration Act makes provision for the registration on first dealings after commencement of the Act, through which every conveyance on sales and every grant of a term of a year's absolute and every assignment of a lease in respect of land lying outside a registration district shall become void

on the expiration of 3 months from the date thereof or any authorised extension. Furthermore, section 15 makes provision for voluntary registration by owners of titles and section 14 is the authority for the Registrar of Titles to extend the period in certain cases at the instance of interested persons.

This registration exercise has been proceeding for some time, Mr. President, and it has been found that because of problems in the Lands and Surveys Department it has not been possible to complete the grant of title in several instances. What the present Order seeks to do is to give a period of 3 years during which time it is anticipated that all the backlog of titles which could not be granted would have been dealt with to the satisfaction of the parties involved in the transfer of title.

This is not a matter of great moment, Mr. President, except that it is necessary by law to facilitate the transfer of these titles. This Suspension Order in effect gives a continuation of earlier suspensions but now ensures that we do not have to come back to the Senate next year. But it gives a sufficient time through which the public officers involved in the exercise may complete their work.

I beg to move that the Resolution be passed.

The question was put to the Senate and agreed to.

ORDER NO. 3 – THE EMPLOYMENT LEVY (AMENDMENT) BILL, 1993

SENATOR THE HON. Dr. C. D. CLARKE: Mr. President, this Bill seeks to amend the Employment Levy Act in order to define the expression "public officer" appearing in section 6(a) of that Act. This has become necessary because it has been noted that as early as April 1992 the Transport Board, in taking steps to improve its operational efficiency, had already, among other things, reduced its fleet from 272 buses to 210. It had also reduced its weekly operating fleet from 175 buses to 150 buses. It has also reduced its weekly operating schedule from 2 600 to 1 800 and it severed at that time 275 workers consisting of 16 clerks, 29 workshop staff, 212 drivers and conductors and 18 additional drivers and conductors. The severance payments were estimated to cost $2 844 855. At that time, the Board went on to acknowledge that it was in no position to pay. Because of this, it was necessary to introduce and to take further measures to improve the overall efficiency through a further rationalisation of routes. By so doing, it was hoped that this would further reduce its operating costs and one measure identified to give effect to this was the establishment of a 1-person operation system and the maintenance now of a total serviceable fleet of 135 buses.

11.30 a.m.

These actions led to the further retrenchment of another 478 workers in the operations division under a 2-man operation and an additional 265 conductors when the 1-person operation came into effect. It was the intention of the Board that the severed workers would have received their severance payments out of the proceeds of the sales of the assets of the Board. The assets identified as the major contributor to the funds necessary for the payment of severance would have been the buses.

Unfortunately, the sale of these buses in sufficient numbers to realise the amount of money necessary did not materialise. As a result, early in February 1993, a decision was taken to pay the sum of $6 673 040.29 in severance payments to the former workers of the Transport Board from the Public Employees Fund. One-half of the severance is scheduled to be paid by March 15 and the other half no later than June 15. The Public Employees Fund account which was identified as a possible source of payment was opened after the Employment Levy (Amendment) Act, 1991-14 was enacted. Section 6(a) of that Act states that, and I quote:

> "The Public Employees Fund shall be administered by the Accountant General and used exclusively for payment of benefits to redundant public employees."

What is noteworthy here is that this Act does not mention the Transport Board workers. As a consequence, if payments are to be effected, then the Act will have to be amended. This Government being the caring Government that it is, and in order to ensure that the workers do not have to wait any further length of time for their money, has brought before us the Bill and this will seek to amend the Employment Levy Act to give a much broader definition to "public employee" so that former and present employees of statutory boards and corporations will now become public employees and as a result be able to benefit from the Fund that is already established.

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

The question was put and agreed to.

On the motion of SENATOR THE HON. Dr. C. D. CLARKE, Mr. PRESIDENT left the Chair and the Senate went into Committee on the Bill, Mr. DEPUTY PRESIDENT in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is now in Committee.

Clauses 1 to 3 were called and passed.

On the motion of SENATOR THE HON. Dr. C. D. CLARKE, Mr. CHAIRMAN reported the passing of one Bill in Committee without amendment and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. Dr. C. D. CLARKE, the Bill was read a third time and passed.

