
THE SENATE DEBATES

(OFFICIAL REPORT)

FIRST SESSION 1994 – 99

THE SENATE

Monday, December 21, 1998

The Senate met in the Senate Chamber, Parliament Buildings, on Monday, December 21, 1998, at 11.25 a.m.

PRESENT

His Honour Senator Sir Fred W. GOLLOP K.A. (President)

His Honour Senator C. L. BOLDEN (Deputy President)

Senator the Honourable R. R. FARLEY (Minister of Industry, Commerce and Business Development) (Leader of the Senate)

Senator the Honourable P. C. GODDARD (Minister of International Trade and Business)

Senator the Honourable G. S. H. MURRAY (Minister of State, Prime Minister's Office)

Senator Miss C. Y. FORDE (Parliamentary Secretary, Ministry of Education, Youth Affairs and Culture)

Senator T. E. BARKER (Parliamentary Secretary, Ministry of Finance and Economic Affairs)

Senator the Hon. Miss O. P. SYMMONDS, G.C.M.

Senator D. T. GILL

Senator J. D. E. BOYCE

Senator Mrs. P. E. RICKINSON

Senator S. P. BERNSTEIN

Senator C. LeR. TROTMAN

Senator the Venerable Archdeacon J. L. SPRINGER, G.C.M.

Senator N. A. LYNCH

Senator N. P. WELCH

Senator C. K. LAURIE

Senator Mrs. A. P. THOMPSON

Prayers were led by Rev. Father Errington Massiah.

Mr. PRESIDENT: The Senate is in session.

PRESENTATION OF PAPERS

SENATOR THE HON. R. R. FARLEY: Mr. President, I am commanded to lay the following documents:

1. Report of the Constitution Review Commission, 1998.
2. Parliament (Administration) (Salaries) (No. 2) Order, 1998.
3. The International Business Companies (Rate of Tax) Order, 1998.
4. The Duties, Taxes and Other Payments (Exemption) (No. 22) Order, 1998.
5. The Duties, Taxes and Other Payments (Exemption) (No. 23) Order, 1998.
6. Annual Reports of the Sanitation Service Authority for the years 1994-95, 1995-96, 1996-97 and 1997-98.

SUSPENSION OF STANDING ORDER

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that Standing Order No. 45(2) be suspended for the remainder of the day's Sitting.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to give notice of the following Bills and also ask that they be read a first time:—

1. Estate Duty (Waiver) Bill, 1998.

2. Income Tax (Amendment) (No. 3) Bill, 1998.
3. Income Tax (Amendment) (No. 4) Bill, 1998.
4. Insurance (Miscellaneous Provisions) (No. 2) Bill, 1998.
5. Representation of the People (Amendment) Bill, 1998.
6. Guarantee of Loans (Companies) Bill, 1998.
7. Health Services (Amendment) Bill, 1998.

I also beg to give notice of the following Resolutions:-

1. Resolution to approve the guarantee of a loan of 30 million European Currency Units from the European Investment Bank.
2. Resolution to approve the vesting in the Barbados Tourism Investment (Properties) Incorporated of land at Bay Street and Fort Willoughby, St. Michael.
3. Resolution to approve the borrowing of US\$2.8 million from NSG Exports Ltd. for the purchase of vehicles and equipment for the Sanitation Service Authority.
4. Resolution to approve the guarantee of the payment of the principal sum of \$37 million to be borrowed by the Hotels Resorts Limited.

PUBLIC BUSINESS

Mr. PRESIDENT: Public Business is the order of the day.

ORDER NO. 1 – RESOLUTION TO APPROVE THE VESTING IN THE NATIONAL HOUSING CORPORATION OF LAND AT WALKERS, ST. ANDREW FOR HOUSING DEVELOPMENT

SENATOR THE HON. R. R. FARLEY: Mr. President, approval of the Honourable the Senate is sought for the vesting of land in the National Housing Corporation of land at Walkers, St. Andrew. This property comprises of some 4 051 square metres of land. This is a property which many years ago served as the residence of the Medical Officer for St. Andrew until that office was vacated some time ago.

The National Housing Corporation proposes to utilise the area in question for housing development. It is therefore proposed to vest this property in the National Housing Corporation to facilitate this particular activity.

I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 2 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND AT THE WHIM, ST. PETER FOR THE PROVISION OF RECREATIONAL FACILITIES FOR USE BY THE PUBLIC

SENATOR THE HON. R. FARLEY: Mr. President, approval is sought for the acquisition of some 1.765 hectares of land at The Whim in St. Peter for the purposes of recreational facilities.

At present, there are no recreational facilities in this area and this has been, of course, some concern to the residents in that particular area particularly those young people who have a keen interest in sports such as cricket and football which require large areas in order for them to play.

Both the National Sports Council and the Town Planning Department are supportive of the use of the land for that particular purpose. It is also interesting to note that this particular area being in a Zone 1 water area would not have been able to be utilised for too many other purposes in terms of large scale development. In this regard as well, it is important to note that no major additional structures will be put in place in that particular area.

This area in question will go a long way toward satisfying the interest and aspirations of the people, particularly the youth in the area in The Whim, St. Peter.

I beg to move that this Resolution to acquire land at The Whim, St. Peter of 1.765 hectares of land do now pass.

SENATOR J. D. E. BOYCE: Mr. President, whereas I and the Democratic Labour Party would not stand in the way of a Resolution of this sort to acquire land for the provision of recreational facilities because we all recognise the need for the continual provision of such facilities for young Barbadians, Sir, the area in question is an area which I know very well being raised in Mile and a Quarter which is no more than a stone's throw away from The Whim.

It is, however, a reasonably heavily populated area and it has been for some time without immediate facilities but that, of course does not make The Whim unique. There are many communities in Barbados which require just as much urgent attention and the only request I would make is that in providing for these recreational facilities, we consider what kind of recreational facilities we are going to provide.

I think many years ago it became fashionable to provide what is called the multi-purpose court which included sports like lawn tennis, basketball, netball, *et cetera*, along with facilities probably for playing football or

cricket but not necessarily with the correct regulations. By that I mean the standard international dimensions. This is something which we have to start looking at very carefully and as we provide our facilities we provide adequate and standard facilities that can be of lasting benefit. Indeed, Sir, as we have talked about the creation of, at least, one or maybe more mini stadiums in Barbados in the future for the development of our sports persons, it is important that we bear these things in mind and do not cut the areas short.

There have been areas in the past which have been acquired and earmarked for sporting development but then as certain pressures come to bear, Governments may want to change the original intention and probably revert to some other kind of development activity.

I believe we need to put a continued emphasis on the development of recreational facilities and sporting facilities in Barbados. We are recognising a decline in a number of areas of competitive sports by our Barbadian sportsmen while, at the same time, we are happy to report and record achievements, and outstanding achievements and we speak particularly to this year that is now drawing to the inevitable close.

We speak of the achievements of Andrea Blackett and Obadele Thompson. I think all Barbadians will join in congratulating these heroic sports persons.

Aside.

SENATOR J. D. E. BOYCE: And also Barry Forde. If I do not call a name, Sir, of an outstanding sportsman, it is not a deliberate act. It is just the names that come to the fore. I aim not to exclude, Sir.

We need to look, Sir, as I said, to continued development of our sports and we will reflect today on the almost horrific decline or worrying decline in the standard of our cricket both in Barbados and regionally and, as a result, internationally.

We would hope that these facilities at The Whim in St. Peter can include cricketing facilities because we might even chuckle at these things but if we do not have that nursery for cricket we cannot then sit back and watch our televisions and cry out about the poor performance of our sports persons. We need to have that nursery.
11.35 a.m.

We have talked about the question of a school, what do they call it?

Asides.

SENATOR J. D. E. BOYCE: A cricket academy. This has been spoken of now for about thirty year and we are at

a situation where Barbadians who were once leaders in the playing of cricket in the West Indies are now standing in threat of places like Grenada and Antigua going ahead of us in the provision of the sports.

I would note too, Sir, for the record that the competition we hold every year, the Gary Sobers under 16, international school's competition, that great Barbadian all rounder, Sir Garfield Sobers, His Excellent, now a national hero....

Mr. PRESIDENT: I think the correct designation is the Right Excellen.

SENATOR J. D. E. BOYCE: The Right Excellent Sir Garfield Sobers, Sir. I think recently in Barbados we have not been able to win that competition. In providing these facilities at The Whim, Sir, I would hope that the Barbados Labour Party Government under the appropriate Ministry seeks to create a facility which can accommodate effectively, Sir, the playing of cricket.

I think too, Sir, at the same time I would like to take the opportunity to lament the lack of facilities in other areas of Barbados. I speak specifically, Sir, of Christ Church and more exactly of the young men and women, we forget them too often, the young men and the young girls of Carters Gap and Enterprise area.

I note, Sir, with some pleasure over the weekend that there is an area of land in Goodland being earmarked now for creation of sporting facilities. I do not believe that the area contemplated is large enough to encompass the kind of wide-ranging sporting activities which I referred to in the introduction to my speech. I would hope that the Government of Barbados embarks on a programme of equitable provision of sporting facilities for our young people. This is important because when they go home on evenings after school or after work, it is difficult to expect an individual to travel...

Asides.

SENATOR J. D. E. BOYCE: For instance, the people of Carters Gap could not contemplate travelling to The Whim at 5 o'clock to play football or to play cricket. By the time they get there, especially given the kind of bus service which we now have, Sir, unless there are lights provided at The Whim facilities, it would be impossible to carry on sports.

In all seriousness, Sir, we are happy whenever Resolutions of this sort are before the Honourable Senate because the Democratic Labour Party has never divided on matters like this. We, however, divide very often on matters of where and when, the timing, Sir, and probably the appropriateness and the kind of application contemplated by the Barbados Labour Party. Precisely that Sir, is where I want to pitch my contribution.

I hope that the Barbados Labour Party Sports Ministry will wake up to this very urgent and important matter. It contributes to the whole question of dealing with our young people and the problems which they face. This is a very serious question in Barbados' development in 1998. It is something which we cannot treat lightly. I hope that Honourable Members on the Government's Side recognise that because these Resolutions might be mundane they would seek to contribute because it is important that all of us are on board with these things.

I sometimes get the impression that we take these things as *fait accompli*. I believe that all of us have a constituency, I mean constituency now, Sir, in the very broadest sense. I am not referring in particular to Christ Church South this time. Constituencies from which we get requests and from which we get urges as to where development should be placed. I hope that we can hear from them, the Members on that Side, all about the different needs and the different urgings that must come from the wide Barbadian population, especially young people on the question of provision of sports.

