
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1991 – 96

SENATE

Wednesday, February 9, 1994

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, February 9, 1994, at 11.15 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, G.C.M. (Minister of the Environment, Housing and Lands), (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 State, Ministry of Economic Affairs), (Deputy Leader of the Senate)

Senator Dr. F. W. ALLEYNE

Senator Miss Y. V. WALKES

Senator Mrs. M. BARKER-WELCH

Senator Dr. E. A. SIMMONS

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

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

Senator W. LeR. INNISS

Senator J. G. BELLAMY

Senator J. A. F. COLE

Senator T. E. BARKER

Senator Miss M. A. MOTTLEY

Senator T. C. BECKLES

Prayers were led by Rev. 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 documents:

Loan Contract between Barbados and the Inter-American Development Bank. (Bridgetown Roads and Safety Improvement Project);

33rd Annual Report and Financial Statement of the Board of Tourism for the year 1991-92;

Immigration Forms and Fees (Amendment) Regulations, 1994;

Customs Tariff (Amendment) Order, 1994;

Miscellaneous Controls (General Open Import Licence) Regulations, 1994.

SUSPENSION OF STANDING ORDERS

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I beg to move that Standing Order 45(2) be suspended for today's sitting to enable us to deal with Item 2 on the Order Paper.

The question was put and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I beg to move that a Bill which would provide for the grant of a sum of money out of the Consolidated Fund and appropriate the same for the service of Barbados for the year ending March 31, 1994 cited as Supplementary Appropriation (No. 2) Bill, 1994 be read a first time.

The question was put and agreed to.

PUBLIC BUSINESS

ORDER NO. 2 – TO MOVE THE SECOND READING OF A BILL TO GRANT AN ADDITIONAL SUM OF \$4 851 985 OUT OF THE CONSOLIDATED FUND

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the Bill before us, the Supplementary Appropriation (No. 2) Bill, 1994, seeks authority to grant the sum of \$4 851 985 from the Consolidated Fund and to appropriate the same for the purposes of the Ministry of Foreign Affairs – \$3 056 000; the Ministry of Labour, Consumer Affairs and the Environment – \$1 280 035, and the Ministry of Public Works, Communications and Transportation – \$515 950: a total of \$4 851 985.
11.25 a.m.

The provisions made to supplement the votes of the Ministry of Public Works, Communications and Transportation are intended to cover anticipated shortfalls in the International Transport Division for Personal Emoluments, NIS Contributions, Health Levies, Transport Levy, Utilities, Rental of Property, Plant, Equipment and Furniture in the sum of \$66 215, to supplement Air Transport Infrastructure in respect of Utilities, Maintenance of Property, Plant, Furniture and Equipment Sub-programme total of \$232 448, the Air Traffic Management Services supplementing the NIS Contributions and Utilities a sum of \$25 860, for Maintenance and Development in respect of other Personal Emoluments of \$81 427, and for Airport Development in respect of Plant, Equipment and Furniture a total of \$110 000 giving an overall total of \$515 950.

One of the larger items relates to utilities for which it is very difficult to estimate the precise requirements at the beginning of the financial year because to cover telephone allowances, telephone fax, and electricity, it is always possible for there to be miscalculations. In addition, another fairly sizeable supplement, apart from the utilities which are found in one or two areas, is the item Rental of Property. Provision was made for rental of offices for the International Transport Division in the Port Authority Building at one rate whereas the amount provided was insufficient and a further \$13 600 was required.

In relation to this Supplementary, Mr. President, my continuing comments will cover both the provision under the Ministry of Foreign Affairs and that under the Ministry of Labour, Consumer Affairs and the Environment.

As Honourable Members would be aware, Mr. President, the Government of Barbados entered into a commitment to host the Conference on the Sustainable

Development of Small Island Developing States from April 25 to May 6, 1994. This Conference, is one of the follow-up activities specifically called for in Agenda 21, the programme of action agreed upon at the Earth Summit in Brazil in 1992. Agenda 21 defined Small Island Developing States and islands supporting small communities as a special case for both environment and development.

Agenda 21 recognises that Small Island States will be constrained in meeting the challenges of sustainable development without the assistance of the international community. Indeed, the state of the environment in small island developing states provides some indicator of the position of the global environment and small island developing states have been referred to as the equivalent to the miner's canary providing early warning of problems relating to the global environment requiring urgent attention.

It is considered that because of the smallness physically, and the discreet boundaries of an island state, it permits for more effective evaluation of sustainable development advances and policies for resource management, policies relating to bio-diversity, quality of life and the economy so that Small Island States are a microcosm for the rest of the world and Small Island States could well be regarded as a real-life laboratory for new operational concepts in the transition towards global sustainable development. The Small Island States, because of their relationship to oceans and seas, are indeed a vital link in the effort to introduce more sustainable approaches to management of these areas.

In order to host the Conference, the Government of Barbados was a participant at a regional meeting which was held in Trinidad and Tobago to enable the Small Island States in the Mediterranean, the Caribbean and the Atlantic to come together and feed their respective positions into a preparatory meeting which was held at the United Nations.

A preparatory meeting for the Conference was authorised by the United Nations and was attended by representatives from this region and the other 5 regions where Small Island States are found. The purpose of the preparatory meeting was to develop and make inputs in the chapters of a draft action plan which will find its way to the Conference.

In addition to an earlier preparatory meeting, a further preparatory meeting is scheduled to take place from 7 – 11 March, 1994. At that second preparatory meeting it is intended that the countries of the world, the 184 countries of the United Nations system, will focus attention on the introductory chapter for the action plan and to

finalize chapter 15 which will set out the areas on which there is joint approval for action to be taken as a follow-up to the Bridgetown meeting.

In addition, the preparatory meeting will examine the basis for developing what is to be known as "A Bridgetown Declaration".

If we leave the international scene and come home in Barbados, national preparations for the Conference have been going on for some time. They were speeded up somewhat in earnest when in September of 1993 a National Planning Committee was appointed and a National Secretariat was established for the Conference with a Conference Coordinator and with other persons responsible for coordinating areas of transport accommodation, Conference facilities, entertainment and hospitality, international relations as well as technical preparations. A Public Relations Officer was also identified to work with that Conference Secretariat, that is in relation to the main Conference.

Parallel with the activities of the main Conference and the planning for it, and NGO Liaison Committee Secretariat was established. It is headed by a person recommended by the international NGOs, the Executive Director of the Caribbean Conservation Association, and the NGO Liaison Committee is responsible for the plans which will see a forum running parallel to the main Conference. The forum is to be mounted at the Community College and to run from April 20 to May 6. At the same time that the NGO Forum is in progress, a sustainable technology exhibition is being planned to be mounted at the premises of Terminal 2, Grantley Adams International Airport to span the period April 27 to May 2, 1994.

These three separate, distinct, discreet activities are all part and parcel of the total set of activities which will take place. In relation to the Forum, there is to be an activity called "A Village of Hope" mounted at the Community College. There is to be an exposition.
11.35 a.m.

This will include not only activities relating to the Conference, that is, all day long there will be speeches every hour on the hour, there will be presentations, there will be booths, side shows, there will be events in the evening which relate to cultural activities. All in all the Community College will be a hive of activity relating to these several events. In terms of the Sustainable Technology Exhibition it is hoped that appropriate technology from around the world will be on display at the exhibition and the planning and organizing of that Sustainable Technology Exhibition is spearheaded by the Barbados Manufacturers Association.

Among other things, Mr. President, Members would be aware that a national Logo was selected for the

Conference. It has been displayed in several places. But Members would also know that in preparation for the Conference, the premises at Sherbourne are being readied in order to accommodate the main Conference. The work on Sherbourne Conference Centre is proceeding with the original west wing Conference Centre and with a right wing known as an administration block. These two are connected by a frontal corridor which will be utilized during the Conference. Information available to me suggests that the facilities will be ready some time before the end of March so that they can be available for use during the Conference.

Throughout the preparations leading up to the Conference, the Barbados side has maintained close contact with UNDP. The UNDP has provided the services of at least 2 planning missions which have come to assist in planning for the Conference. In addition the UN has provided the services of a planning expert as well as assistance financially to the NGOs in the planning of SUSTECH '94. Tangible support has also been provided by the United Nations Environmental Programme people and Barbados has welcomed this support which includes support from the Caribbean Development Bank and from the CARICOM Secretariat in its planning for the Conference.

Given the anticipated outcome of the Conference it is proposed and believed that these might be significantly strengthened if we could receive the views and inputs of an independent panel of experts. The Government of Barbados through the good graces of the Governor-General of Barbados have invited a small number of persons – and 11 persons have responded favourably so far to the invitation – to meet as a group of eminent persons on April 21 and 22 to examine the concept of sustainable development as it relates to Small Island Developing States. The group will share its views and recommendations on the subject through participation in round table which is to take place on those days. This round table will have inputs from Caribbean persons and other persons in the United Nations system, CARICOM and the Caribbean Development Bank who have been invited to be participants in the round table discussions. The exhibition SUSTECH which I mentioned earlier is intended to provide participants at the Conference with practical exposure to technologies and issues of sustainable development which are relevant to Small Island Developing States. The outcome of the Conference. The Conference is expected to produce an action plan containing recommendations for the introduction of more sustainable patterns of sustainable development in Small Island Developing States. There will also be a Barbados declaration which will issue from the Conference relating to the commitment of Small Island Developing States and also that of the international community to the implementation of the action plan. One of the objectives

of the Conference is the creation by each agency of programmes tailored to the special needs of Small Island States which will involve analysis by the agencies of the needs of the states and the programmes which it is required should be created. The Small Island Developing States see the establishment of centres for sustainable development in each region as an important step in facilitating more sustainable patterns of development by providing support in the areas of technology, research training and policy advice.

The Small Island States also believe that greater predictability would be brought to their efforts at sustainable development if a distinct technical assistance programme was implemented within respective regions. For this reason they wish to have established an information network which would serve to increase co-ordination in efforts aimed at introducing more sustainable patterns of development as well as sharing experiences and expertise between island states.

Further, it is felt that the establishment of a disaster emergency fund regionally could be of critical importance, given the difficulties which our countries experience in securing adequate re-insurance cover on the international market. These are some of the matters which will be the subject of focus during the international Conference.

When Barbados made its commitment to host the Conference communications from the United Nations clearly and explicitly pointed out that Barbados would be required to meet the difference between hosting a Conference in New York and hosting a Conference in Barbados.

During the missions that I referred to, the planning missions, the Barbados Secretariat negotiated with the United Nations team in relation to the numbers of persons who would come to Barbados under the terms of an Agreement which is to be entered into between the United Nations and the Government of Barbados regarding the arrangements for the First Global Conference known as the First Global Conference on the Sustainable Development of Small Island Developing States.

Among other things the Agreement provides the terms for participation in the Conference. It has a provision relating to the premises, equipment, utilities and supplies which will be required, medical facilities, accommodation, transport, police protection, local personnel to be provided for the Conference, the financial arrangements to be provided for the Conference, the liability of the United Nations and Barbados respectively, privileges and immunities and the coverage of disputes, if any should arise. When the total bill for the provision of the United Nations staff and all the services was aggregated in December, 1993, the amount which was originally

estimated was in the vicinity of BDS\$6.2 million. As a consequence of the negotiations which were entered into the amount which is required to cover this sort of expenditure has been reduced to some BDS\$4.5 million approximately.