ORDER NO. 4 – RESOLUTION TO APPROVE THE DRUG ABUSE (PREVENTION AND CONTROL) REGULATIONS, 1993

SENATOR THE HON. L. V. H. LEWIS: Mr. President, this Resolution is one of two which deal with regulations made under the Drug Abuse (Prevention and Control) Act which was enacted in June 1990 and makes provision with respect to the control of narcotic drugs, psychotropic substances and other substances known to be used in the manufacture of narcotic drugs and psychotropic substances and the Act creates new offences with respect to drug trafficking and the purposes connected with such drug trafficking.

This specific Resolution covers Drug Abuse (Prevention and Control) Regulations, 1993 and its sections cover the exceptions from certain provisions of the Act principally to protect possession which would otherwise be illegal. Secondly it covers the rules governing the importation and the exportation of controlled drugs and other matters related therewith. Thirdly, it covers the requirements as to documentation and the keeping of records under the Drug Abuse (Prevention and Control) Act.
11.40 a.m.

Specifically, Mr. President, Sections 12, 24, 34 and 48 of the Act make provision for these Regulations. They authorise these Regulations which have been prepared by the Attorney General in consultation with the Ministry of Health. The Barbados Association of Medical Practitioners was also consulted. They have offered no objection to the making of these Regulations. It is now proposed that with the passing of this Resolution the Regulations will come into effect when they are gazetted.

This, Mr. President, is another of the efforts made by Government to bring a response to the very problematic scourge of drugs and the abuse which is made of drugs by so many of the youth of our nation and even by adults. This effort, we believe, in restricting the use of narcotic drugs will go some way towards the response which Government has mounted for the problem which not only faces us but several countries worldwide.

There are other areas which, probably in my winding up I will touch on but for the time being, I beg to move that this Resolution do now pass.

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

ORDER NO. 5: RESOLUTION TO APPROVE THE DRUG ABUSE (NOTIFICATION OF ADDICTS) REGULATIONS, 1993

SENATOR THE HON. L. V. H. LEWIS: Mr. President, this is the other Resolution which seeks to respond to the drug abuse problem. This Drug Abuse (Notification of Addicts) Regulations, 1993 made under the principal Act is aimed at facilitating the treatment of addicts and it prescribes a procedure for so doing. It also controls the use of stipulated drugs and products. The Regulations are substantially shorter than the one we just passed. This particular set of Regulations defines what a hospital is. It goes further and speaks about particulars which are required to be supplied in respect of persons examined by doctors and the procedures for administration of the Regulations.

The First Schedule to the Regulations sets out the controlled drugs which are substances to be avoided and to which the Regulations apply including cannabis, cocaine, opium, morphine and such drugs.

The Second Schedule sets out the format for informing the Chief Medical Officer of persons who are reasonably considered to be suspects, or who are known to be addicted to certain drugs as set out in the First Schedule to the Regulations.

I beg to move that the Resolution do now pass.

SENATOR Mrs. A. STRAUGHN: Mr. President, I will support any measure that aims at alleviating the drug problem and at any level. The sensational headline in the Press on February 23, 1993 which read "Laws may force Docs to Inform on Patients" startled me and, I believe, many other concerned citizens because it smacked of treating drug addiction not as a sickness, but as a criminal offence on reading it at face value. Naturally, going into it in a little bit more depth, and becoming aware of what this Resolution purports, makes us feel different. We were apprehensive about it. I note the format used for recording cases omits the name of the person and, no doubt, that is a safety valve that is aimed at maintaining anonymity and maintaining high, confidential and professional ethics.

Mr. President, I have the highest confidence in our professionals – those who will be dealing with the matter at the highest level. I feel sure that their training, and caring will treat the documentation in what I consider to be in a codified fashion. But there is always a chance of leakage. We know that the use of computers in storing, retrieving and accessing information has revolutionised

modern technology. But with these same skills, privileged information could also be accessed. I caution that great care has to be taken for the preservation of these records at all levels. Even if this information is used for statistical purposes, it is very useful, albeit it might not be 100% representative of the number of drug addicts, nor drug activity in its totality. But I should hope that this information will be used for a lot more than that, and I believe it would be. I can see it being used to initiate programmes in health and in many cases to enhance those programmes that are, at present, in effect programmes of rehabilitation and treatment.