While on this question, because we do not always get the opportunity to get back to these things – dealing with recreational facilities. While on this question we must not though, be so strong willed to think that if the Barbadian young people want to move towards football or basketball, because we have been traditionally brought up in the era of playing cricket, I am always concerned when I hear commentators lamenting the fact that the young men are not necessarily interested in cricket. We have got to recognise that in today's world, football is probably in Barbados the most popular sport among young people.

Only last night I had the opportunity to watch two teams. One, Paradise from Christ Church and Notre Dame from St. Michael. They played in the Multi-Choice Final. It was a very interesting match. It was a pity that it had to be decided on penalty kicks which were not of a particularly high standard but the match itself was interesting.

What was more important is the number of young people who were there watching that game. That is what brings home the point that I am trying to make. That our young people love sports. It is a means of relaxation. It is a means of entertainment. We must encourage it. We must contemplate some minimal arrangement for spectators. I think the days are gone when you just lay a ground, open a ground and roll a wicket or mark out four corners of a square or a rectangle and say, this is for football. I think those days are over.

We have got to look at the provision of some facility where our people, the participants of the sports can change. That is vitally important. We saw earlier this year, in the constituency of the Honourable Leader of the Senate, the constituency which he is now contemplating representing, we

had a situation where the facilities which were being used by the sportsmen of Christ Church was demolished and almost without explanation. This was horrific.

Of course, the organisers of the Chefette League, Messrs. Williams and Clarke made sure that they made public their condemnation of the act by the Barbados Labour Party Government or by its agent, the National Sports Council. This is extremely important. I want to join those two gentlemen at this time in calling for the re-establishment of an area in which the young men who play sports at the airport ground are able to change...

Mr. PRESIDENT: Senator Boyce, will you please relocate your contribution to The Whim, St. Peter.

SENATOR J. D. E. BOYCE: Sir, I am talking about The Whim.

Mr. PRESIDENT: You are talking about the airport area.

SENATOR J. D. E. BOYCE: Not really, Sir. I might be referring to it but I am not talking about it. I am talking about the facilities for The Whim and I am hoping and asking the Barbados Labour Party administration to ensure that they include in the provision of facilities at The Whim in St. Peter, facilities to change for the young persons and the people who use the recreational facilities. Not like how they have done at the airport. That is the only reason why I referred to it, Sir, because it is public knowledge that they pushed down the only changing facility that was available to the young men and women who used the grounds at the airport.

It would be very short-sighted if in 1998 or 1999 when this facility becomes useful to the people of The Whim, St. Peter, that we find that there are no changing facilities, that there are no facilities for minimal visitors. I would say, seating facilities for 100 people. It makes the facility so much more useful. We could have school competitions there, we could have community competitions being held there once you have the adequate accompanying development facilities. That is my only plea.

I would beg, Sir, that the Honourable Minister takes back that urging to the appropriate authority who will be dealing with the implementation of this recreational facility at The Whim in St. Peter.

I am grateful to you.

SENATOR THE HON. G. S. H. MURRAY: Sir, it is with a great deal of delight that I join in this debate for several reasons. First of all, it helps to give the lie to any perception that has been put abroad by Senator Boyce's

Party that the hand of the Barbados Labour Party where the development of Barbados is concerned, whether it is recreational facilities or in the economic sphere, is unbalanced, heavy handed, unfair or whatever and this facility at The Whim is a perfect representation of what is not in that respect.

11.45 a.m.

Sir, the record will indicate that The Whim in St. Peter is an area that has never supported the Barbados Labour Party in the sense that the Barbados Labour Party has never ever won that count, but we have never held that against the people of The Whim, because The Whim can be seen as a microcosm of St. John where it supported the Democratic Labour Party from time immemorial but has never even when the Democratic Labour Party was in Government done anything for it where recreational facilities are concerned.

Sir, the Barbados Labour Party where The Whim is concerned had the attitude that because The Whim has not traditionally supported it – to quote Senator Boyce's illustrious Leader of his Party who said about Boscobelle and The Whim that "Boscobelle is off the map and The Whim is behind God's back." The Right Excellent Errol Barrow said that.

It gives me great pleasure then to see that the Prime Minister and Minister of Finance and the MP for that constituency has been as broad-minded and as equitable, to quote Senator Boyce, in providing facilities at The Whim as anywhere else in St. Peter and in Barbados. Therefore, I think that the MP is to be commended for this and it reinforces the point that the Barbados Labour Party takes an even-handed, broad-minded and objective approach because, as I said, we are in the mode of developing one Barbados not two Barbados and therefore that means that every part of Barbados whether it supports or had supported the Barbados Labour Party in a ballot box or not will have equal and equitable treatment.

Senator Boyce said that he hoped that this facility would not be without certain features. But what has to be borne in mind is that this facility has limited provisions for that because of the fact that it is in a zone one area. Of necessity, if one is going to respect the provisions and the conditions of planning, therefore is that you can only provide limited development in terms of structured facilities. And therefore one of the provisions is that no structure should be erected on the site.

Therefore, while the facility for playing games would be concerned that therefore one cannot go up anyway because in the long term there would be contamination of the water supply, and while in the short term we might seem to try to make one small group happy, it would be to the detriment of the wider society and all of St. Peter and to the

detriment of the very same people from The Whim. Sir, when one looks at the provision of this facility, needed as it has been for so many years, it could never have come too soon. Whenever it came the time would always be right if only because it would be seeking to make up a situation that had gone a-begging for far too long.

Therefore, Sir, I have no doubt that the Barbados Labour Party will do all that it can to make these facilities, limited as they are, as commodious and comfortable as possible, given the limitations faced by the Town and Country Planning regulations.

I have no doubt that it will fall into the vein of what the Barbados Labour Party has done for sporting facilities in Barbados traditionally. Because if one would look at the last time the Barbados Labour Party was in government, the record of the Barbados Labour Party in providing recreational facilities and providing community facilities, is second to none. Between 1976 and 1986 – I do not have the figures at the top of my head now but it is established as well as accepted even by Senator Boyce's Party that that record has never been matched.

In these short four years in which we have been the Government we have sought to do the same thing and to maintain such a tremendous record. If one were to look at the facilities that have been provided at the new sporting facilities at Grantley Adams Memorial School or Bridgefield in St. Thomas or near Brereton the point is that they can be described as state of the art facilities where they are modern in look and provisions and they are comfortable. I have gone to all of them. They have lockers, bathroom facilities and facilities for the visiting teams and their own team. They are very progressive in their outlook and I have no doubt that the people at The Whim will treat these facilities with the utmost respect and appreciation.

I very often have to refer to what I consider to be perhaps the best kept community facility in Barbados, the James Bryan Complex, which is a model facility in St. George as regards the way it is respected and maintained and supported by the population.

I think this is an important addition to the social and community life of St. Peter and The Whim in particular. Because, while sports in themselves require lots of physical effort and you develop your body it also plays a major role in the development of persons both as an individual and an individual's role in a group, namely a team. And therefore as a team in the whole social life of Barbados, because sports in itself is not only physical health but it manifests the Latin *dictum mensa sana in corpore sano* – a healthy mind in a healthy body.

Aside.

SENATOR THE HON. G. S. H. MURRAY: I went to school at Combermere and I did Latin at 'A' level so I know what I am talking about. I went to school in the good old days of Latin.

Sir, the point is that sports help to develop healthy attitudes towards discipline, cooperation and to re-instil social values, fair play, honesty, sportsmanship. All of those are characteristics which if developed and reinforced in sports tend in most instances to manifest themselves in the way sports persons, men and women live their daily lives and they are able to manifest them in their social, professional lives and even in their political lives and therefore it is with great pleasure that I give my support to this measure and wish the people of The Whim St. Peter and St. Peter in general and the sporting teams that will come to play there from all over Barbados, congratulations.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I want to say a few words since this is my parish in which some improvements are being made regarding recreational facilities for the young and I hope the middle-aged and the elderly as well. I hope that they will be able to enjoy them.

What I had planned to talk about was the possibility of having other structures but I have found out from the last speaker that structures cannot be placed there or if they can they would have to be very limited. What I was thinking was in terms of day care facilities and for example, where the young people are gathered together if you could have some of the elderly and mix the young and old so that the young can benefit from the elderly and maybe I will get an opportunity to write at some point in time my views regarding recreational facilities for everyone as opposed to the very young.

It was mentioned that one need not worry about people liking football and getting away from cricket. Cricket is a discipline and it takes a long time and our young people are short on time and short on discipline. You will tend to find that a lot of them are getting away from playing cricket and going into playing the instant game like football and basketball where you can get instant results.
11.55 a.m.

That is the society in which we are heading. If it is just a one day game that is all right. But to sit and listen to follow a game over a period of four days there do not seem to appear that there is any joy in that unless it is the last day in which they listen. Maybe we are going to have to do a little bit more in the primary and secondary schools and see if we can bring them back to enjoying the game of cricket.

Mr. President, I support this Resolution and really do not have much more to say at this point and time since other structures cannot be included.

I thank you.

SENATOR N. P. WELCH: Sir, I just want to make a brief intervention. I too, want to support the development of a sporting facility in The Whim, St. Peter for the young in the area. I believe that sports has played a very important part in the development of our young people and I believe that it will continue to do so.

As I journey around Barbados, I am pleased to report that of all the facilities that Government has tried to provide for the people of this country that the sporting facilities need to be very well utilised. During daylight hours and even now with the addition of a number of lighted basketball courts and volley ball courts, those young people who are employed have opportunities after work to still participate in the discipline of sport.

But, Sir, I think that Government also has a responsibility to look back at these facilities as they know they have done recently at a few of the sporting facilities. But before I further develop that point, I want to make the other point that I think since 1986 as far as I can remember, every single sporting facility provided by the Barbados National Sports Council has also had with it a companion activity where a community centre has been linked with the sporting facility. So it is not really fair to say that you are not providing enough facilities. And every sporting facility has an outside seating area where people can watch and enjoy the sports as they occur.

I want to compliment the Government for having the wisdom to merge these sorts of activities so that youth groups and sporting organisations in the area can have a place where they could meet and have their fundraising activities and meetings. But if I could move from The Whim a little bit and get back to the point which I started earlier, I think that the Government has a responsibility to ensure that public facilities are safe for the people who enter these facilities.

I am extremely familiar with the facility at the Airport. It was part of the old police station that existed almost 30 years ago. It was termite infested, it was a threat to the public and Government had no alternative but to demolish it and I am sure that this Government will seek as soon as possible to ensure that changing facilities are provided at this ground at the Airport.

Sir, with those few comments I support this Resolution fully.

SENATOR THE HON. R. R. FARLEY: I beg to move, Sir, that this Resolution do now pass.

The question was put to the Senate and agreed to.

**ORDER NO. 3 – RESOLUTION TO APPROVE THE
VESTING IN THE NATIONAL HOUSING
CORPORATION OF LAND AT
LEARS, ST. MICHAEL**

SENATOR THE HON. R. R. FARLEY: Mr. President, approval is being sought for the vesting of 3.857 hectares of land at Lears in St. Michael in the National Housing Corporation.