11.45 a.m.

I will give a breakdown of the Barbados \$4.5 million. We are hearing questions all the time. What is the Estimate? What is the Conference going to cost? I would like to make a comment in passing because it is *à propos*. In preparations for the Conference, the CARICOM Secretariat, the University of the West Indies and the Government of Barbados participated in an ECO Journalism workshop in Jamaica at which we specifically pointed out all of the circumstances surrounding the Conference and we sought to explain to the media community that any information which they require relating to the Conference would be readily available.

We also indicated to them very clearly that the Conference was not a Barbados Conference it was a United Nations Conference. That Barbados was leading the CARICOM activity in relation to the Conference and that information when sought would readily be forthcoming. Yet we see in today's newspaper that the Conference is to cost \$20 million. It is a bold headline. And in a very narrow headline the truth about what the Conference would cost. In the other newspaper which was a little more generous they did say that it would cost approximately \$5 million over and above normal expenditure of the Government of Barbados.

Now we are not talking about the cost of completing the construction of Sherbourne. That would have to be done anyhow. That it falls within this financial year is probably providential. Three years from now it would cost even more. That is logic. Some of us live in the past. The present position is that the provision before us now estimates, and I use the word advisedly, that the cost of Barbados' venture in hosting the Conference will be in relation to what we will have to reimburse to the United Nations in relation to the staff that they will send and I have details which, if Members on the other side wish, I can make available to them if they really want it. It will be \$3 056 000 and this will cover the staff requirements of the office of the United Nations Secretary General, the office of Legal Affairs, the Conference Secretariat, the office of Conference Services, the Department of Public Information, Engineering Staff, the Office of General Services, some staff for the Conference Secretariat, Local staff – not much because the staff for the Government of Barbados will be provided anyhow as support staff. We do not have to recruit staff. Some good corporate citizens/firms have indicated a willingness to make staff available at their cost to assist with the Conference. We are getting support on

all sides. There will be provision for media facilities, for radio, for television, for photographers and for press coverage.

In addition there are certain office requirements and I will give you the costing for that after, but the cost we anticipate that we will have to pay to the United Nations for their varying services in relation to the Conference which represent the differential between hosting it in New York and Barbados is about Barbados \$3 056 000.

In relation to the provision of furniture, office equipment, *et cetera*, we anticipate \$400 000 for rental of property. This is equipment again for the most part another \$400 000. For other operating expenses which would be the cost of the Barbados people who are servicing the Conference \$480 435.

In addition to these there will be certain costs for personal emoluments of Barbados staff within the Secretariat and there will be the cost which is not available to me at the moment but it is from my recollection, not too substantial a sum. There will be costing for certain equipment to facilitate the security services provided by the Royal Barbados Police Force which will be working in tandem with the United Nations Security people. The provision of \$4 851 985 which is sought within this Appropriation Bill is our understanding of the need during this financial year.

We know that during next financial year a further \$459 000 is being provided in one of the votes to cover the cost of the Conference.

That is the information which I have available which I am sharing with Members of the Honourable Senate, which information is available to the Press if they would go about their business properly. In Barbados the Media have not yet passed the stage of believing that they have something called a scoop. So one of these goodly gentlemen would phone me up at about 5.15 in the evening and say, "I have a document saying that the cost of the Conference is \$6.2 million. I would like your comments on it." I reply, "I do not know what is the document you are talking about and I therefore cannot comment." He said, "But I tell you it is a document and it is so, so, so. It is an indicative programme." My reply was, "Well, where did you get the document?" He replied, "A source." I said, "Well, let the source comment on the document." It was a simple thing to indicate and read the heading of the document and if he had read the heading of the document, I would have said, "What is the date on it?" When he said December 1993, I would have said, "Well since then the document has been revised downwards."

I also said to him, if he looked in yesterday's paper he would see that the Minister of Foreign Affairs said it

was \$5 million he had a number to go by. The figure is still nearer to \$5 million than to \$6.2 million, but he had a scoop so he had to print what he had. We have a document which says \$6.3 million, but that, as I said, was a lead document which we had to negotiate downwards because among other things, this Conference has a lot of features about it that are fairly unique.

It is proposed that during the Conference most of the translators will remain in New York, and the daily text of the Conference will be transmitted by Satellite or E Mail to New York and the translations will be done and fed back to the Conference in time for the next day's sitting. 11.55 a.m.

This represents the fact that Barbados is one of the countries, small as it is, which has the capacity for this technological activity via satellite. It is something that all of us including Government and Opposition need to be proud of and to recognise that when all is said and done all of us are one. The success of the Conference will not redound to the National Co-ordinator. It will redound to Barbados, but when it fails the National Co-ordinator will get the licks first and then the Democratic Labour Party after. But whatever happens we want to succeed and I am sure that the Members on the other side share my view that it is in the interest of Barbados that we exceed in our hosting of this Global Conference.

Within the last few days, we have had positive communications from some of the countries like Bahamas and Jamaica, for example, and CARICOM Secretariat and positive response to assist in the planning for the hosting of the Conference. Some will be joining us in Barbados to assist in areas where we have most need. At the moment, we have most need in support for the activities of the Non-Governmental Organisations and for SUSTECH '94. Within the Public Service, we have some expertise although it is not always recognised in things like hosting conferences and we are fairly well on track. Like in many other areas the Government does not have a lot of money to spread around, so we are just cutting it to the bone. But it is in the areas where the Non-Governmental Organisations need the support of the private sector in the first instance and their own Governmental organisations' colleagues not only in planning but in organising several activities which are to take place at the Community College. I am sure that the private sector firms and the ones in industry and the ones with contacts overseas in areas of technology need to rise to the occasion and support the efforts of Barbados Manufacturers Association. They are spearheading it not for themselves. It is Barbados that benefits if they are able to successfully do it.

Mr. President, with that introduction, I beg to move that this Bill be read a second time.

Mr. PRESIDENT: Senator Barker.

SENATOR T. E. BARKER: Thank you, Mr. President. As I said on the last occasion, it is important that this Conference succeeds because our national pride is at stake. The very idea of failure with regards to this Conference will strike at the heart of all Barbadians and it will wreck havoc on our national psyche.

Sir, I am extremely glad that the Minister has broken his silence and has given us some details of what it is going to cost the Barbadian taxpayer with regard to this Conference. But the Minister is very clear in stating that it is \$4.5 million during this financial year. Now we know that this financial year ends at the end of March and the Conference is in April and May. The Minister has hinted that during the coming financial year we expect to spend in the order of \$400 000 more. That means that the total bill will be something like \$5.25 million. Sir, I am not going to say much more on that score, but we will wait and see because I am not certain that during March and April that the local component of the cost of this Conference is only going to be less than \$½ million. As I said before, we will know in the by and by.

Sir, there are a few things that I want to speak about and I am not going to be long. But there are a few things that I want to highlight. One has to do with the security arrangements for this Conference. Sir, both the Sherbourne Centre and the Community College where a lot of the events are going to be held lie in very populated areas such as the Ivy, Tichbourne-Howells Cross Road, then there is St. Barnabas and Two Mile Hill and so on. That means that the security personnel both local and overseas has a massive job on their hands with regards to security for this Conference, noting that we are living in a perilous world where human life is not weighed as important as it was many, many years ago. I would hate, Sir, to have a major incident occurring at the Conference. I do not think that we can afford such an eventuality. So it is important that the security personnel be given all of the tools and the cooperation both from Government as well as for individuals especially those who live in and around that area.

Sir, I would advise the Government to put more effort into their public relations with regards to security of this Conference. I read in the newspaper something that I did not like and that is the residents in those areas are going to be asked to provide a list of people who are going to visit them during the Conference. I think that strikes at the heart of something that is fundamental to all Barbadians. While we appreciate the need for adequate security, we have got to be sensitive enough to know that there are certain things

that Barbadians hold dear. Our privacy has to be maintained even although we are in the midst of a massive Conference. I do not like the idea and I hope that this is another case where the newspaper has it wrong. I would hate to think, Sir, that you go around to every resident in this zoning area and there are thousands of houses in that area and ask them who visits them. I think that would be carrying it a bit too far. I hope that Government re-thinks that, if it is indeed true, because the Honourable Minister just castigated the Press for getting things wrong. So I would hope that they have this one wrong.

Sir, I am sure that a better arrangement can be made with regards to security especially those who have to move in and out of that densely populated area. As I said before, it will call for the cooperation of the citizens. But when you are asking a citizen to divulge what he considers private and confidential information, you are not sure that you will get his cooperation in the end. You have to rely upon his goodwill so to speak. You have to rely on his patriotism to ensure that nothing goes wrong. I believe that if the report is true this is likely to antagonize the people who live around the area by asking them to divulge this sort of intimate information. This is just a word of warning and I think that the Honourable Minister should take note of and see what can be done in this regard. Probably what they should encourage people to do is to avoid as far as possible using those roads like Two Mile Hill and Howells Cross Road and use alternative roads when they are going about their normal legitimate business.

12.05 p.m.

Sir, I just want to end on that particular matter, because it strikes at something that is fundamental. I would hate to know that anybody who comes and asks for me, regardless of the reason, is subjected to those sorts of questions.

I would also encourage Government to use this opportunity to make sure that our island is environmentally and aesthetically beautiful for this particular conference, because when we look around there are still some areas of concern with regard to our environment. I mentioned the Mangrove dump last time and I will mention it again, because it is something that is very important. We are hosting an important Conference on the environment but still the cameras of the world can see something as unsightly as the Mangrove dump. It is a very good thing that the cameras cannot record the smell. Something has to be done urgently, not only because of the Conference but more importantly because of the inconvenience that is caused to the people who have to live in the surrounding areas. I note this morning that a five year old boy, because of the smoke and so on, is suffering from asthma, so

the doctor has stated, as a result of the activities of the dump, that that is triggering asthma attacks on the boy. Again, the Honourable Minister might say that that is sensationalism, but I do not know and I will not comment. I know that it has to be remedied very quickly, because it cannot be allowed to continue.

We have to make sure that we use this opportunity to bring home to our local population the importance of the environment. We have to do it in a way that we have never done it in the past. When we look around and we see the unhealthy practices that still go on – people throwing away things how and where they like and so on – the Government should use this opportunity to have a massive PR campaign in order to get across to our Barbadians the importance of keeping our environment clean and healthy. But of course, Sir, Government must set the example. A lot of Government lands are now under unsightly bush. As the 2 000 delegates drive across the Adams-Barrow-Cummins Highway they will see the fiasco that is the Belle and they will wonder why the country can spend over \$5 million hosting a Conference and cannot spend a few hundred thousand dollars in order to keep the Belle Plantation in proper order.

While we are on the Belle, Sir, our water supply again is being threatened by activities in the Belle area and I call upon the Ministers responsible – because it might be more than one Minister in this case – must be decisive in ensuring that our water supply is kept free from these sorts of threats. We heard a year ago that a lot of houses that were in the Zone 1 area were to be removed and we want to know what is the exact position. Were any houses allowed to be put back into the Belle?

Mr. PRESIDENT: Senator Barker, that has nothing to do with the debate. You may proceed.

SENATOR T. E. BARKER: Except, Sir, that Head 39 says that we have given \$1.2 million to the Minister of the Environment.