I should go beyond this, Mr. President. The Resolution may be an attempt, or a step, maybe a forward step, but I should like to go backward to come forward. I would like to preach and continue to preach the gospel of public education especially preventive measures. As a foundation treatment in drug addiction, drug use and drug abuse I think that preventive measures are a must. It would make the task a lot easier from the point of view of eventual eradication. I crave your indulgence, Mr. President, to refer to a course that was set out – the brain-child of Mr. Maurice Foster. In 1987 we formed (Mr. Maurice Foster being the head, the one who spearheaded the whole event) an organisation called COAD – Combined Organisations Against Drugs. It was his brainchild and a good brainchild.
11.50 a.m.

This organisation aimed at tackling the drug problem at all levels. It comprised a number of committees and one of these committees (the one I happen to serve on) was the committee on prevention. Being a small committee it worked, like all small committees, and I am happy to say is still working.

Drug education, Mr. President, is a must and however often we repeat it, it cannot be said to be too much or too often. We know that outside the home the school is the most influential environment. The school can provide the practical knowledge with parents, educators, students, communities. This practical knowledge can be used by them and used very effectively. And nowhere, nor at any time, is there a more forceful form of human interaction than within a school and it is there that our committee has been working very hard on preventive measures.

Drug use among our children will rise to alarming proportions and reach alarming levels if we do not try very, very hard (and never relax our efforts) at preventive measures.

The committee adapted the suggestions made in a particular book, Mr. President, called *Schools Without Drugs*, and if it is desired, Mr. President, I can make this a document of this Chamber. We tried to adapt, before we could adopt, and we abridged the text so that it could be effective guidelines used within our schools for operating at a preventive level with the drug problem.

Our guidelines were circulated islandwide through PTAs and through the schools themselves. We held at least 2 seminars to find out what the reaction of the teachers was to the use of these guidelines. We also held meetings with principals and PTA advisers and PTA officials, in our hard work trying to get preventive measures operating within our schools. We worked on newsletters and are still working on newsletters and in these newsletters we aimed at having contributions from the children themselves so as to see how effective and to what proportions drugs were lurking in our schools – above the stage of lurking now, Mr. President. But I must admit that efforts like this can go a long way and they do get to more people; but it is not easy. This is hard work. Anything to do with drug counselling, drug eradication, drug alleviation, whatever, takes a lot of time and it requires the efforts at every level in the community. We who can, Mr. President, must help.

I compiled at the back of those guidelines, a list of resource people, professionals, whose services, whose expertise can be tapped at all times by teachers within the schools, to be used by the schools and any other organisations affiliated with the schools. These resource people, we hope would be on call and we would hope that this resource list would be updated and kept in the foreground for use at all times so that they could be called upon to help with these preventive measures within the schools.

Mr. President, public education in preventive measures is a must. All drug education I emphasise, is taxing on any one's time. But the foremost responsibility of any society is the nurture and protection of its children. Consequences of drug taking, especially from a very early age... and then when it reaches the stage of addiction, it can last a life time. An addict can become a lifetime casualty. That is why preventive measures must be looked upon and they must start in the home and the school can reinforce what the home teaches and supplement what the home teaches and instruct in what the home cannot teach. Treatment is costly and all over the world many and varied treatments have been tested and tried. Some of them we can adopt after we have adapted them; some of them we might not be able to use at all.

Yes, I know for sure that the curricula of the schools are crowded. They are strained, almost to breaking point but drug education is all-embracing and it can be incorporated at any level and at all times. There was a notion at one time, Mr. President, (and it is still I think very much on the cards) of introducing tourism on to the school curricula. Tourism we know is now in proportions of achievement crisis. But I think that the incorporation of drug education into any form of

teaching on tourism is also a must because there is always the possibility of the infiltration of the drug problem along-side tourism.

Mr. President, I maintain that no one person (and I admit that no one person) no one do-gooder and there are a lot of those, no one concerned citizen, no one group, no one organisation, no religious nor educational institution, no group of medical practitioners or law enforcement agencies can do it alone or in isolation. We must do it together it is true. It requires cooperative effort. All the systems must work.

I submit, Mr. President, that there is a need for consistent clear policies against drug use or for drug use. The acquisition of the drugs is a topic for another debate. The enforcement of these policies is paramount and I think, and I know, and I believe that prevention of drug experimentation, especially among our children is the key.

Mr. President, the drug problem, drug use, affects all of us – parents, children, teachers, legislators, taxpayers, all of us. I support any sensible and reasonable measure however apparently insignificant that points to help in the destruction of this menace. One drug addict is a problem. Curing and helping one drug addict is an achievement. It is a success. But whether or not we regard a strong drug prevention as a tall order, a preventive programme that provides alternatives, that teaches, that educates, has to be a must. It is the key to alleviating and eventually eradicating the drug menace.