This land which was acquired earlier this year, Mr. President, is intended for the resiting of residents of Lewis Gap in St. Michael who are in fact in a zone 1 water protection area. This 3.857 hectares of land is adjacent to an existing district and will represent an expansion of that particular area. The vesting in the National Housing Corporation will allow the development of the land by way of the construction of roads, the installation of water and electricity, the surveying and subdivision of the lots and the ultimate transfer to those 25 households that are to be relocated.

This area in question, Mr. President, will provide some 64 lots in total. Therefore the opportunity will be taken not only to relocate those 25 households which have to be moved from the zone 1 water protection area, but also to provide the remaining 39 lots to a number of households in Barbados. Particularly high in the list of priorities will be those persons who would have been disenfranchised as a result of the Democratic Labour Party's amendment to the Tenancies Freehold Purchase Act. This amendment amended the definition of a tenantry such that a number of persons who would have qualified under the Tenancies Freehold Purchase Act as originally passed when the definition of a tenantry would have included those persons, now found themselves with notices to quit. They have court orders standing over their heads and basically it has fallen to the Government to find house lots for those persons to move their houses.

So a number of those persons would be accommodated in the 39 lots which are available and generally speaking, the ordinary working Barbadians who are not in a position to find lots in other locations, particularly those who, for example, need to rent initially before being able to purchase will also be accommodated in these types of developments.

Mr. President, I beg to move, Sir, that this Resolution do now pass.

SENATOR J. D. E. BOYCE: Mr. President, I was very interested in the presentation of the Honourable Senate Leader, Sir, on this Resolution, investing in the National Housing Corporation the parcel of land at Lears in St. Michael.

Of course, Sir, he had to make his familiar cheap political reference to the changing of the Tenancies Freehold Purchase Act. I have said in here before that if the Barbados Labour Party finds the present arrangement of the Act so uncomfortable they can, with the ease of the Parliamentary procedure available to them, change back the Act to what is most suitable.

Aside.

SENATOR J. D. E. BOYCE: They have back-dated many things in the past and they can change the Act to the most suitable arrangement for them and proceed. Instead of making that cheap political point all the time that the Democratic Labour Party did this and did that. I think it is in very poor taste, but that is the Honourable Senator's business and he can say what he wants. Of course, when I reply he will have to deal with that.

Sir, the question of the resiting of the people at Lewis Gap is very important. As a matter of fact the situation at Lewis Gap has never been satisfactorily resolved to my mind in that we have had a situation where the Government on the one hand is saying an area is zone 1 and then a pace across another group of persons are said to be okay. I think again we are really stretching the demarcation in respect of zone 1 as against zone 2 and as technical people, we need to get to grips with that situation.

I am happy too, Sir, to hear the tone of the Honourable Senate Leader's summation when he referred to the need for rental units. Because when I am in here pleading the case of the young Barbadians, who cannot afford the \$75 000 lots that they keep advertising, that is the Members on that Side, as being the flagship of the National Housing Corporation. They scoff at my contribution because I tell them that the young people who are starting out need places to rent.
12.05 p.m.

I hope this is not just verbose, Sir. I hope it would be turned into action as quickly as possible and I will see some intent to pursue a developmental role in housing which allows for the building and construction, not only the provision of rental lots but also the construction of more rentable units at a rate that can be afforded by the starters, people who are now starting out in the world of work, young people who are not working for sufficient sums to accommodate the other more commodious arrangements that the National Housing Corporation might have.

What I would like to add, Sir, if I am not disturbed too much, is that I have another half a dozen applications for these types of units from young people in Barbados who are in need of this type of housing in that they have not been able...

Aside.

SENATOR J. D. E. BOYCE: When I say I have the applications, I have a further request then, Sir, by these persons who have had the run around. That is what they call it. They do not say to us that the National Housing Corporation does not have space or does not have housing units. They say, and that is the young people that Senator Barker will laugh at, these things because he does not have to deal with the situations. I have to deal with the situations. The young people do not say that the National Housing Corporation does not have units. They say they are given the run around by the people at the National Housing Corporation. They go up there, appointment after appointment and they get nowhere. That is what I mean by having more applications and the Honourable Senators on that Side need to recognise these things.

As we look at this kind of Resolution and we talk about the work of the National Housing Corporation, it is not only a matter of being frustrated by not being able to get the home, Sir, but it is the inconvenience and the disruption that these young and old people alike in Barbados have to endure and they make numerous trips to and from the National Housing Corporation Office on a daily basis just to be told the inevitable: "Come back next week or come back next month."

Sir, it is extremely frustrating to hear people when they say: "Well, Mr. Boyce, I am not going back. I have been there enough times." I think that in the new year, it will fall upon this great political organisation, of which I will be a member, of course, to relook at this whole question of housing in Barbados. We have to make sure that we can reduce that.

If we look at the National Housing Corporation Reports, I do not have them in my hand, Sir, but I can get them if I want to, and I do not want to refer to it specifically, but the last National Housing Report, you will see the large deficit, and I talk about it all the time. I think we should set out as a nation to eliminate that deficit just like we set out to deal with the question of unemployment.

When the Democratic Labour Party put forward the 5-4-3 Plan in terms of unemployment, the Barbados Labour Party promised 30 000 jobs and the National Democratic Party talked about full employment. Sir, we need to adopt as an objective, eliminating the waiting list at the National Housing Corporation. We can do it. We need the will to do it.

As I said, we do all other kinds of things by the stroke of a pen. We forgive debt. We provide incentives. We create businesses. We create money by the stroke of a pen. We need also to create that housing requirement for young people and stop playing at it. I think we are playing at it too

much, Sir, and we are not really sitting down and saying how can we once and for all eliminate this real need.

Sir, while I am on the question of housing and the National Housing Corporation, and their intentions for the development of the site at Lears, I want to also make a plea for the number of welfare cases in this country who are not getting adequate attention and whereas we have seen the establishment of a consultant on poverty alleviation, I am not necessarily seeing the results in terms of the provision of housing for some of our welfare cases.

I want to see a programme, Sir, which puts more money into the National Housing Corporation for them to also provide units for some of our welfare cases. This is an urgent need too, Sir. Some of the older people of Barbados are suffering too much. I say it all the time. I see it all the time. They should not have to go through this kind of hardship. We must provide for them like a nation who is grateful for the work they have done to build this country to what it is today. They are people who we must respect and we must give more. We must be prepared to count the cost in providing comfort and amenities for these people who have worked so hard to build this nation in the past.

I make this contribution, Sir, and I hope that the Honourable Members on that Side again will take the message back to the appropriate authorities and have some of these matters which I have spoken of, and speak of so often, addressed in a really meaningful way, Sir. I am grateful to you, Sir.

SENATOR C. LeR. TROTMAN: Mr. President, I wish to support the matter before the Senate, particularly so since it addresses the subject of having houses moved since the current location of the residents is in a Zone 1 area of our country. I think we all must be very concerned about our environment and we must be particularly concerned that efforts taken at all levels to endeavour to reduce the level of environmental deprivation and the degradation of that same environment and any attempts that we can make to address, perhaps, the greatest of these, our water, should be something that would be welcomed. So, Mr. President, I am particularly pleased that we are making yet another effort to endeavour to get potable water to not merely our residents but our visitors as well and to have this water become available to our people in such a way that we would still be able to speak to and take pride in the quality of our drinking water.

I think, Mr. President, Honourable Senators would all be aware of the kinds of difficulties which could be suffered by a country when the water in that country reaches the stage of pollution where travel brochures would have to say that people ought not to drink that water or even have to travel to the countries taking their own water with them. One of the

things that make Barbados attractive as a destination is the fact that we are still able to turn our taps on and put a glass or a cup under the tap and drink that water directly without subjecting it to any kind of purification.

This, therefore, must be supported and in our effort to support this we have to make sure that in our efforts to address the question of our housing stock we do so bearing fully in mind the concern which there is to have a housing plan which is consistent with our need to have an overall environmental plan.

12.15 p.m.

In the area in which this particular project will be located in Lears and where the 64 lots will join together in another village, I would wish to make the further observation, Mr. President, that there is a nearby sporting facility, a playing field. But I would wish to suggest to the Government that as they move the houses into that area, they should endeavour to upgrade that Lears playing field along the lines that we would consider consistent with good planning. So that, there should not only be a nice playing facility itself but that there should also be provided for the area at Lears, an adequate pavilion with the community centre that one would normally wish to associate in these modern days with that kind of arrangement. It is not outside of the possibility and one notices the young people playing cricket there on the pasture but very frequently having to have as their pavilion merely the shade of the trees. Beautiful trees though they be, they are not a substitute for an adequate pavilion. I would wish to make the plea, perhaps that is too strong a word, make the call for such a facility to be provided.

I wonder, Mr. President, whether in looking at the subject of rentals as was referred to by another officer, we could not ourselves in a general statement recognise that one of the unfortunate problems which have dogged the attitude and the practise of Governments as they have attempted to provide housing and as they have attempted to provide house spots, has been the problem of the lack of transparency. I wonder whether in saying that we ought not to make a very strong plea for transparency in the award of those persons who will become beneficiaries in this programme.

One, in making these comments an observation, might find that very frequently there is reference being made to political parties. I do not wish to do that. I merely wish to say that where there are large numbers of persons who are demanding a limited number of facilities or benefits, there is bound to be a difficulty in allocation. Where there are going to be those difficulties in allocation, we have to be particularly careful especially with the up-thrust in demand, to ensure that there is a methodology which is being used that would allow those people who are disappointed to

realise that there is a basic reason either in the time of the request or in there being other factors which significantly override the previous action which was taken.

This seems to be a season, Mr. President, when there will be a lot of whimsical statements that would be made from time to time. I trust that you will not hear this person addressing such whimsical statements or making any such ones. I do wish to say that when one speaks to the matter of housing, or when one speaks to the matter of housing stock that it might be a good time since we have referred to the season, for us to suggest and very strongly to put forward the case that there has to be a much more clear master plan for housing provision.

I know, Mr. President, that this is not the easiest thing that one could deal with because one has to be addressing matters of available land, one has to be looking at the overall demand and one has to be looking at the facilities in terms of finance which might be available. Still there has to be a master plan against one which will be able to look at available land as it comes under the purview and the influence of the Government and as it look towards the capacity of the Government in terms of revenue to meet the increasing demand, which there is, by persons to own their own houses as well as in some cases to rent their houses or to rent land to put their houses.