Mr. PRESIDENT: Having houses removed, *et cetera*, has nothing to do with the debate.

SENATOR T. E. BARKER: Sir, it is my contention that the Minister responsible for the Environment should have a lot of say, and we are voting him a lot of money. I think the Minister is also the Minister of Housing and Lands, so if we are giving him money I feel that I should be allowed to tell him that in spending this money we are giving him he has to take into account certain fears which the people of Barbados have with regard to the environment. I want our water supply, especially as we think of the sustainable development, as we develop our country, as we make more and more demands on our water supply and so on, that the Ministry responsible must at all

times ensure that any threat to our water supply is immediately dealt with, because the eyes of the world are going to be on us and I am sure that our water supply is going to be under scrutiny. Even more and more as the Conference comes it is going to be under more and more scrutiny and while we are happy to know that our water supply is of very good quality, we want to ensure that things are done to maintain that excellence, and the siting of houses in the Belle is one way of damaging our water supply. Something has to be done and we have to make sure that such practices stop. We want decisive action from the Minister responsible for the Environment, who is also the Minister responsible for Housing and Lands.

We note, Sir, that this Bill we are discussing is the second in such a series, because only the week before last we debated a similar Bill, albeit for other purposes, and we want to know between now and March how many more are coming, because it shows that Government does not know what it is doing, basically. I am sure that they probably knew week before last of some of these items, but one notices the haphazard approach to planning by this Government. It is very shoddy and one wonders if it is going to persist and for how long, because I think we deserve better.

Sir, with those comments I note the items of expenditure and I hope that Government will tell us where this \$4.6 million is going to come from, because only the week before last I made the same point that Government comes in with additional expenditure and does not say where the money to pay for this is coming from.
12.15 p.m.

SENATOR THE HON. Dr. C. D. CLARKE: On a point of order, Sir.

Mr. PRESIDENT: Yes, Senator Clarke.

SENATOR THE HON. Dr. C. D. CLARKE: Only last week in this Chamber I informed this Honourable Chamber that the supplementary provision would come out of savings in the Budget. I made that a point in this Chamber. It is erroneous and downright dishonest for the Honourable Senator...

Mr. PRESIDENT: We cannot have you say "dishonest" but erroneous.

SENATOR THE HON. Dr. C. D. CLARKE: Less than honest.

Mr. PRESIDENT: Yes. Erroneous.

SENATOR THE HON. Dr. C. D. CLARKE: ... in this very Chamber, Sir.

SENATOR T. E. BARKER: Sir, the Honourable Minister is also less than honest when he expects us to leave...

Mr. PRESIDENT: No. No. You have finished your debate. No. You may not. I have already said you have terminated your speech. We accept the explanation.... We have already had the explanation. Therefore you cannot speak on a point of order after somebody has already spoken on a point of order.

SENATOR T. E. BARKER: Sir, I did not sit down, first of all and secondly...

Mr. PRESIDENT: Senator Barker, you may take your seat. You have finished your debate. Senator Simmons.

SENATOR T. E. BARKER: Sir, on a point of privilege.

Mr. PRESIDENT: No. You may not speak now.

SENATOR T. E. BARKER: On a point of privilege, Sir.

Mr. PRESIDENT: You may not speak now. You have terminated your speech.

SENATOR T. E. BARKER: Sir, I never did terminate my speech. On a point of privilege, Sir. The Honourable Minister got up and crossed me.

Mr. PRESIDENT: No. You terminated your speech.

SENATOR T. E. BARKER: I did not.

Mr. PRESIDENT: Well, it is my ruling that you have terminated your speech and therefore you may sit.

SENATOR T. E. BARKER: Sir, on a point of privilege.

Mr. PRESIDENT: What is this point of privilege?

SENATOR T. E. BARKER: On a point of privilege, I did not terminate my speech.

Mr. PRESIDENT: It is my ruling that you have terminated your speech and therefore you will take your seat. I repeat, this is my ruling. Senator Simmons.

SENATOR T. E. BARKER: On a point of privilege. I have a privilege to speak and I did not...

Mr. PRESIDENT: There are only 2 ways in which you may interrupt and it is not possible for you to do so.

SENATOR T. E. BARKER: Sir, I am not finished my speech. The Honourable Minister got up and crossed me.

Mr. PRESIDENT: Senator Barker, the Chair speaks and I have ruled that my interpretation is that you have terminated your speech. The Chair is speaking, Senator Barker. You may not interrupt. You will therefore take your seat, Senator Barker.

SENATOR T. E. BARKER: Sir, on a point of privilege...

Mr. PRESIDENT: Senator Simmons, you may speak. I repeat you will take your seat, Senator Barker.

SENATOR T. E. BARKER: I did not finish my speech and...

Mr. PRESIDENT: Senator Barker, you may take your seat.

SENATOR T. E. BARKER: He wants to send me out again.

Mr. PRESIDENT: Senator Barker, I repeat finally. You will take your seat. Senator Simmons.

SENATOR Dr. E. A. SIMMONS: Mr. President, in lending my support to this Bill let me first say that I am very concerned about the procedures in this Honourable Chamber and I think that we as examples for the people of Barbados, especially the younger people, need to show a little more decorum.

I want, as the last Senator did, to support this Bill and make a few comments. First of all I think it is significant that Barbados is hosting this Conference. It is significant for a particular reason. Over the past 6 or 7 years when we look at the international rating of countries you will note that Barbados is Number 1 among developing countries in the world. Therefore, I think it is very significant that the role of hosting this Global Conference on sustainable energy falls in the hands of Barbados, and I think it demonstrates the importance that small countries especially Barbados in the Caribbean can play with respect to the global scene.

I see that we keep harping on a \$5 million *etc.* but if we were to look at what we are doing in hosting this Conference and the exposure that Barbados will have, I think the Opposition would be in full agreement that \$5 million or \$10 million or \$20 million is but a small price to pay for the exposure that Barbados will have on the international scene.

During this Conference Barbados will be exposed to every country in the world. If we as a country had to pay out of our budget to expose Barbados as a tourist

destination \$20 million could not cover that exposure. It would be impossible for \$20 million to cover that exposure but we are doing it and we are attracting to Barbados some of the most important people in the world.

I notice that Senator Barker who is not now in his seat..

SENATOR Miss M. A. MOTTLEY: On a point of order, the Honourable Senator knows better than to refer to a person who is an Honourable Senator as not being in his seat.

Mr. PRESIDENT: Thank you, Senator Mottley. You may proceed.

SENATOR Dr. E. A. SIMMONS: Mr. President, I am not sure what point was made if I misled somebody. Anyhow, I would agree with him that the area of security is an area that we need to look at very seriously. He said that but then in his usual illogical way after stressing the importance of proper security he went on to say that some of the things he read in the newspaper about security should not be implemented.

I want to first of all spend a little time on security because I have had the privilege of attending lots of conferences and I would like to recall a conference which I attended in Paris, the Joint Assembly Meeting in Paris about 3 years ago, where President Mitterand gave the winding up address and 5 days before the President attended that conference there were tanks in a 10 block radius all around the Versailles Palace. Those tanks remained in that area and he came in by helicopter. I just want you to understand the type of security.

I want this August Chamber to remember that some years ago a President of the United Nations – and we know that Dr. Bhoutros Bhoutros Ghali will be attending the Conference here in Barbados – Dag Hammarskjöld was assassinated and we are going to be having with us the President of the United Nations and therefore we will have to have proper security in place. You cannot have proper security if the people surrounding the area do not have to give the whereabouts of people coming to meet them. It would be very simple for some infiltrator to befriend somebody around the Conference Centre and use it as the ideal location to pick off one of the most prominent people who come to Barbados. Therefore it is quite simple to understand why the security people have explained to the people in the area the reason for giving the list of people who will be coming to visit them. In some countries, nobody, whether you give their names or whether you provide them information, can move into the internal security zone.

Let me say something else. That is a situation put in place for a Conference for 2 weeks. If you go on the

British underground today, in the inner circle of the British underground whenever you go into the train there is a filmed recording by hidden cameras of you until you leave that underground and that is why they were able to find the 2 youngsters who killed the 2 or 3 year old boy. They were able to look back at their film and see these 2 youngsters with the little boy who was assassinated. That is standard procedure for some countries, that you are filmed when you go into certain areas whether you like it or not and that film is recorded.

What we are doing is putting a security system in place only for 2 weeks while the Conference is going on and the people of Barbados have to understand that the security system that is put in place is put in place so that the integrity and the good name of Barbados will be held in high esteem because we do not want anything amiss to happen while they are in Barbados.

12.25 p.m.

So we have to understand what security means and that when you are moving all of these top people from around the world to Barbados, you are no longer dealing with a Barbados scene, you are dealing with an international scene and international standards must be applied. That is precisely what we are doing when we talk about security.

Mr. President, I think this Conference has a much wider scope. This Conference gives us the chance to allow Barbados to spread its wings, so to speak, to expose Barbados to a whole set of areas. If you look, for example, at the area of art, just think of the possibilities for the local artist. The exposure that the local artist can get when the Community College is being used, *etc.*, the highways the tourists will be taking, when all local artists would be able to expose their art where international people can see that we in Barbados have art forms that are desirable. Just think of the possibility of the small tailor who will be able to make his shirt-jack suits and have them on display at a central place and how many will be sold because the people who will be coming to the Conference will want to take back 2 or 3 shirt-jack suits. These are the kinds of things we must do at this kind of Conference to make sure that we put Barbados on the scene. People all over the world will be sitting in their living rooms looking at the Conference night by night giving Barbados the kind of exposure that we need.

The Minister made a very interesting point. He said that one of the very interesting features of this Conference will be the experimentation of a system where the interpreters will not be in Barbados. The interpreters will be in the United Nations giving simultaneous interpretation while you are listening. Imagine sitting in a Conference hearing somebody speak in English and at the same time listening to the translation coming to you from New

York. It gives you a very interesting concept of what Barbados, because of its technological advance up to this day, can put in place.

I think we in Barbados should be very, very proud that we can host a Conference such as this. I hope that all Barbadians, despite political and other persuasions, will come together and support this Conference because we stand to gain, not only for the present, but the future benefits that this Conference can give to Barbados.

With those words, Mr. President, I want to support this Bill. I thank you.

SENATOR Mrs. V. C. FRASER: Mr. President, in rising to support this Bill, I first of all would like to say that we do have a special need, if we never had it, at this time to keep constantly asking God to guide us and to intercede to him. We are happy that we have been given this opportunity, and I do not think that this opportunity is one that has come to us through the chute. There is some divine guidance in this for, indeed, Christians have been praying in Barbados. I think this is going to help our economy tremendously. We must not look at the narrow and negative things but we have to proceed to the positive things of life in Barbados. We have become such a negative people, nothing is going to work. Nothing is going to be for real. We the people of this country have to make it work.

In talking about sustainable development we have a number of Barbadians, not only living in Barbados, but overseas, who understand all about sustainable development. With the horizons looking the way they are, funding agencies drying up, people have more and more to look at the whole question of sustainable development, especially of Small Island States.

I recall attending and putting up a booth when the Commonwealth Prime Ministers' Conference met in Canada. It is one side to talk about people, their privacy and this sort of thing. We must remember that the Conference is not going to be here forever. It is not even going to be here for a month. Anything you are going to do that is going to be so wide-ranging as a United Nations Conference, people in the host country, whatever part of the world it is, have to make sacrifices.