Mr. President, I support the revolution... the resolution. I apologise for the misuse of the word or at least the interchange of the word. It was a slip of the tongue. It is (thank you, Sir) a revolutionary measure. And, Mr. President, I should hope that anything we do to help us in this particular problem will be successful. Thank you. 12.00 noon.

SENATOR T. E. BARKER: Mr. President, I have a problem with the Resolution. I have no problem with the intent of the Resolution. But I have a problem with the notification process. Sir, I must confess that I am not totally familiar with the Act under which these regulations were made. I am concerned about the security of the information. For example, the doctor is supposed to give the date of attendance, parish address, gender, date of birth and the name of the drug concerned. We know that a person's I.D. number is basically his date of birth. When this information goes to the Chief Medical Officer, what guarantees are there that some person who should not be privy to this information will not get hold of this information, especially if he suspects something about somebody? He will have the person's address and his I.D. number and it will be an easy matter for someone to check the I.D. number to find out the name of the person. We know that the electoral list would have such a number. It would not be a difficult task for any person with bad intentions to get the particular information relative to the person.

Sir, unless there is adequate security so that when the information goes to the Chief Medical Officer...

SENATOR THE HON. L. V. H. LEWIS: Mr. President, on a point of order. There is no requirement for a person's I.D. number. The requirement is for a date of birth and not for an I.D. number.

SENATOR T. E. BARKER: Sir, the Minister knows very well that a person's I.D. number is basically his date of birth with 4 numbers after the date of birth. If you know the person's date of birth, then you know the first part of their I.D. number. You would not find too many people in Barbados who were born on the same date. He does not understand the point I am making.

SENATOR THE HON. L. V. H. LEWIS: Sir, on a point of order. That is not truthful. You have to have the other information and the only way that you can get that other information is to get into the Statistical Department or the Electoral Office and get the information. That is misleading the Senate to say that you can easily get it .

SENATOR T. E. BARKER: Sir, I have been accused of many things. So I will not respond to the fact that I am accused of misleading the Senate. The point that I am making, Sir, is that every time there is an election, lists are sent with a person's name, age, I.D. number, address and so on. All of us know that. A person's I.D. number is not a state secret. That is the point I am making. If I am wrong, I will be glad to admit that I am wrong. But I do not think that I am wrong. When you put a person's date of birth, sex, address and so on, any person can get information pertaining to that person if they are so determined. It is not difficult. That is the point I am making.

Sir, unless the security in the Chief Medical Officer's Department is tight, this information will not remain a secret and it would defeat the whole purpose of the notification process. The person who is addicted and has gone to a doctor needs help. If he suspects that there is some way the information can be made public, especially if he is in a sensitive position, that could prevent the person from seeking help in a timely manner.

Sir, the Leader of the Senate knows that what I am saying is probably true. I am not saying that it is going to happen. I am saying that, unless proper security of this information is maintained when the information goes to the Chief Medical Officer, somebody with bad intentions could get hold of the information. Although the person's name is not there, it will not be a difficult matter to get the

person's name from the information that is provided on the form. That is all that I am saying.

Sir, all I am cautioning for is that security be tight with regards to this particular information. I do not see why this is calling for all of this animosity. I am just calling for tight security of this information because there is a possibility, however slight, that it can get into the wrong hands. We must realise that the addict needs sympathy and help. In most cases, he cannot risk exposure because the public is not all that sympathetic to an addict. He needs to be assured that when he goes to a doctor of his choice and confides in the doctor that he has the complete assurance that his business, although legal is still private, is kept in strict confidence between himself and the doctor. This is worrying me a little bit, Sir. If I can get the assurance from the Minister that proper security is in place, then we have no problem.

With those few words, I urge the Government to be very careful with this sensitive information that could be a matter of public record if care is not taken.

Mr. PRESIDENT: Senator Springer.

SENATOR THE REV. CANON J. L. SPRINGER: Mr. President, I would like to begin by asking a question. What is the reason for recording the information in the way it is proposed? I have ideas myself as to why. Perhaps it is more important to state that the information will be kept in a medical situation rather than passed on to the Police. Now it seems to me, to use another parallel, if someone turns up in a doctor's office with a gun-shot wound, I believe there is a law that requires the doctor to report this. It will not be reported to the Chief Medical Officer. It will be reported to the Police. I see it as quite a different thing from what is being suggested in this case. I feel the information ought to be kept safe from the Police who might use it for the possibility of prosecuting a person. I believe that there needs to be that assurance that when a person is seeking treatment for drugs at the hands of his or her doctor the person should feel fairly comfortable that the matter is not going to reach the Police.
12.10 p.m.