When we do this, Mr. President, we have to bear in mind the commitment which we are all making in all levels of this society to address persons with disabilities as well as to address persons who are below the poverty line. It is not always easy where there are scarce resources to take such persons into consideration but it is my view that as we endeavour to improve the housing stock, improve the stock of rental facilities that we have to cater to those who do not have steady jobs and that is difficult, I know, but nonetheless, we are going to have to make that extraordinary effort. As I have said before, I am looking forward to the programmes and the plans that will be put forward to the public at large. It might be useful for us to make manifest of our positions in such matters.

SENATOR T. E. BARKER: Mr. President, I just wanted to add my comments to this Resolution and to say that I support it in the fullest, the vesting of land in the National Housing Corporation at Lears. A few months ago, Sir, we had an extensive debate on the acquisition part of it where we noted the reason for the acquisition.

I want to reinforce, Sir, that we have in this country to be serious about our environment. I agree with the last speaker that we have to be more than serious about our environment and do things to ensure that no activity goes on which can be detrimental to the quality of our water resource. All of us have travelled, some more than others and we know

the horrors of having to brush our teeth in bottle water and that sort of thing in some countries. We have to do everything to ensure that this country never gets to that state.

Sir, people are hesitant when it comes to moving. For example, Sir, when the sewage treatment plant in the City was being built, the people of Emmerton Lane had to be removed to Clapham. Sir, a classic song was written concerning that movement. The point is that today, twenty years or so after the event, the quality of life of the people who have been moved to Clapham has been enhanced and they are reaping the benefits...

SENATOR T. E. BARKER: They have been moved from their community, which is always a traumatic experience but we have to make sure that if we have good reasons for moving a man from his roots so to speak, that we have to compensate him by moving him to an environment which is above and beyond what he was accustomed to as a sort of compensation. All of it will not be a monetary compensation but a compensation. We are going to move you, we understand that you will have historic and cultural ties to the area so we are going to reduce some of the trauma and make sure that your surroundings are enhanced. I hope, Sir, that the National Housing Corporation uses this approach and make sure that the quality of life for the people will be greatly enhanced.

Sir, mention was made about the playing field which is nearby. The playing field which lacks a pavilion. I believe that the residents of these communities have to be a bit proactive and organise events to help raise funds. I am not saying that they can do it all by themselves. We have to build up the community spirit because if you have to wait on Government for everything it is going to take a bit of time. We have to build up the community spirit so that the community themselves, the young people can organise events which can help to raise some funds so that if you have a load and a fellow helps you to lift it from the ground....

Asides.

SENATOR T. E. BARKER: Sir, those of us who know about dung baskets know about these sort of things. I am told that some communities in St. Lucy have gone that way. We want other communities to say, yes, Government has an obligation but at the same time, the demand is so great on Government that it is going to take some time to get to everybody. Hence, we want to rekindle the community spirit so that the community themselves can be at the forefront and make sure that the business community nearby gets involved. So that if they see the community make an effort they might come in and help so that everything is not really left to the dwindling public purse.

Again, Sir, Government has a responsibility in the final say but the community can help, because Government is in fact, the people to a large extent. So, Sir, this Resolution can be supported by all sides in spite of rhetoric because some of us feel that we can be heard because we speak loudly.
12.25 p.m.

SENATOR C. LeR. TROTMAN: On a point of order, Mr. President. The Honourable Member is imputing improper motives to speakers. I just spoke and I spoke loudly but I am sure that I did not fall into any such category.

Mr. PRESIDENT: I do not think Senator Barker that your comment was a fair one or that it was particularly parliamentary. I would ask you to withdraw it.

SENATOR T. E. BARKER: Yes. I unreservedly will withdraw the comment. Sir, with those few comments I want to support this Resolution and urge the Honourable Members to do the same. Thank you.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, Resolutions like these create discussions, which I can vouch for, have been going on from the time I came into Parliament in 1970. There has not been a year that there is a Resolution about housing that somebody is not claiming that the Government is not doing enough.

I think that if Senator Boyce would pay a little more attention to the history of Barbados and the history of his political party, he would reduce the comments he makes about housing in Barbados because they have been the worst offenders of providing housing for the people in Barbados. They have the record of going in the same housing area, sweeping out the contents of houses, taking them for the police stations, selling them out by auction, what could be found and he must not keep on saying he only came on the political scene in 1994 or 1995. It is his political party that must carry some of the blame for what is happening in housing in Barbados.

SENATOR J. D. E. BOYCE: On a point of order, Mr. President. I do not recall in my presentation today saying anything about being on the political scene in the last eight years. Therefore the Honourable Member is imputing improper motives to my contribution. I would like to beg that he withdraw that reference. It was not part of my speech. I did not say that.

Mr. PRESIDENT: I will treat that as a point of elucidation.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, there is no Government in this world that I know of that has ever been able to supply the housing needs of its

people. I would like to hear Senator Boyce tell me one that has been able to do it. If Senator Boyce would study the statistics of countries, any country that he is talking about when it comes to housing he will learn what it means.

In Barbados we have 5 000 people leaving school annually. Our experts have told us that people are living longer and that by the year 2010 we will not have enough young people working to provide pensions for those retired and what it means is that despite the fact that we are producing 5 000 young people we have not got the old people dying off to leave room for the young and it is those people who primarily occupy Government housing. You cannot put them in the road.

We have to ask ourselves what is the role of the National Housing Corporation and how it is meeting the demand. The National Housing Corporation has, and we have to look back at the history of this country which I am saying Senator Boyce does not look at. He likes to cover the past. When I went into politics in the early sixties the only people who used to apply to National Housing Corporation for houses were people who were ejected by the courts or people whose landlords put their houses at the side of the road. You do not see a house at the side of the road today.

From the time the Barbados Labour Party came into office in the seventies under the skilful and brilliant leadership of Lionel Craig, Minister of Housing, we started to build beautiful and accessible Government housing and I could tell you that people come to my office and tell me they are getting married in the next two months and they want a Government house. You never heard that before. You would hear somebody got put out in the road so they have gone for a Government house.

Government houses today is not what it used to be in the sixties and the seventies. Government housing today is a stable community in a well appointed house which people expect to hold for life. There are people living in Government houses who have private homes outside rented out and refuse to move out of the Government houses. As the law is so structured, you cannot go and put them out. I know one man who had about 120 hired cars, apartments all over the place and he lived in a Government house and refused to move.

I remember one day I was in Land's End where I came from and I was talking to some people in Parris Gap and a longshoreman whom I know owns two houses in the area, rented out told me, "you cannot get me out of my Government house. I am going to rent out mine and live in the Government house". What are you going to do?

People who apply to the National Housing Corporation are those persons who are ejected. You go to court and the

magistrate makes an order telling you to leave and the clerk gives you a letter to take to the National Housing Corporation. National Housing Corporation cannot provide all the houses. People who love the subsidised rent because National Housing Corporation houses do not rent for more than \$40 or \$50 a week but the Dems put theirs at \$90 and had them in St. Philip locked up for a long time because nobody went for them.

So you have to ask the question. The Democratic Labour Party over and over condemned the acquisition of land in order to give it to National Housing Corporation to provide more sites for building houses but when you start on a house building programme you have to acquire land. When you have the land you have to have the workers.

I heard the Democratic Labour Party walking about saying that the economy is not what it is. They are so bent on misleading the public of Barbados that they will not tell you that every construction company in this country today are importing labour from Guyana, St. Lucia, Trinidad and St. Vincent.

Senator Boyce will come in here and talk about young people complaining to him of being turned around when they go to the National Housing Corporation. The people who work at NHC can only give what they have. They cannot wave a wand and put the houses up in a day. They talk about the Barbados Labour Party saying it would provide 30 000 jobs. Tell me when in the history of Barbados you have ever looked into a newspaper and seen an advertisement for general workers? Every newspaper you open carries ads for maids, carpenters, butlers, cooks, general workers, all kinds of things. All the contractors I know and I ask are importing labour.

I must compliment the Immigration Department because they give a short term working permit in a week which is marvellous. They did not get to residency as yet.

Therefore, Mr. President, we must avoid something in this society and I think it is about time that we get to the point. If we follow the Democratic Labour Party's mouthing we will try to create an almshouse society but one thing Senator Boyce must understand is that every demand on Government is rooted in taxes. You cannot on one side of your mouth ask Government to provide all the needs of the people in a country and then turn around and say you are the most heavily taxed country in the world. Because where is money going to come from? Because if you have to provide everything that the Democratic Labour Party thinks the people want somebody has to provide the money and we are not like another sister country which I know where when they had money they spent it willy-nilly. They did not care how they spend it. Today, you have to take a different look.
12.35 p.m.

I just came from visiting another Caribbean country. What the Government there does is to carry the boulders, the cement, the sand and the marl fill and tell the people to help build the roads. This is a self-help programme. Because it reduces the amount of taxes which the Government must then extract from the people. And if the people want to enhance their own living, they are going with self-help and most countries around the world do that.

But Senator Boyce must not believe that he is the only authority on life in this country because most of his authorities are flawed. They tell you history teaches you what the future is about and I will beg Senator Boyce to start and read the history of the Democratic Labour Party and their behaviour in this community.

He must not come in here and try to fool young politicians about what it is.

Mr. PRESIDENT: Senator Bolden, I do not think you can suggest that the Senator is attempting, to use your words "to fool other politicians". I will ask you to withdraw that and ask that it be struck from the records.

HIS HONOUR SENATOR C. L. BOLDEN: Yes, I thank you, Sir. But he must not use statements which try to hide the past to make young politicians believe what he says is the truth.

Mr. PRESIDENT: Again, Senator Bolden, you are saying the same thing.

HIS HONOUR SENATOR C. L. BOLDEN: I change the word "truth" to "realistic".

Mr. President, for years Members of the Barbados Labour Party have been asking that the Government transfers the housing units to the occupants and I remember the Beckles Road issue. Look how long we have been asking that the people in Beckles Road own those houses which were on Government lands and the Democratic Labour Party said that it could not be done.

Aside.

HIS HONOUR SENATOR C. L. BOLDEN: It is called Bayville now. We have had to wait until we came back to power to start to convey those lots to the people who are living on them and you know what we did? We allowed them to set off the rents they paid against the cost of the land.

So therefore, Mr. President, this Party has not been negligent in performing what it has said it would do for the people. The Barbados Labour Party has always been in the forefront of making Barbadians their own landowners. I have

to repeat that when we looked at the Tenancies Freehold Purchase Act, we looked around and saw the many people who lived in tenancies paying \$0.05 and \$.10 a week and could do nothing with the houses. Anytime the plantation managers felt like, they would take down the houses and put them at the side of the road.

And when we brought the Bill to the House, it was the Democratic Labour Party under the late Errol Barrow who went through Drax Hall on a horse and said that if we passed the Bill, he would be the first to sue the Government because we were taking away the people's land – Barrow and Colonel Drax. We had to wait until we could get every MP back in the island to pass the Bill under a two-thirds majority to give it the constitutional protection.