Mr. President, I have attended several United Nations Conferences, especially the Commonwealth Prime Ministers' Conference in Vancouver and Toronto. Despite the fact that with all the international security that they had, it did not stop the sheiks from walking up and down one evening, with the sight of my two eyes – the Queen was at the hotel next to us, Mrs. Ghandi's son who was then the leader, and Mrs. Thatcher, those people were within a few yards – I do not know how the Sikhs got in that area of

that car. So it is very important and this happened despite the fact that that was a hotel area. The Canadian Government went to the trouble of putting the Mounties, all sorts of policemen in the hotel. When we the delegates were coming up at nights sometimes I remember one night we were a little bit scared at these men walking up and down the corridors and they said to us in a whisper "We are here to protect you". The Prime Minister came on television and appealed to those people that Canada is being seen all over the world. The eyes are on Canada and he would not like any major incidents, and they still continued.

What I am saying to you is this. There is never too much security for a Conference of this magnitude. People go to conferences with their hidden agendas. I have even seen people put out of UN Conferences. I remember Bernadette Devlin was put out a UN Conference while we were present, and another girl as well. There are people who are put out of these conferences and then they will say different things and the eyes of the world will be on them too. All I am saying is that if people have to make a little sacrifice for the important development of a country like Barbados which has been selected out of all the other Small Island States to host this Conference, I think that we can thank God that we are able to do it.

Mr. President, I am very interested in the type of technological development that those of us who are interested in appropriate technology will see. This is something that we should encourage all Barbadians to be involved in, to volunteer, to show their appropriate technology because we are looking at a serious time, a time when we will have to be planting, when we will have to be looking at our handicraft industry and what are we producing? Are we producing items that these people really want or are we spending foreign exchange in getting in these kinds of things.

We have lots and lots of indigenous raw material. If we can stop the amount of millions of dollars in handicrafts being imported into this country we can learn from these people how they use up their woods, their seeds and leaves. All of these things I have seen at all these various United Nations Conferences, how people put on a show and what we can learn from them. This would be a good exercise in stopping us from importing what is about \$7 million or more. We would be saving there. When we look at the other aspects of appropriate technology and agriculture that is going to come forcibly in this area, again we are going to learn a lot.

12.35 p.m.

Again we are going to learn a lot when we look at the utilization of waste material – because I know one aspect of it is that – all the bits and pieces of paper. That will do two things. It will help us to clean up our environment by utilizing all the bits and pieces of paper and the snow

cone cups so that we would be able to recycle to put into products that are saleable and that can be exported for the development of this country.

Sustainable Development seems to be confusing some people. But if you are going to sustain something, it is going to be ongoing and it seems to me that some people are misinformed or they do not understand what sustainable means. It is not a Conference for two weeks where we learn for two weeks and we finish there. Learning is an exercise that goes on until you are dead. If you say you are not learning, something is wrong. Education is from the womb to the tomb. Therefore we are never too old to learn. We are never too old to take on the good things from another country. Leave the bad ones where they are.

At this Conference there are going to be many wholesome things, many lovely things that we will be able to adopt. There is also the question of procedure. I think a lot of young people are going to learn the procedure of United Nations Conferences. Papers have to be couched in United Nations style. Many of our youngsters and those persons who are working with this Conference will learn a lot of things. I think that with the NGO Conference so many young people are going to be exposed to that. So many young people are going to show off their skills, as Senator Simmons said, their talents, what they are able to do, what they have learnt at our Community College which, at one time, was the centre of controversy but now today it is taking the cake when it comes to many areas of technical, scientific and also many of the other arts and skills that young people are learning. We have a number of young people in this country who could match anybody when it comes to style, fashion designing. We know it because they are exported to places like Belgium, Canada, United States of America, all over the world. They have gone into their own small businesses. Perhaps, looking around with other people they can go steps further in this Conference.

Mr. President, those of us in this society who have been praying that there will be an awakening of people and a change of attitudes, I am seeing this Conference as a conference that will go deeper than just what people are seeing. Because I know people who are coming here to talk about the mustard seed concept, the way how Christian churches can get all their people working, all the congregation, provide jobs for them and help to curb unemployment. That is a good principle that can be adopted. We can do it.

The question of cleaning up the environment. We have to treat the environment as ours. It is our environment. It is not the environment of the people that are coming here. If we throw out the papers and all the other things about the street every day, it will pile up. I am saying it is bad, it is nasty, it is wicked for us to litter. The

people cannot complain to anybody about any thing except they put some action into it. Faith without works is dead.

We have a number of good youth groups in this country and they are trying their best to make this island look beautiful and to keep their places tidy. Let me say that it is the duty of every individual in Barbados to keep his or her place tidy. That is not the Government's responsibility. We need to know that cleanliness is next to Godliness. Every little house in Barbados used to have sea sand and white lime in front of it and the little snap dragons and everything else which made it look very pretty. The house could have been as small as a two by six. What is wrong with us now that we are suddenly becoming a litter bug country?

I have said this before and I will say it again. We are copying the wrong things and we are allowing a lot of demonic forces to take over our lives. We need to get back to God. In this Conference we need to pray for those persons who are in leadership positions, people who are going to come here, all the people who are going to work with this Conference. It can be the success if we put our hands to the plough as Barbadians, if we talk with each other. We can be the best advertisement and the best advertisement is an informed person.

The information that we have gleaned here today from the Honourable Minister, we can pass it on to those people who may be misinformed. And not only through the news media but the mouth to mouth, the word to word, in the villages and so on where we live. We can tell people what is going to happen and how wonderful this Conference is going to be for Barbados. Everything will be put in place.

I know that we are not going to have any major incidents in this country because I am praying and other people are praying. I am confident of that, Mr. President. Wherever God is and wherever He is blessing a country, He is going to bless the fervent pray of the righteous people and it availeth much. The Conference will be a tremendous success and all Barbadians – those who are upset now – will be pleased and will then be associating themselves, as they love to do, "Oh we are so happy." Everybody then will be praising all the persons who have been involved.

Mr. President, I thank you very much for allowing me to say those words about the Conference. I continue to support the Bill and to support the Conference in this country in whatever way I can.

Thank you, Sir.

Mr. PRESIDENT: Senator Straughn.

SENATOR Mrs. A. STRAUGHN: Thank you, Mr. President. My contribution to this debate will be simple, probably short, and at the risk of repeating one or two remarks that have been made before in the contributions of others but I feel a need to bring to light a dimension that has not yet been touched.

First of all I want to say that there has to be a great amount of security. A few years ago – I would not quote the exact year because I might misquote – when President Reagan visited Barbados his landing spot was the Alexandra school of which I was the Principal and the security was absolutely frightening to the point where if I had not used my particular authority I might not have been allowed to enter the school for which I was responsible. I had to open my mouth and say that if I could not enter, then he could not get out, because I had the keys. He landed by helicopter.

But security is security. We know it is necessary. We are all fully aware of the expense of this Conference. These are facts, facts that we have to live with, facts that we have to deal with.

But one of the things that I should like to add to today's debate is the need for publicity of the volume of work that is going on behind the scenes by what we would call the "ordinary people" or the people who might probably never gain recognition for all the work that they are doing in the planning.

12.45 p.m.

Mr. President, I am a little part, a very little part of some of these planning committees and it is amazing how many times we have to meet and what work has been going on at our meetings to get the whole "build-up" because there is the feeling that unless we do it as a people it cannot meet with the success we anticipate.

I crave your indulgence in probably giving one or two examples: I have already said that we need more publicity. Publicity not just of the work going on behind the scenes but the type of results what will really evolve from this work. I can see, as a person, that if we seize the opportunity this Conference can afford us, and really seize it correctly, this Conference will prove not only to be timely but the results of it will be timeless.

For the Barbados Community College to be converted into what is called a "Village of Hope" is a real effort. The participation of the schools is commendable. We have been meeting to organise and direct this participation and it is not as burdensome as one might think; there is much cooperative and healthy effort being put into it by everybody concerned.

We hope, with the help of the schools and the young people, to publish a newspaper that will be purely the work

of young people. A newspaper of quality, a newspaper that will go all over the world; we are collecting articles in the form of poetry, in the form of prose, in the form of art, in whatever appropriate form. We are being backed 100% by one of our Island's newspapers and this is not an advertisement. I am looking forward to that little effort by our young people which will go down in the annals of history. When these young people see their work 9 or 10 years hence, highlighting what they would have done as young Barbadians for the first, emphasis on first, Conference of this kind they will still be proud; that would have put us on the map if we were not there before. These appear as simple efforts and it is not easy work, but the people who are doing it, as I said before, are doing these things for the love of their country and they are doing these things as an enhancement to our human resources.

I see this Conference as providing an opportunity to revolutionise our human resources in several ways and looking at our educational resources we are aware of the many weaknesses but we can work hard enough as we have done before to highlight the strengths. We can use our weaknesses to help to build our strength as we use our mistakes sometimes as stepping stones to get us out of a hole.

The involvement of the schools and the young people in promoting this particular conference is praiseworthy. It is exciting and it is utilising some of the old skills and resurrecting some of the talents; bringing them to light.

In some cases there are massive projects in which Early Childhood Education people are involved. Some of the projects cannot be removed from the schools for a more public exhibition but the very people who built these projects can write about them, and can take photographs of them for the newspaper.

This particular Conference is going to utilise the services of every single person who can afford to have his/her services utilised. It is going to cause some of us to dig up talents that have long been dormant, and it has my very best wishes. Apart from my very best wishes I can tell you it is getting a lot of work from a lot of us who are already overworked and are still being overworked in order that it may be a success. There is a wonderful and apt definition of its long name built into the "Village of Hope" Project, a project, Mr. President, which I envisage will be magnificent. The talents of the craftsmen, the talents of the artists, the rastafarians, they are all being used in this Village of Hope and I would hope, without punning on the word hope, that this Spirit of Hope remains for a long time and help us to realise our full potential and be even more hopeful of what we are and can be. The Conference has my full support. Mr. President, I thank you.

Mr. PRESIDENT: Senator Inniss.

SENATOR W. LeR. INNISS: Mr. President, I do not propose to be very long because there is no virtue in repeating for the sake of repetition what others have had to say. I think that a matter as important as this deserves some little comment at least.

Mr. President, I believe that some Barbadians are not really fully conscious of the magnitude of this Conference that is upon us. I certainly do not envy anyone who has to be coordinator of this or the right hand or left hand supporter of anyone who coordinates a conference of this magnitude. It seems as though we believe it is a Civil Service Association Conference or the Credit Union League coming to Barbados to have some fun for a week. I do not think that we recognise fully that in truth and in fact what has happened is that a piece of United Nations has lifted up itself from big countries and has landed here in little Barbados.

I know these are the days when resources are very scarce and we have a way in times like these to be penny wise and pound foolish. In some different set of circumstances I would be hearing the call of persons to put \$5 million into the Barbados Tourism Corporation, the Tourist Board by any other name, to advertise Barbados, to put it on a few televisions at night when people are asleep sometimes and what have you. I would say that I do not know how Barbados has got away with this Tourism coup. 12.55 p.m.