I am not sure what safeguard there is for this eventuality. However, I do think that the recording of information is a good thing and is necessary, provided it is being used for the proper purposes. Some of the things that need to be done were mentioned by Senator Straughn. I will not go over those, but it seems to me that we need this kind of information in order to draw conclusions. For example, it is said in Barbados fairly glibly that drugs are the main cause of criminal activity in Barbados – other criminal activity, the violence, the breakings, the entering and so on – but I do not think that anybody to date has studied the problem to be able to come up with a scientific finding to make that kind of statement. We all say it and we all believe that there is some truth in it.

If you begin to compile information such as this that is coming out of the offices of doctors, then I think you are on the way towards having somewhere in this country some fairly hard facts as to what has to be done in the following areas. For example, who are the people? Surely somewhere one needs to know who the people are in this country that are getting involved in the drug scene. The Honourable Minister a while ago, by *lapsus linguae*, said "among young people", and then corrected it and said "and some older people too", but I think it is across the whole spectrum and one does not have to feel for one's words in this regard. It would help if we knew for sure, if we could get the ages of the people involved. You would have added information as to who to target, not to lock them up, but to help those who are in trouble with drugs, the age group and so on.

There are other aspects which I will just simply mention. For example, the intensity of the problem. How intense is it? Is it just a facade or is it something much more deep-seated than we envisage? Then too we would be in a better position to provide the counselling services which are so direly lacking in this society. A number of people and organisations, as Senator Straughn indicated, have been trying to deal with the drug problem. I could mention some other examples within churches – some I have been associated with myself – but they need help and only if at governmental level we are convinced that there is a need, will we be able to persuade the Government agencies to pass on some of the help to some of the other people who are trying to solve this problem on their own. There is a need for funds among some voluntary organisations, there is a need for training, for counselling services that some people are trying with but are not quite as expert as they ought to be.

So I see no real harm, except that there has to be that particular provision to ensure that the information does not end up in the hands of the Police.

Thank you, Sir.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I wish to place on record my objection to an inference of animosity, because I have not seen any. I am not aware of any in this Senate Chamber. I want that in the record. That is the first thing.

Secondly, I love people, so there can be no animosity where I am concerned. I have every confidence in the integrity of the Chief Medical Officer and in several other public officers to perform their duties in a responsible manner. This is not the sole instance in which the Ministry of Health collects statistical information. They

collect information on AIDS, they collect information on other notifiable diseases, and the same measure, the same privacy which is extended in those circumstances I have reason to be satisfied will be extended in these circumstances. If we accept that, then there is no problem. The Honourable Member does not have a problem if he accepts that. If, on the other hand, some persons wish to breach the established system and break into an office and gets access to information, I do not know who could put up barriers against that.

The fact is that the provisions that exist require the Chief Medical Officer to ensure that appropriate provisions are in place that the information would not get into the hands of persons willy nilly, not even to get the date of birth and then, having got a date of birth and an address, to go to some politician who has an electoral list – because that is the way it could be done – and scour through it to look for dates of birth, to try and find out if Tom Brown is one of those people who is a drug addict, as if you would not know beforehand anyhow if Tom Brown is a "paro". The people who want to know this know who the "paros" are, they do not have to use this as a means to get the information.

Information of this nature cannot be released to the Police to allow it to be used as incriminating evidence against suspected persons. This information, when collected by this means, has to be treated with the utmost privacy. I have not been so informed, but I believe that this information when collected and collated will be used to respond to the drug problem and be made available in the manner that Senator Springer was suggesting it could be used, and Senator Straughn is aware of various agencies who are in the fight against drug abuse. If this statistical information can be used by those agencies that are out there in the thick of the battle against drug abuse and all the drug pushers, then we should say, "hip, hip, hooray" for the collection of the information rather than be critical. If, however, we know of a more scientific manner of collecting the information, then any Honourable Member can make a submission to the Ministry of Health. They can make it to me as Leader of the Senate and I promise to communicate it to the Ministry of Health for their consideration as a safer means of obtaining information. But remember, this was circulated to the medical practitioners and other interest parties and they found no fault in the form. But if you know of a way of improving the form, we are willing to give it consideration, and I am sure that the Minister of Health will be willing to rescind these regulations and make new regulations under the Act. That I can promise you.