But do you know the argument used by the Democratic Labour Party? They tell people not to buy the land because they now have to pay taxes.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: Now these people now own the land and one of the things I have often said is that the Barbadian community is a house owning community. The people did not take the advice given to them. They bought up the land and if you go through the tenancies of Barbados now you will see some of the biggest and most beautiful houses you would ever wish to see.

If you go just up the hill in St. Barnabas you can compare the development which has taken place and St. Barnabas was National Housing Corporation land. If you look at one house which is now a three storey structure and the original house next to it you will see what development will take place when a person knows that he owns the land on which his house stands and that is why I have always supported the right of acquisition of land for housing in Barbados.

I would like to say again that if we check the history of Barbados we will find this is one of the few countries in the world where there was never any crown lands. From the very beginning the Kings in England gave away the land in Barbados to whomever supported them and successive Governments throughout the years, have had to purchase land even for road development and road widening. And we must continue if we must move our people to a social position which is acceptable to all.

I would hate to see the day when we come to the position of some Latin American countries where you have a two tier society, where you have the rich living on 200 and 300 acres and then you look up in the hills and you see the poor in little tin huts cluttered together. That is what we have to avoid and I must thank the successive Governments, excluding Senator Boyce because he has never been there

and he will never get there, for having the foresight in how to treat people. But I will say that Senator Boyce will pay the penalty because I will tell the people what he wants. And he must understand that the National Housing Corporation can only produce a limited number of houses per year irrespective of what you do, how many workmen you have, or how many lots they have. Because there will always be more applicants than there are houses and lots available.

I went to court about four weeks ago with a young lady and the Magistrate gave the lady three weeks to move her house. She said, "Mam, I have been searching for the last year and a half for a house to rent". The Magistrate told the clerk to give the girl a letter for the National Housing Corporation. The National Housing Corporation has no houses to give and people do not understand that the National Housing Corporation bears the brunt of application for housing in this country.

If there is a catastrophe tonight and a house burns down, the MP for the area will call the National Housing Corporation and tell them that they must find a house for that person. If tomorrow morning you have a flood and somebody in the area gets washed out, the MP for the area will call the National Housing Corporation and tell them that they must find a house for this person.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: So, Mr. President, we must be reasonable. I know it is pointless telling the National Housing Corporation to build at this point and time because there are no workers around. And we will have to take our time and supply those whom we can supply and we have to find some device as to how we will treat the others.

Now, Senator Trotman says that he would like to see a sort of transparency in the allocation of housing, but whatever you do somebody is going to get vexed and say, "I deserve it more than the next person". But everybody has their own standard of demands and therefore I would say that the National Housing Corporation in my view is doing the best they can.

And I would tell you something, Mr. President, there are people who live in the National Housing Corporation houses, when they are going away they call a friend and put the friend to live in the house and the friend pays the rent in the original tenant's name. The National Housing Corporation cannot break in and tell them that they are not "John Brown" and put them out. There is a man who just died, he moved three boys into one house with him and then went to the National Housing Corporation and told them that the house is too big for him and he wants a smaller house.
12.45 p.m.

He came to me and I wrote the National Housing Corporation and said this is a very economical way of dealing with the situation until I discovered that he moved three friends in the big house he had. He expected National Housing Corporation to find a small house for him and leave the three boys in the house there. The National Housing Corporation said: "No, he has to give up one to get the next." So there are all kinds of games and manoeuvres being played on the National Housing Corporation and they are like any other landlord controlling multiple housing. They have to try their best to satisfy the most urgent demand of the day. I support the Resolution.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I again support this Resolution because I feel very strongly that there are a lot of people who cannot afford to buy land or houses and, therefore, it is the responsibility of the Government to assist those low income earners in finding a habitable place to live. In the end it lessens the health bill and the work on the nurses.

As far as housing is concerned, Mr. President, I am very confused about the National Housing Corporation and I will tell you why. In the last Budget there were some concessions made, some wonderful things so that the first time home owners could apply for mortgages to own their homes. Somehow, I do not know what has happened but I have asked the nurses to apply and they do not seem to be able to get through. I do not know if there not enough people or what has happened regarding these concessions that are available. In other words, I feel it is good, but I think we need to use the media to educate the people a bit more about what is happening.

I know there can only be so many houses available but let them know that so many people apply. It is done now and then but not enough and so many houses have given out and they are making efforts to provide more so that everybody would not be going to the National Housing Corporation and waiting four, six, seven and eight years.

I want to say a word or two, Mr. President, about the Zone 1 area. I am glad that we are trying to prevent contamination of our environment. What I would like to see done is a special effort made toward the disposal of car batteries or any form of batteries because that is one thing that you can get acid from that can contaminate and pollute our water. You pass the road and you see them beside the road but I think we need to educate our people that it is very undesirable to leave any form of battery to be picked up by the Sanitation Service Authority or to dispose of the little ones anywhere to contaminate the environment.

With these few words, Mr. President, I support the Resolution. I sincerely hope that things could be sped up so that people who are seeking homes will have it easier or will be satisfied why they cannot achieve their goals as they would like.

Thank you.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this sitting be suspended until 2.00 p.m. today.

The question that the sitting be suspended until 2.00 p.m. today was put to the Senate and agreed to and Mr. PRESIDENT suspended the sitting accordingly. 12.50 p.m.

RESUMPTION

Mr. PRESIDENT: This sitting is resumed.

ORDER NO. 4 - THE PENAL SYSTEM REFORM BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move the second reading of this Bill, a Bill to reform the penal system of Barbados. This matter is one in which we are seeking to make some fundamental changes to the way how the society and the legal system in the society deals with the matter of punishment for crimes which are committed.

Asides.

SENATOR THE HON. R. R. FARLEY: Over the last 100 years or so, the one consistent pattern which one could identify in this matter has been that courts have imposed custodial sentences or fines and after around 1945 or so, probation was also included. There is a recognition, however, that the matter of punishment for crimes must go beyond these bases, from fine or confined with limited probation and that in fact, our system as it stands now does not emphasise as much as it really should, real and significant efforts at rehabilitation.

There is also another problem, Mr. President, and the problem relates to the fact of the nature of criminal activity. It relates also, Mr. President, to the nature of the institutional arrangements which exists to cater to persons who are sentenced for crimes. If we look, Sir, at the age and other profile of those persons convicted for crime, you will see that unless we make some efforts to reform the penal system that you will in fact be getting ourselves into a deeper, wider, vicious cycle out of which it will become increasingly difficult for us to emerge.

This Bill, Mr. President, was developed against the background of careful examination which was made of the penal system as it exists in Barbados. A look was taken for example at the profile of crimes which are committed and the offenders who are, in fact, convicted and a number of interesting features have emerged. Included, Mr. President, amongst these interesting features, is the fact that the majority of persons who are serving sentences in our prison are really serving fairly short term sentences. It is interesting to note as well that a vast majority of persons who are in prison in Barbados are there as repeat offenders which would suggest that arising out of the first offence there was not a successful rehabilitation effort.

Another interesting statistic I would point out before I move too far ahead, is the fact that the majority of the first offenders are young people and that is significant.

Asides.

SENATOR THE HON. R. R. FARLEY: It suggests to us that there is both an opportunity as well as a need to not only have systems in place to deter young persons from getting into crime but also where unfortunately, they have their first brush with the law, that they do not forever continue to proceed in and out of the revolving doors of crime and the criminal justice system. In fact that first unfortunate contact with the law, should be of such a nature that there is possibility for rehabilitation and that that young person would not in fact, find themselves back before the courts.

In a study which was done a few years ago, Mr. President, there was found for example, that 28% of persons who were in prisons were first imprisoned as teenagers around 18 years old. That 51% of the prison population was below the age of 22. It is to be noted as well that the peak age, that mid and early 20s age tended to constitute the vast majority of persons in prison. Some 64% of prisoners at Glendairy were below the age of 30 when they were admitted to the prison.

Mr. President, I want to suggest that it is the responsibility of the society and certainly this Government sees it as an important responsibility to attempt to rescue these young people in Barbados. An important factor, Mr. President, is that the largest percentage of persons at Glendairy Prison are really serving sentences of less than 6 years which would suggest again that the majority of persons there, are there for short term sentences.

In fact, to give some details, Mr. President, sentences of less than two years is what 20% of the population in Glendairy is serving. Sentences of two to five years is what 37% of the prison population is serving and six to ten years,

just under 15% and the remainder are smaller percentages. Against that background, Mr. President, what is being attempted by way of this particular Bill is to provide some alternatives to imprisonment.

As indicated earlier, Mr. President, as the law generally stands now, and as our judicial history seem to have been up to the present, the main means of punishment are fines and imprisonment. There is probation as well and we have had community service orders. This particular Bill, set that all in context. The Bill basically seeks to modernise the penal system by laying down for the first time in law, provisions for things like community service orders, for probation, for curfews and the like. Generally speaking, the whole matter of non-custodial sentences, and having a managed and organised regime for non-custodial sentences, is really the principal feature of the particular Bill.

For example, in an early part of the Bill provision is made for suspending a sentence so that in situations where the court deems an activity is not as serious as to merit imprisonment or one of the more severe forms of sentences, the court can assign a sentence. In fact, it can discharge the offence either conditionally or unconditionally. It can also make provision for suspending a sentence and that may seem simple enough. The important thing is this, that it is providing an opportunity for the offender to be able to redeem himself and to show to the court that he or she is in fact willing to be rehabilitated. Part of that arrangement as well can include real help and support by way of counselling treatment programmes where there might be drugs involved and other practical support.

More importantly, by not having the person languishing within the four walls of Glendairy Prison, you are avoiding the inevitable as occurs when persons go to prison. There are unfortunately stigmatised and thereby ostracised when they return into the community. A person for a relatively minor offence may find himself stigmatised and ostracised for life. By giving the courts alternatives and structured alternatives, we are providing alternatives for persons to have a second chance.

It is a known fact that given the arrangements as there are in our prisons, that persons who go to prison on short term sentences even persons going on remand are able to mix with persons who are there on longer sentences, persons who are hardened criminals. In fact, the experience is there on the ground, in the field and in the community, is the fact, that person who goes up and they make contact, it is almost as if they graduate to a higher level of sophistication in crime.

Think of the benefits, therefore, Mr. President, of having a system whereby society's disapprobation for a

particular activity, to be expressed by the court, is that each and every individual for these minor offences will not necessarily find himself committed to Glendairy Prison and facing all of the consequences. Of course, the law will make provisions for those persons who have been given the opportunity but who have no interest in pursuing the opportunity for this rehabilitative effort or have no interest in obeying the orders of the courts. Their only alternative will be to face the consequences and where the charge is formally made prison may have to be involved.

2.15 p.m.