This is really a coup if you can have your island advertised to the entire world, not to New York or London. You have Barbados on show to the entire world. If it is going to cost you as Senator Simmons said \$10 million or \$20 million, you would be getting bumper returns on the money which you have spent. How could we ever pay for this? This kind of arrangement, Mr. President, is better than any full page advertisement in the newspaper. Because when you put it in the newspaper as an advertisement, the person reading that Ad says I know that Barbados paid a lot of money for that. But this is the real thing. United Nations considers Barbados as the kind of place with the infrastructure, the literacy skills and conveniences. If we could pick up the United Nations and take it to Barbados, we must have hotels of a high quality. We must have workers to support that kind of system. The infrastructure must be in place. Their telecommunication skills must be excellent. I am saying, Mr. President, this really is a work of vision.

It moves me on, Sir, to the next step. I would hope that those in whose hands it comes to organize this Conference will not see it as a small partisan business. Involve Barbados. I am not going to say involve the Opposition because there is to be no opposition when it

comes to this business. Involve all Barbados. This is nothing to do with Democratic Labour Party or parliamentarians or anything of the sort. This is Barbados' pride and industry at the core to come to the fore. I am saying that every living Barbadian should be made to feel that they are part and parcel of this venture.

I am pleased, Mr. President, to see that from time to time the Government Information Service has started a little campaign, but I believe that the campaign is not going as it should go yet. We need to do much more than that. We cannot take it for granted that every little man or woman in the street understands what we understand because it is our business to deal with it. We have to get out there and sell it. That even helps with the little problem that we are having with the security problem. I would be a little bit offended quite frankly, Mr. President, if somebody told me when I am going home at night that I must show them a pass and if I am visiting a girlfriend that my name must be put on a list because I am going to that area to visit. I do not even have a girlfriend, Mr. President. But the point that I am making is this. That is the gut feeling of a person as a citizen. How come now we must have a police state that I must report my movements to people. But when we sell them the idea and show them the need, then they would recognise that we are not forcing you to do something because we want to be a police state. We are encouraging you to assist us to make sure that the good name of Barbados remains as it has always been. So ignorance is a very serious thing. People operate out of ignorance and they can become very anxious. They can become obstinate but when you enlighten them it can be different. You will always find one or two who will never see the light. In all spheres and all conditions and all institutions, you will find a few who will never see the light. But the vast majority, Mr. President, will see the light.

I do not intend to go on much longer because to me it seems as though it is such a worthwhile a venture that I do not think that one needs to preach to the converted. I just would like to remind those who do not yet know all the facts and ramifications that they can have their eyes open and assist with the cooperation.

There is an advertisement on an American television that speaks about the benefit lasting a lifetime. When I see that advertisement these days, I remember our own Conference. I think that the benefit of this Conference will last Barbados for a lifetime. We must not underestimate this kind of exposure. Senator Simmons who has been involved in these kinds of things on the African Continent especially and other places did not have to be preaching this to us. Those who can remember that he always preached to us of the necessity of bringing the world into Barbados and into the Caribbean. I can remember, Mr. President, some years ago, and to show how I take

this idea of publicity very seriously, Outer Mongolia which is a backward place that was an outpost. They were really living still in huts and there was still a nomadic life for most persons. The worst civilization as we know it was far removed from that country. I use "backward" not in an offensive manner but in terms of the development. But they thought that it was necessary to have a conference like an International Students Conference so that the world could focus on Mongolia. Thank God, we do not need little students who have no money to spend and who do not have the influence. We have attracted the leaders of the world and I am saying that anyone who considers that this is not for Barbados cannot in the same breath consider himself a patriotic Barbadian.

Sir, I give the Conference my full support and I give this Bill my full support and I am sure that all Barbadians with any kind of love for their country will do their best to make sure that this Conference is a success. I thank you, Sir.

SENATOR T. C. BECKLES: Mr. President, I rise to support this Conference and I am as elated about it as the previous speaker and all the other speakers including my friend, Senator Barker. This is a very important conference at a very important time in the history of the world. The fact that peoples of the world have decided that Barbados is appropriate for a conference like this is something that we as Barbadians should be proud of.

Mr. President, sustainable development is something that has hit the world over the last ten years. Now I remember about 15 or 20 years ago that if we had a Conference like this... as a matter of fact, one can only remember the Green Peace people. It was not very long ago that we looked at them as a group of neurotic persons who had no significance. Today they are persons who are wielding significant influence because of their persistence. The one thing that they continue to remind us of is that the world in which we are living is the only place as of now humans like us can inhabit. They were telling us about the population explosion and the fact that we are using unrenewable resources of the world at a pace in which it is not replenishing itself. If we do not become cognizant and use the resources prudently, we might be in trouble. Now this thing started certainly within the last quarter century and it is probably reaching its zenith now and here now people in Barbados are talking about it. Now what can be more significant probably in the latter part of this century than this particular phenomenon. In terms of the inconveniences that we have to put up with such as to pay for the Conference itself and the \$5 million that we are asked to support today, this is just minuscule in terms of what the returns to Barbados will be. Then the other one is the security and again I will have to repeat some of what was said before because we are speaking from experiences.

I think that in spite of the different personal experiences given I want to also give my experience.
1.05 p.m.

I have attended a conference where I saw so many guns, probably for the first time, that at one time we became so scared that the persons protecting us had to call us and tell us not to be worried, they were looking after us. It was in one of the South American countries during one of the hostile periods there, and wherever you turned you saw people with guns just protecting you. I am not saying that we in Barbados have reached that stage, but I am saying that we have some very important people to protect and that we must do everything in our power to make sure that neither one of these persons get hurt. If this means that you have to give the police the name of your girlfriend, I think you should make sure that the one you give is fairly legit. Even that I have no problem with. I think that if that is a sacrifice for one month we have to put up with it.

Mr. President, this is a Conference on Sustainable Development. This Conference is going to focus on the way we are using the resources of the world and it is going to help us. When you look at our island, we must concern ourselves as a people. What are we going to do? How are we going to treat many of the things that we have to treat in order to continue to exist on this island? I am saying that a conference like this must help us, because if we have to have the resources and pronounce on all of the things that are going to affect us, within the decade and certainly within the next 25 years, it is going to be a costly exercise. We have to look at solid waste disposal, at our water, at drainage and what is happening to the sea around us.

I remember, when I was a youngster, that any time you jumped into the sea on the west coast you were jumping into small fish, moss and things like that. Now you go and you swim around and you might not see any, so something must be happening. I believe at a Conference like this there must be, and I hope there will be, persons who will be sharing knowledge with us with regard to things like this. I am saying, and it is my humble belief, that the cost of this Conference is not exorbitant, it is something that we must pay and we will pay.

In terms of security, I agree with both Senator Dr. Simmons and Senator Inniss that we have to do more PR. I do not think that enough of what is expected of the people is coming across. It is one thing for us to know what to expect, it is another thing for a fellow living in Howell's & Ivy who may already be disturbed about a lot of other little things – he may not be working, he may have some other little problems – and then one day you are going to ask him to tell you where he is going. I am sure that we are all aware of these things impacting upon us. When we see the driver who would not move 6 inches so that you can clear a traffic block, when we find out

the reason it is just something that was happening to him all morning and you have now come with the last straw that broke the camel's back.

Mr. President, I am really elated that this Conference has come to Barbados and I hope that we keep our eyes on the goal, to ensure that this Conference is the best it can be and project Barbados as the best it can be.

With those few remarks, Mr. President, I have great pleasure in supporting this Bill.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, most of the questions asked have been answered by speakers coming after the Honourable Senator who raised the questions, but I need to make emphasis on two or three points. The first is, a comment was made that money was being provided for the Minister. This is never a fact. It is strictly erroneous to presume that money is provided for any Minister. Monies appropriated are placed at the disposal of an Accounting Officer, so the money is not provided for the Minister.

SENATOR T. E. BARKER: On a point of order, Sir. I no doubt believe that the Honourable Minister heard correctly, but if I said Minister I apologise, I should have said Ministry. I sincerely apologise for using the word "Minister" when I should have used "Ministry".

Mr. PRESIDENT: Thank you.

SENATOR THE HON. L. V. H. LEWIS: The spirit is moving, Sir. Secondly, Sir, a comment was made about bringing the Appropriation Bill so soon after the other one and it was cited as evidence of bad planning. All I would say is that when it was possible to persuade Cabinet that it was desirable to bring supplementary Appropriation Bills rather than allowing the matter to go to the Other Place by way of supplementary Resolution and us having to wait until the next financial year to debate it, I would think that that was a giant step forward and should be applauded rather than being critical of an Appropriation Bill which comes timely in order to enable us to respond to certain questions as to what is the cost, because only last Sunday there was another editorial saying that not even the National Planning Committee Chairman was willing to divulge what the cost of the Conference is.

Let me say that the information which is disclosed today in relation to the Conference is not the be all and end all of it, because the numbers which I have disclosed do not include the personal emoluments of the governmental staff assigned specifically for the Conference during this financial year, which was met from a vote under the Ministry of the Civil Service, and that would amount to a further \$260 000 approximately. So whenever one gives a number I can easily come back three weeks from now and

tell you that we were able to discover that other expenditure in relation to the Conference, as I said, that it did not include Sherbourne, that it was spent from some other governmental source. It might have to have been spent but it was more likely spent at this present time in relation to ensuring that we are on time for the Conference.

The question of security arrangements is uppermost in everybody's mind. I will not comment about disclosing who is going at whom or anything like that. I do not believe that there is any intention for there to be overt invasion of privacy of any individual – I am choosing my words carefully – nor do I believe that there will be any wide scale collection of information. Only in the premises which are directly related on that main road to the Conference Centre, that is my understanding, but not in the several hundreds of houses surrounding that are a stone's throw away. I do not understand it to mean that all those houses at Howells and Ivy will have to disclose. I never understood it like that. So I would imagine that one is talking about the immediate proximity, taking junction to junction and the people within that little area.
1.15 p.m.

On the matter of what I describe as environmental degradation, the Cabinet is as concerned as the citizens of Barbados and I hope the citizens of Barbados recognise that the Government cannot clean up Barbados. It is a duty not only for the Government. The Government the private sector, all the social partners, the NGO's and everybody need to band themselves together and rise to the occasion. The Government has appointed a committee involving Ministers of Environment, Public Works and Agriculture and their support staff. Together we have met and an action plan is being put in place in collaboration with the private sector and certain Non-Governmental Organisations including service clubs which have indicated a desire to clean up much of Barbados before the Conference.

While they are doing this, one cannot help recognising that although there is an unsightly smelly situation in St. Thomas which affects parts of St. Thomas and St. James adversely that some individuals and firms are taking it upon themselves to approach the proximity of the St. Thomas dump at night and in an unauthorised manner and dumping along the roadways leading to it. They contribute to a bad situation and make it worse.

Over and above that, last week I got a call from a private citizen who had taken pictures and I drew it to the attention of the Representative for St. Lucy and other property owners at St. Lucy that there was dumping at Cove Bay. I went with 3 Public Officers to investigate early Saturday morning and there was no dumping at Cove Bay. The dumping is factually happening but at Little

Bay which is slightly to the North of Cove Bay. Here is an unspoilt, windswept area and some Barbadians who have no self-respect whatever are taking it upon themselves to go there and dump. About 7 area spots on which people have dumped things – old refrigerators, old galvanise, foodstuffs, plastic bottles. A shameful display of our inability to appreciate beauty and its surroundings and the gifts of nature.