With those remarks, which I believe respond to the potential problems which are being raised, I wish to move that this Resolution be now passed.

The question was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. L. V. H. LEWIS: Mr. President, we have completed the Items 2 to 5 on the Order Paper. That completes the business which we came to deal with today, and I therefore move that this Senate be now adjourned *sine die*.
12.20 p.m.

SENATOR T. E. BARKER: Mr. President, could the Leader of the Senate give us the possible dates for the Estimates debate? I will have to make arrangements regarding my other activities.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I do not know. I can assure the Honourable Member that the Estimates debate in the Senate will not be next week. It is unlikely to be the following week beginning the 15th and I have every reason to believe that it will be during the week beginning March 22. I cannot say what are the specific dates at this time. I will arrange for the Clerk of Parliament to indicate to Senators before this time next week the dates during the week beginning March 22 on which it is proposed the debate should take place.

SENATOR T. E. BARKER: Mr. President, with your indulgence, I have a slight problem. If the dates for the Estimates Debate and the Budget Debate in the Lower House that was recorded in the Press are in fact true, there is a procedural problem there. As I understand it, the budgetary process takes place after Parliament would have approved the expenditure for the given year. Therefore, if as reported, the Financial Statement and Budgetary Proposals take place on March 15 and if the Estimates take place next week and if the Leader of this Chamber says the debate will hardly take place before the week of the 22nd it means that the Other Place would have debated the Estimates, would have given it their seal of approval but we, in this Chamber, would not have had a chance to either concur or delay. We can only delay. We will not have a chance to approve or disapprove of the Estimates before the budgetary process takes place. I wonder, Sir, if that is not a slight on this Honourable Chamber since we have some power – maybe it is only a delay power – with regards to the Appropriations Bill.

When the Financial Statement and Budgetary Proposals are done before the Appropriations Bill it might be telling the public at large that this Chamber is not important; that the Other Place can do what it likes and we would only serve as a rubber stamp. That may be so, but it does not do much to my ego to be considered as just a rubber stamp, that I am part of a body which just rubber stamps Government's or anybody else's measures.

I think that this matter is a very serious indictment on maybe the Leader of this Chamber who could not use his influence to ensure that this Honourable Chamber gets a chance to approve or disapprove of the Estimates before the budgetary process takes place.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the Honourable Member who just sat down continues to use the English language loosely. I do not think he means a lot of the things that he says. I do not know what could be an indictment on an individual where there is collective responsibility for a decision. So that is absolute "poppycock" that he is coming with. The question that we have to address is whether this Honourable...

SENATOR T. E. BARKER: On a point of order, Mr. President. The word "poppycock". Sir, I have taken a lot in here but referring to what I said as "poppycock", I object very strongly to that. All I was saying in my intervention is that the Honourable Leader of the Senate should have protected the rights and privileges of this Chamber.

Mr. PRESIDENT: Thank you. We heard that.

SENATOR T. E. BARKER: The fact that he did not do it is, to my mind, an indictment on the Leader of this Chamber.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I am a Minister of the Crown first before Leader of the Senate. So I know what the priorities are. I am a Minister first.

Asides.

Mr. PRESIDENT: Senator Barker, you may not interrupt and cross-talk like that.

SENATOR THE HON. L. V. H. LEWIS: Any Minister can be Leader of the Senate so that is not relevant, Mr. President. What is relevant is that in money matters the Senate has limited responsibility and limited authority. The decision as to when a Budget may take place – and it is not necessary that there be a Budget – is not a decision for the Senate to take and it would be completely out of place for a Minister to challenge any such decision on the basis that the Senate may be aggrieved.

The Minister would have absolutely no grounds. He would be ruled out of order if he were to be so presumptuous as to pursue that matter along those lines. The fact is that the Minister of Finance is the person who advises the Cabinet when he contemplates to do his Budget.

You are a student, a teacher and you could find the appropriate authorities. You should not come into the Senate with this.

Mr. President, nothing that has been said changes the facts. The dates have already been set for the debate in the Other Place and I was responding with courtesy to indicate that it could not take place at specific times and I have nothing more to say on that.