Another important aspect of that alternative to imprisonment is the matter of community service orders. This law will provide the statutory basis for which these service orders can be given. It is important that not only does the law make provision for that but it also sets out the parameters within which this can occur. The reality is that community service orders if they are to be meaningful have to be done in a way that the community benefits from whatever work is but it must not be done in such a way as to infringe on the rights of the offender as to be offensive to human dignity. So that one cannot be claiming to impose a community service order on someone who has stolen and you make him hang a sign around his neck saying I am a thief and walk around the school several times.

The framework which is laid out sets out the parameters within which sentences can be carried out to ensure that the orders are meaningful and are not offensive to human dignity. Also provision is made for there to be consideration given to a person's religious affiliation as well as to his regular work or other commitments as an individual. The whole focus of the Bill is rehabilitation. If that is so we are saying we want an individual to repay the society for offences but we also want him or her to be able to continue doing his job and be able to take care of his or her family and other commitments. That is important.

One of the sad aspects sometimes of having to impose sentences and punishment for offences is that sometimes the punishment itself serves to make things worse. I wonder whether sometimes we are making things better or worse when we have reached the point that we have to imprison fathers for child support. Yes, there is a need for punishment for the offence. There has to be some sanction to ensure that fathers maintain their children but then if you are imprisoned you cannot work to raise money to pay. When you come back out of prison you are stigmatized and ostracised and you may not be able to get a job. In the meantime what happens to the children in terms of the same support which was previously missing but then in terms of having to deal with the other wider societal issues, discrimination and ostracisation?

Given the particular circumstances, if the court which would obviously have full knowledge of the particulars of a situation, the court now has options. The court in its wisdom responsibility as lawmakers will decide what is the appropriate option to be used but our is to provide the widest possible range of options so that should the circumstances of the case merit, the court is able in its wisdom to move in a particular direction. What this Bill will do, Mr. President, is to provide an opportunity where the disapprobation of the society is warranted where the offence against the law is deemed to be punishable, there is still where that is necessary and where that is vital, that possibility for the earning power of the individual and for the individual to be rehabilitated to be paramount.

Community service orders, for example, are spelt out in the various sections of the law and I will not go into details as they are quite clearly spelt out. In addition accommodation arrangements can be made. An accommodation of community service orders and probation, probation and curfew. There are special arrangements for persons under the age of 21 where attendance centre orders can be made as well which would mandate young persons to attend these centres for training, counselling, treatment whatever is warranted and mandated, given the particular offence. The framework for doing that is all quite clearly spelt out.

In short, the thrust of this Bill is to have good and clear alternatives to imprisonment. Recognising that imprisonment will sometimes be necessary and recognising that providing an opportunity for rehabilitation does not mean that we are necessarily being soft on criminals. All we are saying is that the punishment must fit the crime and all that is happening is that we are saying that for minor offences let us provide punishment which is appropriate.

There is no need to send a person to prison unnecessarily where rehabilitation rather than ostracising them from society would be more helpful. In cases where imprisonment is required it is also important for there to be fairness, transparency, equity and justice. This Bill requires persons imposing sentences to indicate in open court the sentence which is being given, which is done now but it also mandates them as an obligation to provide as the law says in simple language, not dressed in legalese, the reason for the length of the sentence.

All of us are aware, we hear as ordinary citizens and some of us here like me, are not attorneys-at-law and we do not practise before the court but we observe these matters and sometimes we do not know the intricacies of the matter. We are not questioning the call of the person on the bench, but sometimes when we look at the sentences imposed in one court for a given offence and the sentence imposed by another for a similar one, one wonders if there is any balance

and the reality is that the average person unless there is some psychological disorder knows right from wrong. He may try to evade but even if he does not admit, he knows within his heart of hearts what the situation is. But even an offender wants to see justice and we cannot inspire the confidence of the broad masses of the public, even those sections of the public that may from time to time be offenders, if they is opportunity for the perception to be taken that there is some imbalance in the treatment of offences and offenders.

And it is therefore a very useful addition to the legal framework within which sentencing is done that there be a clear explanation and a reason given for the severity of the sentence and that is very important.
2.25 p.m.

The whole thrust of this Bill also is that imprisonment must be used as a last resort and that is also important. It cannot be society's response to each and every situation to let us lock them away and get them out of the way, that is not the case at all. Imprisonment under this legislation must be imposed only as a last resort and you can direct your attention, Mr. President, to clauses 35 to 38 of the Bill where that particular position is very clearly outlined and indicated.

There is another aspect, Mr. President which we are taking the opportunity to make. There has always been much debate about what should constitute the age of criminal responsibility and the matter of the age of criminal responsibility which is different from the matter of punishment, but previous legislations spoke to the age of criminal responsibility being seven. What this Bill basically sought to do is to increase that to age 11. Of course within the framework there would still be differential treatment of offenders under sixteen years, over sixteen years and the like.

So, Mr. President, we are satisfied that this Bill on penal reform will go a long way toward changing the whole focus of our penal system, which for the last 100 years has been focused on fining and confining. And basically pursuing one of the very important aspects of punishment, that is the compensatory component of it, where the society is compensated for what ills have been done against the society to one where we are focussing on the rehabilitated aspects, allowing therefore the society to express its abhorrence of the act but giving the offender the opportunity to rise like a phoenix and to once again, be a useful member of the society.

Mr. President, we are satisfied that given the profile the age at which first offences are committed the number of persons who are repeat offenders, that this Bill with its focus on rehabilitation will have a very strong, positive influence on that one-quarter of the population at Glendair Prison

which are in the 25 to 29 age group. It would have a very positive effect on the majority of young persons in Barbados, who might from time to time due to some indiscretion, or might come into contact with the law and that they need not fear that society's only response will be some draconian punishment which for even a minor offence or even an indiscretion could find them faced with a stretch at Glendairy Prison and all that that will result in.

So, Mr. President, I want to commend this Bill on Penal Reform to the Honourable Senate and to beg to move that this Bill be now read a second time.

SENATOR J. D. E. BOYCE: Mr. President, I had to pinch myself a couple of times during the presentation to acknowledge that this was Senator Farley speaking. Indeed his presentation follows that of the comments attributed to the Honourable Attorney General in dealing with this legislation.

It is not a Bill with which the Democratic Labour Party has any divergence whatsoever, but certainly maybe if we were the National Democratic Party we would say that our mandate had been fulfilled and we could now fold up. Because, Sir, the one thing that characterise the Barbados Labour Party up until now has been their suggestion and their attempting to convince Barbados that one of the fundamental differences in philosophy between the Democratic Labour Party and the Barbados Labour Party was that the Democratic Labour Party was soft on crime. And this is a message which they used a lot in 1994. They even suggested that that was the reason why for instance the Democratic Labour Party did not hang people. There were spokespersons for the Barbados Labour Party who would have had the public out there believe that a Prime Minister or an Attorney General could decide today that someone should be hung and therefore they would be hung.

I am personally happy that today the Barbados Labour Party has come to understand the responsibility in this regard and the respect that one must have and the undying commitment to the rule of law in this country. And that when a person committed to hanging seeks to have all their options in terms of relief, in terms of seeking forgiveness, as painful as it is in a human and humane society, it is a reality in which we have to deal. And not only in Barbados but throughout the Caribbean we have seen constant battles by various judiciary as they seek to impose the death penalty.

This is not a debate about the death penalty. This is a debate about something much less final. This is about reform in the general penal system, applying most of all to the sentences which are now handed down by Magistrates, as I understand it. If I am not accurate in terms of the reference, I think generally I might be accurate, but Senator Bolden I am sure will correct me if there is anything that I have missed.

Sir, we have become accustomed in this country as Senator Farley said to persons being incarcerated for all types of crime because, as he also indicated there was really no option in law that the Magistrate or the sentencing officer could pursue. We have seen attempts in recent pasts where some members of the judiciary have attempted in their way and interpretation to carry out some more less punitive sentences.

Sir, the whole idea of Confinement Orders, Community Service Orders, Attendant Centre Orders and Curfew Orders are things which characterise modern societies. What we have to do as responsible members of society is to get out there in the highways and byways of Barbados, in our communities, with the victims and get them to understand what we are trying to achieve.

2.35 p.m.

It is only when one is faced with the perpetrator of these crimes that one begins to understand the harsh experience which the victim normally encounters. People in Barbados who have been victims of offenders are rightly unforgiving in this regard so they do not see a move to penal reform or a moving in the direction of this kind of reform as easily, and are not as prone to accept this kind of movement as those who have not encountered it themselves.

I want to associate myself with the victims. I want to say, Sir, that the responsibility of the Barbados Labour Party Administration, now that they have come to grips with the fact that they cannot get a man to hang, and that there are no candidates to hang, and all other things that they have come to grips with, it is their responsibility to explain what are the objectives and to ensure that even in imposing these orders the element of punishment is clear for all to understand.

If the victim sees a person who has been found guilty of no matter how small the crime, Sir, apparently enjoying freedom in the way that we are accustomed, I do not believe that we can be opposed to their concluding that their interest is not being met. So we have to be aware of this angle to the whole question of this penal reform.

We in the Democratic Labour Party have been preaching this gospel for some time without at any time pretending to be easy on crime. In 1994, if we compare what was happening then with the level of crime in Barbados today one wonders what conclusions the Members on that Side can come to. If in 1994 they felt we were soft on crime and that is why things were as they were then, what are they saying today when the incidence of violent crime, regrettably, has driven fear into nearly every business person and private citizen of this Barbados.

You talk to shop attendants, you talk to gas station attendants, there are girls who do not go to work, not because they are shirking work but they refuse to work the night shift at some of these petrol stations and I know of them. I talk with them, Sir, and they do this because of the fear of the rampant crime in this country and we have a situation where the Barbados Labour Party prefers to walk around this country quoting statistics about crime being down or reported crime being down when not wanting to recognise that under their Administration things have indeed gotten worse.

The Hotel Association says so. The old people in Barbados say so. The shopkeepers in Barbados say so. It is my observation, Sir, from reading the newspapers and from the commentaries from the call-in programmes, that crime in Barbados is indeed out of hand and it needs to be dealt with frontally. The Barbados Labour Party Administration must now recognise for the first time it is not a political issue.

The Democratic Labour Party has said for a long time that crime is a social problem and it is not to be used like they did in 1994 for political convenience and that is what irks me, Sir. That is what concerns me. Whenever it is convenient, they would want the Democratic Labour Party to stand on their side and join them and clap with one hand to the music that they are playing. This kind of cooperation, this kind of national approach was absent in 1994, and we took our licks. We dealt with what we had to deal with and we went along with the people's business.