Little Bay is a very scenic spot so that we have to do something about that. We have to clean it up. They went further than that. At Little Bay where very little grows somebody was able to get Zoysia grass to grow and here is some dishonest Barbadian going there and cutting patches out in order to carry it away to sell. That is the sort of destruction and degradation of the environment that we have taking place.

Now if you think that is bad, we experienced another one. On Saturday morning we also went to Walkers in St. Andrew where Town Planning had placed a stop notice on the mining of sand. Whoever the sand belongs to I am yet to find out, but that is not relevant. What is relevant is that the Town Planning Department and the laws of Barbados require that permission must be obtained. Whoever is doing this ignores the Town Planning Department and proceeds to continue with his mining.

We went on what we regarded as a visit to the place and on our attempting to leave the site that had been illegally mined a barrier was put in the road. We were in an MP vehicle so that the persons who put the barrier knew that they were blocking Government officials and the person who was driving the tractor, unlicensed as it was, removed the barrier only when a gentleman in a car approached us from the other direction. The gentleman said nothing. The tractor driver said nothing and we were allowed to leave the premises.

I do not know if there is any clause in law against a person for putting a barrier on the road but I know that to put the barrier in is a threat and I have drawn the matter to the attention of the Royal Barbados Police Force for what it is worth. But here is a citizen of this country mining sand at less than 100 yards from high water mark in an area of the Island that is known for its instability, in an area which is known to wash into the sea so that at high tide when the water comes in it will go down below the level of the sea and when that happens on the third occasion it will take that portion of land completely out to sea. There is much more. The vegetation in that area has been completely destroyed.

This is what we have in a year when we are preaching how we must preserve the environment. We identify the Scotland District as an area for special attention and yet we have this sort of degradation of the environment continuing.

Mr. President, with those concerns which I expressed, I beg to move that this Bill be read a second time.

The question was put and agreed to.

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

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

SUSPENSION OF SITTING

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

The question was put and agreed to, and Mr. DEPUTY PRESIDENT suspended the sitting accordingly. 1.25 p.m.

RESUMPTION

Mr. PRESIDENT: This sitting is now resumed.

ORDER NO. 4 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND AT CANEWOOD, ST. THOMAS, FOR ROAD IMPROVEMENT

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the Government of Barbados through the Ministry of Public Works has been pursuing the reconstruction of several roads in this country. In a project titled "The Second Road Maintenance and Rehabilitation Project" it became necessary for the Crown, in its right of Government, to acquire substantial portions of land along what is known as Highway 2A. Phase 2 of that 2A Highway Project specifically relates to acquisitions at Clermont and Canewood Roads during the fiscal year 1992-93.

As long ago as January, 1992, the proposal to commence work on Highway 2, Phase 2, Clermont and Canewood, was approved. With respect to Canewood coming on to the Project, compulsory acquisition proceedings were initiated with the publication in August 1992 of a notice under Section 3 of the Land Acquisition Act in respect of 54 parcels of land which were required for road improvement. But further survey work revealed that there were inaccuracies and omissions regarding the parcels of land recorded in Notice No. 3 which was published in 1992, therefore, a revised Section 3 Notice had to be recorded for 64 parcels of land.

The Resolution before us today relates to the compulsory acquisition by the Crown of those parcels

of land as set out in the Schedule to the Resolution, which Resolution comes in accordance with the provisions of section 5 of the Land Acquisition Act and it seeks the approval of Parliament.

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. 3 – RESOLUTION TO APPROVE THE
PUBLICATION IN THE OFFICIAL GAZETTE OF
NOTIFICATION OF ABANDONMENT OF THE
COMPULSORY ACQUISITION OF LAND AT
KENDAL, NEWTON, KINGSLAND AND
LOWLANDS IN THE PARISH OF
CHRIST CHURCH

SENATOR THE HON. L. V. H. LEWIS: Mr. President, this Resolution, like some that have come before us from time to time, is another of the tidying up processes that is required. As long ago as April, 1989, the then Ministry of Transport and Works, having considered the increasing number of accidents which were occurring on the ABC Highway, decided that vehicular traffic proceeding on to the Highway from minor roads should turn left only. As a result of that decision, persons desirous of using the Highway would have been forced to travel long distances to roundabouts or seek alternative routes to reach destinations which were formerly easily accessible to them.

As a result, 5 points on the Highway were recognised and recommended for improvement by way of the placing of roundabouts. These included the Belle junction in St. Michael, Kendal Hill junction, Kingsland junction, the Newton and Lowland junction in Christ Church.

A decision was taken to construct roundabouts at Kendal and Newton and consideration is being given to construction of the other locations, Belle, Kingsland and Lowlands. The Resolution which is before us seeks to acquire lands at Newton, Lowlands and Kingsland in relation to the roundabouts at Kendal Hill and Newton chiefly. I think I am right in saying that, Sir – Kingsland, Kendal Hill and at Lowlands in relation to the roadworks which were required for these two roundabouts.

I beg to move that this Resolution be passed.

SENATOR T. E. BARKER: Mr. President, there seems to be some confusion about this matter. Is it an abandonment or is it an acquisition because the Clerk said it was for abandonment and the Minister spoke as though it was for an acquisition so perhaps, that can be explained.

SENATOR THE HON. L. V. H. LEWIS: Should I read the Resolution, Sir?

Mr. PRESIDENT: Please do.

SENATOR THE HON. L. V. H. LEWIS: The Resolution says:

"RESOLVED that Parliament approve the compulsory acquisition by the Crown of the parcels of land described in the Schedules hereto for the construction of roundabouts on the Adams-Barrow-Cummins Highway."

What had happened, Sir, is that there was the abandonment of a previous acquisition based on notices and this supplants the previous one and that is my clear understanding. Never mind what is written. The abandonment will be taken care of by a publication in the *Official Gazette* but this before us substitutes for the abandonment which is to take place.

SENATOR T. E. BARKER: Mr. President, I just want to make one or two brief comments on this matter. It relates to something that I have been talking about for a long time, that is, the fact that the people whose land has been compulsorily acquired sometimes have to wait, in my view, a bit too long for the necessary payment. Perhaps, the Honourable Minister – I know he will take this in the spirit in which it is said – will make sure that as far as possible the matter be expedited because there have been too many instances of that.

Sir, while I am on that matter, perhaps the Government can see if it is possible to use maybe private lawyers to help them in the process because I am told that at times the Ministry of the Environment, Housing and Lands do not have the necessary personnel to expedite matters but somehow a resolution has to be made on this whole issue of compulsory acquisitions.

Sir, I am also glad that matters are being done with regards to safety on the Adams-Barrow-Cummins Highway. It is timely and I hope that these roundabouts, even although we may argue that they may inhibit to some extent the free flow of traffic, would be of considerable benefit to those people who live in those areas who sometimes have to travel a few miles in order to get onto the Highway because of the fact that you can only turn left on to the Highway.

I support this Resolution and urge Government to just take into account the fact that the people are a little bit uneasy about the fact that these matters take so long towards a final resolution.

Thank you.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, I thank the Honourable Senator for his comment about this. In the Ministry of the Environment, Housing and Lands we are very concerned about the delays in settlement for land acquired but it comes down to one of the facts of life that some of these acquisitions were done more than 10 years ago, have not been paid for and each year the aggregation of outstanding sums has tended to increase.

This year when we went to the Ministry of Finance seeking to provide \$10 million in the next financial year we were implored to find other ways of making settlement for the \$10 million. I cannot disclose to you what amount is going to appear in the Estimates but it certainly will not be the \$10 million.

The delays are not occasioned always by the non-activity of Attorneys-at-Law attached to the Ministry of Housing and Lands but often it is contributory delay by the private Attorneys-at-Law who you are suggesting that we employ. What I can assure you is that when the Attorneys-at-Law in the Ministry have completed their work very often we do not get the collaboration and support that we expect to finalize matters but we are mindful of and concerned about the delays in making settlement.

I beg to move that the Resolution be passed.

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

EVIDENCE ACT, 1992

Order No. 1 was called – to move the Second Reading of the Evidence Bill, 1992.

Mr. PRESIDENT: Senator Lewis.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, "A Bill entitled an Act to reform the law relating to evidence in proceedings in courts in Barbados and provide for related matters" when it was under consideration by the Honourable the House of Assembly, that Chamber on January 14, 1993 referred the Evidence Bill to a Select Committee of the House comprising 11 Honourable Members in that Chamber, 9 of whom were practitioners in law, Attorneys-at-Law or Barristers-at-Law. The Committee reported that submissions to the Committee had been invited from interested persons, by way of advertisement, in the *Barbados Advocate* and the daily *Nation* of January 20, 1993. Also that by letter dated January 15, 1993 from the Clerk of Parliament, the Barbados Bar Association was invited to make a submission to the Committee. It is on record that no submissions were received.

The Committee at its first meeting, by acclamation, elected Mr. L. L. Brathwaite to Chair the Committee and the Committee held meetings on April 20, 1993, August 17, 1993 and on December 13, 1993. The Minutes of the meetings of that Select Committee are available. The Committee invited Chief Parliamentary Counsel to attend meetings in August and December and at the meetings of the Committee, several clauses were passed. Clauses 1 to 24 were passed, clause 25 was deleted, clauses 26 to 72 were renumbered 25 to 71 and the original clause 73 was renumbered 72 and amended:

"This clause provides for criminal proceedings and admissions by suspects".

The original clauses 74 to 131 were renumbered as clauses 73 to 130 and were passed in Committee. Clause 132 was renumbered as 131 and amended by the deletion of the words "two days" and substituting therefor "in the ordinary course of post". This was where notice was given, instead of two days' notice it was to be delivered in the ordinary course of post. Clauses 133 to 146 were renumbered as clauses 142 to 145 and the new clauses 146 to 166 were added to the Bill. These 21 clauses related to provisions in another piece of legislation which it was originally intended should remain on the law books but during the Committee stage it was decided to include them within the provisions of this Evidence Bill and make it one comprehensive Evidence Bill. Those clauses related to the certifying of false copies of extracts, judges and commissioners of probates to take acknowledgements and probates, proof of exemplification of wills from outside Barbados, the manner of execution and proof of certain documents, the comparison of a disputed writing with a genuine writing to be permitted in any trial, the removal of limits to liability in relation to the admissibility of deeds, the admissibility of medical certificates and reports, proof of written statements, statements of wages to be used in evidence, false written statements which are tendered in evidence, an interpretation, notice of alibi, examination of witnesses upon interrogations or otherwise, attendance of witnesses and production of documents, the taking of prisoners for examination under writ of *habeas corpus*, special reports by persons taking examination, provision for cost, provision for the admissibility of examinations at trial, provision in actions for debt account or lands in the island, debts to the Crown, the manner in which they may be proven, the empowering of judges to administer oaths of affirmation. The original clauses 147 to 149 were renumbered as 167 to 169. Clause 150 originally was renumbered 170 and passed with an amendment which provided for the deletion of the words "Second Schedule" and substitution of "Fifth Schedule" therefor. In addition a new clause 171 was added to the Bill which provided for repeals of the Evidence Act and also for the repeal of the Evidence Act of 1958 Cap. 6 of the West Indies Federation

which will cease to have effect in Barbados when this Act comes into effect. Clauses 151 and 152 originally were renumbered as 171 and 172 and new Schedules were added. There was a new First Schedule to the Bill which provides for certain enactments to be affected these being the Married Women's Act, Offences Against the Person Act, Prevention of Cruelty to Children Act, Vagrancy Act and the Sexual Offences Act. The original First Schedule was redesignated as the Second Schedule and passed as the Second Schedule to the Bill. A new Third Schedule was added which provides a form of explanation under section 72 of the Act. The Fourth Schedule a new Schedule was also passed which provides for a solemn declaration and the original Second Schedule was redesignated as the Fifth Schedule and amended to relate to the Interpretation Act and the deletion of a section of the Interpretation Act.