SENATOR A. MORRISON: Mr. President, I rise on the matter of adjournment to make my contribution to the points raised by Senator Barker. As I would understand it, the Estimates will be debated in the House next week for a full week. It seems to me that Senator Barker is questioning the Minister of Finance's right as to when he will bring the Budget. The House...

SENATOR T. E. BARKER: I did no such thing. I just saw the whole matter as a discourtesy. The Honourable Minister can bring a Budget whenever he wants to. We know that. That is not in question. I am just saying that it looks bad on the Senate. I am not questioning his right. He can do anything he feels like.

SENATOR A. MORRISON: It cannot look bad on the Senate, Mr. President. The point is this that when you question the fact that the Budget debate will follow immediately after the Estimates debate in the House, you are questioning the Minister of Finance's right to bring the Financial Statement and Budgetary Proposals on Monday.

That is what you are doing. You do not understand what you are doing?

Mr. PRESIDENT: Not, "You". Address your debate to me.

SENATOR A. MORRISON: You do not understand what you are saying? When you make the point and you question in here the right, and you say in here that the...

Mr. PRESIDENT: The Honourable Member, Senator Morrison, not "You" – "You didn't do this and you didn't do that... "

Will you please address us in the correct manner.

SENATOR A. MORRISON: I have already referred to the Honourable Member as Senator Barker, Sir.

Mr. PRESIDENT: Not "You".

SENATOR A. MORRISON: Must I refer to Senator Barker all the time when I talk about Senator Barker?

Mr. PRESIDENT: Not "You this" or "You that".

SENATOR A. MORRISON: Sir, I want to make some points in here and I don't want any interruption whatsoever because I have not broken any rules.

Mr. PRESIDENT: Senator Morrison, any interruption from whom? I do not understand that.

SENATOR A. MORRISON: I have said what I have said. Senator Barker has made remarks about the rights and privileges of the Senate and the only body I know that those rights repose in is the President of the Senate. I do not see any rights being trampled or the Senate's ability to do the Appropriation Bill being compromised by the fact that the Financial Statement and Budgetary Proposals follow the Estimates debate of the House. It is ridiculous that an Honourable Member could refer to the fact that the Minister of Finance is bringing his budgetary proposals immediately after the House debate as being a device to trample the rights of Senators.
12.30 p.m.

SENATOR T. E. BARKER: On a point of order, Sir. My question is not the fact that it follows immediately after but the fact that the Senate did not have an opportunity. That is the point I am making. Probably the Honourable Member does not understand the point.

Mr. PRESIDENT: Thank you.

SENATOR A. MORRISON: How can you get a debate of the Estimates when the debate for the...

Aside.

Mr. PRESIDENT: Senator Barker you do not shout across the table. The Honourable Member is on his feet. You do not shout across the table.

SENATOR A. MORRISON: Mr. President, it is my submission that the debate which will take place on the Budgetary Proposals immediately after the presentation of the Estimates in the Honourable House of Assembly does not in any way invalidate the effectiveness of the Senate to debate the Appropriation Bill after that has been done. I do not see why the Honourable Member should refer to the fact that this is being done as some device the Government is using in order to preclude the Senate from having any debate before the debate takes place on the Budgetary Proposals in the Other Place.

The Minister of Finance is the sole judge of that. It has been a very burning question to which arguments have been proposed from the Opposition from time to time that at the time of the annual Estimates debate they should be dealing with a budget at the same time. The Minister of Finance has now, after 2 years, come around to the fact that he is giving the Opposition its wish by having the 2 documents presented almost at the same time. Now, he is being pilloried by a member of the Opposition for so doing. I do not understand what is the Opposition's problem, at least in the Senate because it seems to be very well documented and orchestrated in the Lower House that this is a desirable innovation and which all members in the Lower House have welcomed. I do not understand what is the Honourable Member's difficulty. I cannot help him with that. That is my submission.

The Government is free. It has not been doing anything underhand. It has not in any way tried to ride roughshod over the Senators in this country. The Senate continues to play the important role which it has been designed to play in matters of this nature. I think we will have to go along with the decision made by Cabinet. After all we have Cabinet Government. There is no reduction or diminution in the effect of the Senate when the time comes in debating the Appropriation Bill because it takes place after the Budget debate and after the Estimates have been presented in the Lower House. I do not see any diminution in the effectiveness or the effect of the Senate's debate at that time.

The question that the Senate do now adjourn sine die was put to the Senate and agreed to and Mr. PRESIDENT adjourned the Senate accordingly.
12.35 p.m.

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