The Barbados Labour Party preferred the politicising, and even in 1996. By now, Sir, I think you must recognise the shock which I am going through because in 1996 at a by-election in St. Michael North West, Sir, the Honourable Attorney General even then was making his promise that he must have a man, and he meant then that he wanted to ensure for political reasons only, that is my conclusion, that there should be someone who had been sentenced that the sentence of hanging should be carried out. We have never been against that. And even today, as I read the comments in the introduction and the commentary of the Barbados Labour Party about this Penal Reform Bill, and I read the reference to the fact that incarceration costs \$28 a day, that custodial sentence costs \$265 and some other sentence costs \$5. Sir, it is like equating this thing to dollars and cents but that should not be the driving force.

I get the distinct impression that somewhere lurking around the thought patterns of the Barbados Labour Party Administration is the fact that this kind of arrangement will bring relief to the coffers of the country and therefore it is a good thing.

Aside.

SENATOR J. D. E. BOYCE: I am not going down that road. I do not intend going down that road, Sir, because I believe that our young people are worth every cent we can afford and our young offenders sometimes in order to carry out non-custodial sentences, along with the confinement order and the curfew order, might have to be associated with some kind of counselling and must be, should I suggest, Sir. 2.45 p.m.

Other than that we will not be achieving our objectives. We cannot on the basis of numbers alone conclude that this is the direction to go, on the basis of dollars and cents alone. That is the impression the public of Barbados again is being given by this Barbados Labour Party administration. They have a lot to answer for. I do not feel sorry for them, Sir, neither should you because that is the direction they took.

We are glad today that we are coming around to some measure of sanity in regard to the treatment of crime and maybe a position where both political parties can see common ground in their approach to the treatment of the young offenders. We must save our children.

Indeed, probably one of the largest numbers being committed to Glendairy Prison are offenders guilty of crimes related to the use of marijuana. For instance, it is a sad fact that during incarceration at the present institution, Glendairy Prison, rather than being deprived of this banned commodity, Sir, information is that we are not as strict. When I say 'we' I include all parties and all Barbados. We are not as strict as we should be in ensuring that this commodity is made unavailable. Rather than the habit being reformed, or rather than the use being modified, in some cases, it is intensified. You know, Sir, we like to talk about the fact that Glendairy Prison is in fact a college for criminals. My information, unfortunately, is that it might be also be an institution where young are still having access to those offending drugs which they have been incarcerated for.

Sir, we have a mammoth problem. When we contemplate, as I have said, the community service order, we have to ensure that the correct counselling is accompanied and that the young men and the young women who are serving those sentences because of these first time offences will be dealt with in a way that is likely to bring about a change. It must not indeed, even be limited to first time offenders in this regard. We might have to consider that something like that, the use of illegal drugs for instance be even carried into the third and fourth offence and be dealt with as a sickness and not as a crime, in other words. That is, I believe, where we all know that in the international world, in the developed countries, that is the approach and that must be the approach here, Sir.

We have too, Sir, to be careful that in the application of these orders there is fairness. You know, Sir, as we set out

penalties, I also hear the story about when penalties are set, because the penalties for driving a car at 60 miles per hour over the speed limit is not one which would attract immediate incarceration. It is not one which we are likely, the ordinary Barbadian is likely to encounter. We have to be sure that it is equitably applied. As usual, Sir, we must have confidence in our judiciary that there will continue to carry out their work because at the end of it all, at the end of the exercise, when the laws are set in place by the Parliament of this country, Sir, the interpretation and the implementation lies with the police and with the judiciary. We must be sure to always support those two organisations and to support them with all our strength and all our resolve.

Sir, as stated by the principal spokesman for legal affairs in the Democratic Labour Party this Resolution is not one with which we have any difficulty at all. I have made my comments based on what I felt was...

Mr. PRESIDENT: Senator, it is not a Resolution, it is a Bill.

SENATOR J. D. E. BOYCE: Sir, I am sorry. This Bill is not one with which we find any difficulty.

Sir, the comments that I made are more to demonstrate to the Barbados Labour Party that all of these things, a number of these things which they would have propagated in 1994 for political gain shall continue to haunt them. We are ready to deal with these matters with the people and we must be responsible in our approach because it is not yet over. As I said at the beginning, Sir, one of the other most important persons, as important as the criminal is, as important as the guilty person might be, Sir, a very important element in crime, is the victim. Those are the persons with whom we have to interface regularly. We never know, we have no way of knowing when it is our time.

I feel, Sir, that in this Barbados we should be working toward eradication of crime. We should be developing social programmes for our young people which would see a turning away from criminal activity and a movement towards useful work. We need, Sir, to see the development of many more community services. We need to promote programmes which develop these attitudes in people. We need to support programmes which build families for instance, whether it be single parents with two children, with one child or whether it be the traditional family of mother and father present as they shape the mind and bodies of their young charges. That, Sir, must be the overriding responsibility of our administration. It is our responsibility as legislators to put this in place. That is why this is so important. This Bill comes at a most important and crucial time in our development. We have to encourage the growth in communities of strong organisations. We need to move a stage beyond as I was saying recently at a different place, where neighbourhood watches for instance which are set up in some places and

seem to have an emphasis only on guarding the community and the neighbourhood as they say, against the offender and the intruder. We need to move beyond this to neighbourhood watches which watch our children, which can hold those children hands as they make their way from the borders of the neighbourhood to the other extremity, as they roam and play and as they mix. That is what the overall objective of the neighbourhood watch should be. We must make the neighbourhood a safe place. We must build a community out of the neighbourhood.

In this regard, in moving towards the elimination of crime and the reduction of the incidences of crime, as we contemplate these new methods of sentencing, we also have to remove the attraction...

Asides.

SENATOR J. D. E. BOYCE: Again, there are organs of the Government which have a responsibility for instance of the removal of bush and for the debushing of areas. There are a number of communities where this has served as a tremendous threat because criminals...

Asides.

SENATOR J. D. E. BOYCE: This is what it has to do with it, Sir. Criminals can hide in these bushes. I am sure that Senator Symmonds can appreciate this now, that the criminals hide in these bushes and form a threat to other members of the community at the fall of night. That is what I am aware of. Derelict buildings also form homes for these criminals. We need, wherever possible to remove them and remove them expeditiously. Stop hiding, as I have said behind institutions and behind programmes.

Only today, I heard something about the Ministries having difficulty identifying owners and this and that. Sir, while the owners are being identified, you can clear the bush and leave the bill as an account receivable or whatever. When the owner is eventually found, as they must....
2.55 p.m.

Mr. PRESIDENT: Please allow Senator Boyce to speak.

SENATOR J. D. E. BOYCE: When the owners are eventually found, and they must be found, they will then be charged with payment of their bill. We cannot afford to hide behind these kinds of institutional failures and the Barbados Labour Party is guilty of this kind of action.

Sir, I am trying to say that this whole question of penal reform has to be part of a community movement and understood by everybody involved, by those implementing

it, by the police, by us, by the victim and indeed by the criminal or we will get nowhere in this regard. These Bills will be on the Statute Book and there will be persons out there. Occasionally they will debush and then the programme falls to pieces. The idea is that we want Glendairy empty. That is what we must fight for. It must not be an impossible target. Just like employment for every Barbadian is not an impossible target and cannot be an impossible target neither can the fact that we want Glendairy empty be an impossible target. It is something that we must aim towards. It is not every time that you aim at a target that you will hit the bulls eye but there is credit for getting close and the credit for getting close in this case would be that we would have created a safer Barbados for Barbadians at the community level, at the national level, we would have created a safer Barbados for the visitors we seek to attract and most of all we would have created a Barbados that we can leave our children when we go to that place beyond to enjoy and to continue to enhance. That must be the objective of any caring Government and it must not be scoffed at. Thank you, Sir.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, as an educator and therefore one who has had to deal with social problems over the years especially when there were no guidance counsellors in the schools and where there were few child psychologists – fortunately there are more now in the Ministry of Education – I welcome this legislation.

The Government is taking the right steps and looking at it in the long term as well as the short term measures such as dealing with unemployment, so that it is down to 11.8% the education and youth training programmes and the poverty alleviation programme will all lead to people being turned away from crime.

I wish to say something about community service or rather, non-custodial sentencing. I trust that if people are not incarcerated for what has been termed trivial offences that there will be someone or some persons with a keen eye and good training to determine that those committing trivial offences would not be likely to commit more serious crimes. I think, Mr. President, that that is important.

Sometimes one tends to treat the symptoms and not the cause so that the intervention would have to be dealt with and the specific problems looked at. Where there are young people one would have to ask questions as to if the child is bored and under-challenged or if he is in an environment where the behaviour is deviant and therefore likely to be a problem.

When it comes to curfews, again one would have to be very careful and I think here it would be a question of supervision. There is no point having a curfew for people to

sit and spend long hours on the telephone talking with people who perhaps are also practising deviant behaviour or watching blue movies or something like that. Therefore there would have to be some sort of supervision to ensure that those who are under curfew are spending the time more profitably. At least I think some attempt should be made to see that that is done.

Therefore, Mr. President, I wish to say that I support this Bill and I am sure that it will do a great deal to help with the rehabilitation of young offenders. It is a fair system. It is a humane piece of legislation. Thank you.

SENATOR C. LeR. TROTMAN: Mr. President, I rise to give my support to the Bill before us and I think that you would expect someone like me to express the concerns that we all have had or should have in this country for the crime wave that is sweeping the region. It is not a crime wave that we in Barbados need to see as being applicable to ourselves and we have been hearing news on radio and seeing on television about some of our Caribbean neighbours and we have been, I am sure, sympathising with them regarding the kinds of initiatives that they are seeking to take whether it is just 96 miles away or 1000 miles away within our region, the efforts that they are making to deal with this wave of crime.

I have no doubt that a number of questions will be conflicting within our consciousness and even as we seek to find a solution as a solution via this legislation, those conflicting questions will still be very much with us. One of the questions will be the question: Will a scaling down of punishment reverse this crime wave or will the scaling up of punishment reverse the crime wave?

I am not suggesting that we are going to be able to find an answer to the question this afternoon, Mr. President. I am merely saying that it is the kind of question which persons like ourselves who have the honour to be part of the law making machinery is the kind of thing we should be concerned with, is the kind of thing which social workers would be concerned with and it is the sort of thing which parents and the public at large would be concerned with.

So even though we are endeavouring to bring a particular kind of reasoning to bear on the punishment for crime what still has to be ever present in our consciousness is that matter of what is happening to our country, indeed what is happening to our society in this region and what is happening to society worldwide because I hasten to tell you, Mr. President, that as you travel you would realise that this crime wave is not Caribbean based. In fact, one would venture to say that we are the residue, we are those who are receiving what is happening elsewhere and it is coming to us. I do not want to dwell on it. I am merely saying that it is the kind of question which persons like ourselves who have the

honour to be part of the law making machinery should be concerned with. It is the kind of thing which social workers will be concerned with. It is the sort of thing which parents and public at large will be concerned with. And so, even though we are endeavouring to bring a particular kind of reasoning to bear on the punishment for crime, what still has to be ever present in our consciousness is that matter of what is happening to our country. Indeed what is happening to the society in this Region, and may I say, Mr. President what is happening to society worldwide. Because, as I hasten to tell you that as you travel you would realise that this crime wave is not Caribbean based.