It is my understanding that the matter was thoroughly examined by the Members of that Select Committee of the Honourable the House of Assembly and I now have pleasure in presenting and inviting the Honourable the Senate to read this Bill a Second Time.

Mr. PRESIDENT: Senator Mottley.

SENATOR Miss M. A. MOTTLEY: Thank you, Mr. President. Sir, as the Honourable Minister pointed out this is one of a series of criminal legislation that has been before this Session of Parliament within the last two years. I believe they spent some 13 months or so before a Select Committee before it reached us eventually. Having said that the history of the Evidence Bill is that this was drafted some time early in the eighties with all the rest from criminal legislation that has come before this Parliament in the last two years.

2.50 p.m.

Indeed, Sir, one welcomes the Bill as it is, primarily because, Sir, in the law courts in Barbados, both criminal and civil we have been labouring under many archaic rules that have hindered the administration of justice as well as lengthened the process of justice because of the inability to deal expeditiously with the proof of either documents or facts as they may arise.

Indeed, Sir, it is instructive that this Bill seeks to deal both with the civil and criminal cases at one and the same time but I would venture to say that perhaps its greatest effect will be found in the criminal courts primarily because that is where there has been the greater burden in so far as these archaic rules, and I give as one example, Sir – the rule which is almost ridiculous, known in the profession, Sir, as the DPP and Myers – where for example if I own this speaker box here and the identifying mark which I knew it had on was the word "Phillips" plus the serial number, if it was stolen from me I could not go in court and say this was mine by virtue of the number

although I knew that this was the only box that had that number I could not go in court and identify it as mine because I was not the person who had put that number on the box. Therefore it was hearsay and inadmissible. Unless I could show that I had made a separate and independent mark myself I could not identify the property as being my own. Many a criminal, Sir, has managed to get through the network, Sir, primarily because of the inability to positively and conclusively identify stolen property in the courts.

I believe that many of you may be aware that about 5 or 6 years ago the Royal Barbados Police Force started a campaign where they asked people to bring in their valuable property to the stations and mark it so that in the event that it was stolen there would be some means of identifying it. So these are the types of archaic rules, Sir. That was a decision of the House of Lords in 1964 or 1963 and while the British Parliament dealt with and remedied the situation by 1968 we are now dealing with it in 1994. Nevertheless we are thankful for small mercies.

Sir, I will come back and deal with some of the measures in the Bill itself but I want to deal, Sir, very quickly with the administration of justice in Barbados particularly as it relates to the need for reform in the criminal justice system.

The prison at Glendairy which was built, I believe, for under some 350 people, up to last week was currently holding 652 male members and 19 female members. Now, in all fairness to the Government and in all fairness to those charged with the administration of justice, the level at which the crime rate increased in Barbados over the last 4 years was at such a rate that even if we had planned properly to expand and reform our penal system, I believe, Sir, we would still have been in some difficulty given the extent to which the crime rate had increased. But what, Sir, it brings into sharp focus is the need, and I believe, Sir, unfortunately that this Government has only been promising it to us for the last two years but has done nothing to implement it, is the need for alternative forms of punishment in certain areas so as to relieve the burden as it relates to the housing of prisoners at Glendairy.

Sir, we are urgently still in need of a penal policy as it relates to young offenders and first time offenders. It is interesting that a report delivered only last week to the Ministry of Home Affairs by a Consultant hired by the then Ministry of Justice, by a young lady, I believe of Barbadian extract who used to work in New York with the District Attorney's Office who was charged to do an enquiry into the criminal justice system as it related to juvenile delinquents and young offenders in particular in Barbados, it is interesting, Sir, that her report has suggested that we need to urgently reform the types of punishment available to the criminal courts in dealing with some of these young offenders.

We also need, Sir, to look urgently at the need for the establishment of some form of Borstal institution, particularly for young offenders who have not yet made that quantum leap to the point of becoming irredeemable and irreconcilable when it comes to the art of criminal activity. There are, Sir, quite a few of those and unfortunately, Sir, when you start to speak with them, as this young lady found out when she was doing her study and conducted extensive interviews at Glendairy that the majority of them learn most of their knowledge about criminal activity while they are on remand at Glendairy. Sir, there has got to be something fundamentally wrong with a system that rather than punishing and rehabilitating expands the knowledge of criminal activity of the individual who is there on remand.

Sir, I think we need to urgently examine these questions because there is a habit and practice in the law courts that when a person is charged with certain offences, come hell or high water, they must spend 3 to 4 weeks on remand, nothing to do with the original principles of bail as to whether they will turn up for court when required to do so, but simply that they must spend 3 to 4 weeks on remand. That is the initial punishment. The only difference, Sir, is that when they are coming back out they are coming back out with more knowledge of how to break and who is fencing and who is not fencing and who is pushing drugs and who is not pushing drugs. So we have serious problems there, Sir.

Then, Sir, there is the concept of Community Service Orders, particularly for those young offenders who are not involved in what would have been referred to in the old days as felonies but who are involved in the lesser types of offences must be examined. Particularly as we look at the breakdown of institutions in this community, I think that Community Service Orders will not only serve to develop in them perhaps some sense of purpose and some sense of relationship between them and their community but indeed, Sir, some level of focus for the society at large as to how we can get these youngsters who are primarily unsupervised at the moment back into some form of supervision when they find themselves in breach of the law. With many of them, Sir, a fine is neither here nor there but if you were to sentence them to 50 hours of community service within a 2 months period they are more likely to feel that because it means that the things they want to do, they cannot do because they have to comply with these Community Service Orders in breach of which they would be forced to go to prison.

One other thing, Sir, in relation to the penal policy and that is the concept of suspended sentences which the English Government has found over the years has helped them ease the pressure in terms of the level of the prison population. What is done, Sir, is where there is a case where it is too serious to order probation, too serious to

even fine, but not serious enough that you may necessarily want to put them away because it is a first offence or a second offence, the court considers the option of what is known as a suspended sentence of whatever period of time. If that person while they are on a suspended sentence becomes involved in a criminal activity again they are liable, not only to be sentenced for the new criminal activity but the suspended sentence which they were on for the old conviction goes into action and they have to spend the time. So they have the greatest deterrent in the world not to go off the straight and narrow path.

I hope, Sir, that this Evidence Bill will shortly be followed by an articulation of the reform of the criminal penal policy because I think that at the end of the day this is just another cog in the wheel and unless we put the other things in place, a new Bail Act, an alteration of our criminal penal policy, at the end of the day we will be beating our heads against the wall because while you may have facilitated now the leading of evidence in a criminal case, if you do not have a manner to deal with them when you are done you will still be at square one and you are overcrowding the system.

It is interesting, Sir, that the United States Government is now confronting itself with the question as to whether or not, or as it is commonly referred to as the 3 strikes and you are in policy, as to whether or not or is commonly referred to as "three strikes you are in" policy. According to Governor Cuomo in baseball, three strikes you are out. But in terms of the legislation, three strikes you are in for good. The principle of that, Sir, is similar to the whole principle once again of various types of policies that we have. The principle of sentencing, in any event, judges will exercise that type of discretion more often than not, because once a person comes before you as a first offender you give them a certain degree of leniency in terms of the sentence of the Court. But when a person comes back to you as a repeated offender for the same type of offence over and over, he makes himself more liable to receive the maximum sentence.

3.00 p.m.

Indeed, over the last three or four years we have seen many persons who have been convicted for rape on a second or third offence or for aggravated robbery receiving life sentences in this country. So that we do not need to legislate it in Barbados. It is a matter that has been practiced which is at the discretion of the judiciary in any event. Sir, I will caution that, if this is done without stating, articulating and pursuing a new penal policy, we are going to be in trouble because Her Majesty's Prison at Glendairy cannot take the numbers that it is presently carrying at 652, Sir. What is more interesting is that I do not think that we can simply look at the problem as one that they have committed a crime so they must be punished. Of course, they must be punished.

I am one of those who believe that a man or woman has every right to a fair trial, but at the end of the fair trial I must admit, Sir, that I am more in favour of a heavier sentence than a lighter sentence after he or she has had a fair trial. But having said that, if we do not determine where we are going to put these people and if we are going to relieve the pressure by the establishment of a hostel or an institution for young offenders, and by the implementation of a suspended sentence or a commuted Service Order, we are going to find ourselves in trouble. If we do not also look at the very root problems that have created this explosion in the crime rate, we will find ourselves in deeper problems.

Sir, it is interesting that the majority of youngsters who become involved in crime when asked about their participation in it, and this is one thing that the young lady who was hired by the Ministry of Justice reflects in her study, they feel that they have no stake in this society. Sir, it is incumbent upon us particularly now that we have seen unemployment rise to the level of 27 per cent or 35,000 people without jobs and also since there has been a contraction in the economy and the ability for young persons to participate in this economy whether it is by virtue of access to credit, housing or jobs. Unless we create that hope in this society again, we are going to find more and more young people feeling that they do not have a stake in this society and, therefore, there is no big thing about them being involved in crime.

There must be a renewal of hope and opportunities in this country if we are going to deal with the root problem of young persons between the ages of 15 and 19 years becoming involved in the rate of crime over the last five years. We also have to deal with the whole question of functionary literacy. Anybody who works in the Law Courts will know that very often people come in the Courts who cannot even read the Oath and that very often those accused persons who find themselves before the Court, while they have gone through the school system until 16 or 17 years, cannot properly read or articulate what is inside. They very often find themselves unable to deal with the resolution of conflicts in so far as their propensity to become involved in violent crime. Unless we look at our educational system again and see how it is so many thousands of people have come out of this educational system still functional illiterate, we are going to continue to have a rise in crime in this country particularly among young men. Enough said on that topic.

I believe that those who work in the area of young delinquents or young prisoners will know exactly what I am saying and I will also note that the excellent job that is being done at Glendairy in so far as the educational component and the training of a number of prisoners for CXC and other exams has made a substantial difference to a lot of those prisoners who had not had the benefit of that

type of training, nor attention for that matter, and a number of them have come back into the society and they are trying to get work. There is one caution though. Unless we are prepared to bring to this Chamber legislation for spent conviction, and by spent conviction I mean that if a person has been convicted for an offence, depending on the type of offence, that person after a period of time who has remained out of trouble should have their record cleaned. We should be able to bring legislation and by that I mean that person after a period of time their record should be cleaned. A number of developed countries have passed legislation of this type because they recognise that things done in the past should not blight you for life and at some point you must be allowed to merge back into society so as to become a valuable member of society again and to contribute as best as one can. The level of recidivism needs to be examined, Sir, because I suspect that it is not as high as the public of Barbados, which is a very reactionary one, would want to believe.

Sir, we have talked about prisoners and the penal system. This Evidence Bill also places a lot of responsibility on the Police. Let me say that 95 per cent of cases that come before the Assizes that are prosecuted by the police rely on one thing. That for years has been the sole method of proof of criminal cases by the Police in this country. I think the time has come, in all fairness to them, for this Government to stop saying that it cannot find the money to assist the Police and spend some money in equipping the Police to give them the forensic ability to solve crimes properly in this county. It also in the end will save time and money insofar as judicial time because if a person is identified as being the perpetrator of a crime by way of DNA analysis, for example, in rape cases where the science says that only one person in the world can have this type of profile. You are unlikely to get the man or lawyers going into the Court and trying to fight a case when the scientific evidence is there to prove that he could be the only person.

Aside.

SENATOR Miss M. A. MOTTLEY: That is not true at all. He would be the only person who has this type of profile. It has to come, Sir. Our Police Department must be one of the few in the world that does not have access to this type of extensive forensic ability in terms of the proof and solution of crime. In terms of computers and DNA tests, I know that the Government's laboratory has recently gotten some new equipment but it does not carry them as far as they would like in so far as the ability to help solve crime in this country.

Sir, I would also like to make an appeal on behalf of the Criminal Investigation Department which I believe is thoroughly overworked and understaffed. Anybody who has to deal with CID will know that these men are called

to deal with the extensive crime difficulties while at the same time because of the number of cases that are being prosecuted they are to be in Court by 9 o'clock in the morning and more often than not because of the delays in the criminal justice system stand about waiting to give evidence and sometimes end up not giving evidence because of the inability for us to forecast and schedule cases properly both in the Magistrates Court and at the Assizes.

3.10 p.m.

Sir, they are being severely tested in terms of their stamina and I think the time has come to beef up both the numbers as well as the equipment at the Criminal Investigation Department. I know that it sounds strange coming from defence counsel, but having to work with them as an officer of the court on a daily basis one is appreciative of the burdens and the difficulties under which they are presently working.

Sir, we stated earlier that this is one in a series of a number of criminal justice Bills that have come before us. What has concerned me, however, is that while it was stated that there would be a period of time to give the police and other officers of justice the opportunity to become familiar with that criminal justice legislation, it is over 18 months in some instances that that legislation is still not proclaimed and is still therefore not enforceable as the law of this land. It makes this whole process seem almost farcical if we are going to pass legislation through both Chambers of this House and not proclaim so that it is enforceable as the law of the land. To date, Sir, the Theft Bill, a whole host of them are still not proclaimed and I would like the Honourable Minister to give us some indication as to when it is likely that this whole series of criminal justice Bills will be proclaimed and therefore enforceable as the law of the land. The only one I believe that is really functioning is the new Sexual Offences Act. Other than that, the rest of them have not been proclaimed.

Once again, Sir, in terms of the administration of justice, I echo or restate the call for the increase in the number of Magistrates, particularly in the criminal courts in Bridgetown, and more specifically I call for the establishment of a third Criminal Magistrate's Court in Bridgetown. Right now the backlog in the two criminal courts in town is in excess of 5 000 cases and you cannot say get the speedy administration of justice unless you are prepared to increase the number of Magistrates and to deal fully and squarely with the work load before you on a full time basis, 9.00 a.m. to 4.00 p.m., not 9.00 a.m. to 12.00. noon. Fortunately in the past two years in Bridgetown we have had Magistrates who have worked 9.00 a.m. to 4.00 p.m. and I hope that will continue, despite the change that is coming in one particular court from Friday this week.

One of the difficulties with those Magistrate's courts is that there are normally 30 to 40 cases that come in on a

new basis when the day comes. I believe that if we had a third Magistrate's court to deal with criminal matters that dealt exclusively with those new matters, it would free up the other two courts to deal only with the hearing of cases from 9 o'clock straight on in the morning and they could be set down with the assistance of clerks and lawyers from the week before with specific times being set. Sir, it happens in one court in town already. The Chief Magistrate's court is operated that way and there is no reason why the other courts cannot operate in the same manner on a full time basis.

As far as the Assizes are concerned, I think the time of the quarterly Assizes should come to an end. I think the time has come for the establishment of two criminal courts sitting all year round in Bridgetown, because we already have a situation where with 70 and 80 cases each Assizes the Assizes are running into eight, nine and ten weeks. The other Judges are crying out that the work load is too much for them, because it means that effectively there are only two Judges left to handle the whole civil work load, and unless there is provision for the permanent establishment of two criminal courts all year round, and the corresponding increase in the Judiciary, if necessary, we are going to have difficulties.

I note, Sir, that last year legislation came before this Chamber for the appointment of a sixth Judge at first instance in the High Court and to date we still await such an appointment. I would urge that the Government complete this to ease the work load and the administration of justice in the courts.

This Bill is a reflection of legislation taken from Canada and Australia primarily, and England to a lesser extent, and for a lawyer represents a very curious and interesting challenge in terms of mastering the Bill itself and in terms of the practice of it. But there are one or two things that concern me, and one or two things that I am glad to see. I am glad to see the requirement of a warning to be given to juries where the sole evidence against the accused person is that confession evidence and that confession evidence remains unverified by the signature of the accused or by some independent means by way of tape recorders, video or audio. If not, it means that I can come and say the Honourable Senator told me X and it is his word or my word. Juries need to be warned as a matter of law of the danger of so convicting a man where that is the case. Under a previous law there was not that protection and I am glad to see that protection.

I am glad to see that they have retained, unlike the UK, the right of an accused person to remain in the dock and not necessarily go on the witness stand; although it is interesting that there is a major debate going on in the United Kingdom now on a matter even more

fundamental than that, that is the matter of the right to silence. What is significant is that they too have had a public who has been crying out for greater harshness against criminals and initially it led therefore to a recommendation that the right to silence be removed. I think those who understand how the rule of law is applied have sounded a wise warning, that is, that at the end of the day if a person is not allowed to have that right of silence, there are a whole host of reasons why you may not have spoken when accused of anything, whether it is being accused of something in the household or being accused of something in the work place, will know why you may not answer at the particular time. But to imply guilt would be unfair to a person in those circumstances, and I am glad to see that we have retained the right of silence in these circumstances.

One of the things that bothers me from a technical point of view is that this legislation seems to have removed the right of an accused person to determine whether he wants to have a *voir dire* or whether he wants to test the admissibility of his statement before the jury. I am minded to move an amendment to remove the mandatory provision under clause 143(2) of the legislation where it says:

"Where there is a jury, a preliminary question whether evidence of an admission, or evidence to which section 117 applies, should be admitted shall be heard and determined in the absence of the jury."

Sir, that means evidence of a confession or evidence of a nature that was improperly obtained because the police came into your house without a search warrant or anything so.

Under the present law you have a discretion as to whether you want to have this done. It is a matter for the Trial Judge to decide, not the jury. You as the accused person have a right to determine whether you want this done in the presence of the jury or in the absence of the jury. Very often where it is done in the absence of the jury, as this legislation is making it mandatory, it just means that you are lengthening the process of the trial and you are increasing the cost of the administration of criminal justice.

A practice has emerged within recent years in this country as well where a number of persons have elected to test the admissibility of their statements once and for all before the jury. While it is the Judge's decision, they ask why send out the jury? Let them stay there, we will do the evidence one time, depending on what the Judge does that goes in as evidence or not, but it saves time. I do not always agree with it, but there have been instances when we have had recourse to do it that way and I think it is a mistake to remove that option. I think that option should always be exercisable by the accused and not be removed or determined by the State.

The only other point I would make is that while I welcome the inclusion of a section like section 116, the discretion to exclude improperly obtained evidence which to a large extent codifies what was the common law while however changing the balance slightly in that it says and sets out a number of criteria which the judge must use in determining whether to exercise his discretion to exclude improperly obtained evidence or not.
3.20 p.m.

Mr. President, we have not yet gone to the stage of the United States of America in the decision of *Miranda* whereby any evidence that has been obtained improperly or in breach of the law must be excluded as a matter of policy. There is no discretion whatsoever. We are still in a position where we leave the decision with the judge. Suffice it to say that in the past 30 years most lawyers in this country will tell you that you can perhaps count on one hand the number of times any member of the judiciary has excluded either a statement or improperly obtained evidence. I would not want to comment on that other than to state that fact for itself and whatever you wish to draw from it you can draw from it. Perhaps, Sir, we need to look at not leaving the discretion solely with the judiciary on this point.

Insofar as the overall bill is concerned, this Bill will function at the end of the day well if:

- (1) the other criminal legislation which has already passed this Chamber is proclaimed;
- (2) that we make an urgent effort to speed up the bringing of the other criminal legislation that is needed, a new bail Act clearly setting out the terms and conditions upon which bail must be granted in this country;
- (3) legislation for spent convictions as I indicated earlier in the Court;
- (4) the creation of alternative forms of punishment to ease the pressure at Glendairy;
- (5) But, at the end of the day more importantly than all of that, the renewal of hope and the renewal of opportunities for young persons in this country so that you lessen the temptation of crime and you increase the probability of their supervision at the ages when they are most likely to be led off the straight and narrow path.

At the end of the day, unless we do that and look and assess our educational system to see why it is that so many persons are coming out of it functionally illiterate and so many persons, despite the extent of funds raised by the training levy, are entering this society without the

training and proper skills and even in employing themselves, we are going to find the continual increase in the crime rate in Barbados and how much ever Evidence Bill and how much ever reform in the criminal justice system and how many other judges we appoint full time and magistrates will all be in vain because there will be a current flow continuing to increase in numbers and will not have dealt at the origin of the leak where the pipe is burst.

With those words I would wish to support this Bill with the one reservation that I have that the removal of the option of the right not to hold a *voir Dieu* by an accused person. Thank you, Sir.

SENATOR THE HON. L. V. H. LEWIS: Mr. President, the contribution of the worthy Senator on the other side to this debate is one which I think should be translated into a communication to the Attorney General because I believe some of the points raised merit and deserve further attention.

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

The question was put and agreed to.

COMMITTEE

Mr. DEPUTY PRESIDENT: The Senate is in Committee.

Clauses 1 – 9 were called and passed.

Part I, clauses 10 – 12 were called and passed.

Part II, clauses 13 – 43 were called and passed.

Part III, clauses 44 – 47 were called and passed.

Part IV, clauses 48 – 116 were called and passed.

Part V, clauses 117 – 136 were called and passed.

Part VI, clauses 137 – 173 were called and passed.

The First Schedule was called.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that the First Schedule be the First Schedule to the Bill.

The question was put and agreed to.

The Second Schedule was called.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that the Second Schedule be the Second Schedule to the Bill.

The question was put and agreed to.

The Third Schedule was called.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that the Third Schedule be the Third Schedule to the Bill.

The question was put and agreed to.

The Fourth Schedule was called.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that the Fourth Schedule be the Fourth Schedule to the Bill:

The question was put and agreed to.

The Fifth Schedule was called.

SENATOR THE HON. L. V. H. LEWIS: I beg to move that the Fifth Schedule be the Fifth Schedule to the Bill.

The question was put and agreed to.

On the motion of SENATOR THE HON. L. V. H. LEWIS, Mr. CHAIRMAN reported the passing of one Bill in Committee without amendments and Mr. PRESIDENT resumed the Chair and reported accordingly.
3.30 p.m.

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

ADJOURNMENT

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.
3.32 p.m.

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