3.05 p.m.

In fact one would venture to say that we are the residue, we are those who are receiving what is happening elsewhere and it is coming to us. I would not want to dwell on it, but I would imagine that those of us who have given careful thought to it may be very conscious of the fact that part of what we have results from industrialised countries, putting off on us without prior consultation and without discussion what they have been unable to deal with, in their own societies and communities as they repatriate to this Region persons that they have not been able to rehabilitate within their systems.

Surely that is not the only reason why there is a crime wave, but it must be one of the major reasons for the concern that we have. Why is it that today we are no longer able to leave our homes with the doors unlocked and the windows opened so that the children can come in from school and our relatives can come in from work and can take part in whatever exercises they choose? I believe that to a very great extent we owe that same rehabilitation as the basis for that particular kind of problem?

It seems therefore here, Mr. President, that whether we are able to find an answer regarding what to do about scaling and how to treat scaling down of punishment or scaling up of punishment, that what is going to be very, very important for us is that we try to look at whatever statistics there may be – and I am sure that we do not have all of the statistics, but that we try to see what is the relationship within the profile, between the school drop out, the teenage correction centre and the adult correction centre. Let us endeavour when we talk about this kind of difficulty which we have, to try to see who are those genuine cases of first offenders and which instead are those instances of individuals and cases that we should have to look at as persons who have from the earliest of times, been running afoul of disciplinary measures in the school, disciplinary measures in the correction centres and who are therefore by extension a societal problem from very early in their lives.

When we do this, Mr. President, I believe that we are going to have to recognise that to a very great extent those of

us who are older members of this society have played our part in creating the monster which we now have, or have not played our part, perhaps I should put it that way and because we have not played our part we have caused a monster to be created.

Now again, I am not saying that this is the reason because I am suggesting that there is no single one reason that one can put one's hands to except that as Senator Bolden would say – I am sure he would based on our discussions, that part of it has to do with the functional utility of our educational system and this is not intended to be a reflection on this Ministry of Education or past systems of education. But it has to do with the historic relationship of Latin, French and that kind of learning that sometimes educates a person to be a marginalised member of the society.

In essence what I am saying is that we have a combination of factors which are leading to a problem and therefore in our attempt to look at ways by which we can address the punishment system we are going to have to give greater levels of discretion in my view, to those persons who are the law makers and who have the final determination for making sentences and having other punishments which might be attributed.

In that regard, Mr. President, I would wish to have a closer look at section 6 of this legislation. Section 6 speaks of suspensions of prison sentences and at paragraphs 4 and 5 it has some interesting reading which, with your permission, I would like to refer to. It says that:

“A court which passes a suspended sentence on an offender for an offence shall not make a probation order in the offender's case in respect of another offence of which the offender is convicted by or before that court.”

And it goes on at 6 subparagraph 5 to say that:

“Where the court passes a suspended sentence on an offender in respect of an offence and also a term of imprisonment in the respect of another offence, the court shall direct that the suspended sentence be concurrent with the term of imprisonment.”

What I have been trying to do, Mr. President, has been to show that there could be a variety of factors giving rise to deviant behaviour and giving rise to offences. And in that regard, therefore I have some difficulty and reservations about the mandatory use of the word “shall” in these two clauses of the Bill. It seems to me that the court should have a discretionary power to weigh a series of factors including a probation officer's report and that the court should be able to exercise a discretion as indeed most other sections of the Bill allow for.

Paragraph 6(1) for example says that a court which passes a sentence of imprisonment on an offender for a term of not more than three years for an offence may suspend the sentence, and it goes on. But at 4 and at 5 it is very specific that the court either shall or shall not. And it seems to me in my layman's language that there could be very many compelling reasons which might allow for the use of a discretion which is somewhat different from that that is set out here.

I wonder whether the Leader of Government Business in the Chamber might not be able to address this matter and if necessary let us have either some explanation or another look at it. Of course I stand ready to be advised by persons trained in the discipline.

I wish to look too, Sir, at paragraph 9 whereas I am not now having reservations about the language I wish to make some observations regarding what is set down there, 9 and 10. Reference is made therefore, Mr. President, to Attendance Sentence Orders. This is indeed a very good idea that there ought to be the possibility for persons during times set by the Minister or during time set by the court and then redetermined by the Minister someone who committed an offence might be able to report to a Centre so that that person might be under the guidance and the discipline of either the Centre or some officer who could bring a level of direction to the individual.

What I am concerned with, and I realise that a Bill cannot speak to the full details of the matter, is that we do not substitute prison for another form of prison less stigmatised but a prison nonetheless. What I am urging the administration of this Bill to do when it is at last an Act is to have us become careful that the Centre is an area for challenge. It is an area where the individual does not become bored and further marginalised and therefore unwilling to be an upstanding member for that Centre community and merely goes to the Centre and does the same thing that he or she would do in a prison environment. We have to be very careful about that and what would make it worse at the Centre perhaps that whereas in the prison the individual might be the junior in the Centre the individual is likely to become the senior and therefore would not only be marginalised but would become the leader of the trouble group within the institution. Therefore, there have to be positive programmes by persons who are well trained and who have been given the kind of orientation in other societies that will permit them to give us in this country the kind of uplift to justify the money, the energy and the good intention that this particular piece of legislation intends.

3.15 p.m.

I heard the Leader of Government Business speak a little earlier to the matter of cases of punishment and what he was endeavouring to say I gathered was, and the specific

example was that if you incarcerate a person for not paying for child support, then you run the risk of having that person become stigmatized and you run the risk of not getting the child support. All of that is true, I have no doubt. What is equally true and what we have to be careful about in much the same way that we have to be careful about the sentence is that we have to guard against creating in the mind of the miscreant the view that he or she is, in fact, beyond punishment because it could very well be that a Centre has no fears, a Centre has no kind of amazement or respect that is to be given. Consequently, an individual who is sent to one of those places and who perceives that he or she goes there, because we are unwilling to incarcerate, that person may do as much as some of those who have been misdirected have been heard to say, since you cannot punish me in this or that way, then my action will be of this or that kind.

We are trying to build a society on positive vibes, positive stances and positive platforms. I therefore do not want to belabour that aspect of the matter, but nonetheless, I want us to be careful not to establish systems where rakes and vagabonds, as there will always be rakes and vagabonds among us, would believe that they are able to flout the system secure in their knowledge that we as a people have got soft with our laws and soft with our punishment systems and that we are unwilling to take the bullet between our teeth and to do what is necessary to make sure that Barbados becomes safe, not for a few, not merely for the rakes and the vagabonds, but free for all, the old and the young, those who are in between, the strong and those who are not so strong. This, it seems to me, has to be at the very centre of our interest.

I wish beyond that, Sir, also to make one or two other observations without detaining this Honourable Chamber unduly. I wish to refer to section 12 which speaks to the magistrate being able to issue a summons requiring an offender to appear at the place at the times specified in the summons before the court *et cetera* and the possibility of that person failing to do so. The reason I am raising this, Mr. President, is that 12 (a) and (b) . . .

Aside.

SENATOR C. LeR. TROTMAN: He can be brought before the court, Mr. President, but I am merely saying that although the law here says that if he fails to turn up he can be brought before the court, and it goes on to allow for that person to have some form of further punishment, if we go too far in the area of soft laws and soft punishment, then we may, in fact, have a problem and that is just a word of guidance.

Then one question before I take my place, Sir, and it is a question that is addressed regarding the section on mediation at section 20(4).

The Bill speaks to there being the possibility for applying a system of mediation instead of another form of correction. I have no doubt that mediation is a beautiful system and all of those who are in the business of conflict resolution or in the business of human resource development and who understand the dynamics of the interplay of relations between one individual and another, will be able to recognise that mediation services are, indeed, very desirable. In fact, Mr. President, if I had offered myself to the West Indies Cricket Team perhaps the results in the Test Matches may have been different if those offers had been accepted.

My question, Sir, is, in what areas are we going to be able to address this business of the mediation service and what shall be the basis of determining who or what is a mediator? The Bill itself says where the Minister is satisfied that a person has adequate knowledge of mediation.

I am not too sure myself of the nature of that kind of definition. It might be in those circumstances that there might be a body of regulations which might come along where the Minister would want to have mediators in a legal area, in an industrial area, in a social welfare area and possibly there will be the need for an understanding of precisely what is a mediator, what are the areas from which a mediator will be drawn and what would be the qualifications required to make such a mediator. Granted that the Minister is expected to exercise a mature discretion, but nonetheless I recognise that as an area of some concern for myself as a lay person trying to understand who will do what in the fulfilment of this kind of legislation. I would wish that the Honourable Leader of Government Business might be able to address that matter as well.

Beyond those questions and concerns, Mr. President, I would think that we need as a people to recognise that this country of ours is on the verge of either something great or momentous as we move into the 21st Century, or we are liable to have all that greatness undermined by the structure of the society if indiscipline is allowed to take over.

I know that several good efforts are being made by persons of goodwill on all sides of all Houses and wherever we are and whatever political parties we are members of I have no doubt that everyone is concerned with this demon of deviant behaviour. The question is, what really is the best way to approach the problems and how can we get the kind of task force to make people understand that we are not divided on the issue?

It would seem to me that it would be a good thing in the new year, although the new year may start confrontational, nonetheless, to start as soon as possible in the new year with a multi-party, cross-party programme involving all and involving all sorts in a very definitive effort to treat this

matter of crime and deviant behaviour, and to seek to bring back Barbados to what we knew it was, a place which is a haven for people regardless of class, colour or creed.

I am obliged to you, Sir.
3.25 p.m.

Mr. PRESIDENT: Senator Bolden.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, I do not know if I should really talk now. I am sure that I cannot reach the standard which the Senator has just reached. If I may deal with Sections 6, 9 and 12 first which was touched by the Honourable Senator. Section 6, subsection 4 is not as difficult as it might appear. You have to read Section 6, subsection 4 with subsection 6. What it says is:

"A court which passes a suspended sentence on an offender for an offence shall not make a probation order in the offender's case in respect of another offence of which the offender is convicted by or before that court."

If you look at subsection 6:

"On passing a suspended sentence the court shall explain to the offender in ordinary language the offender's liability under section 7, if the offender should commit a subsequent offence during the operational period."

What it means is that you do not want to pass a suspended sentence and a probation order at one and the same time. You give the offender a chance to correct his ways and you explain to him in full terms the meaning of the suspended sentence because under Section 12 which the Senator was worried about, if you are in breach of any of these conditions, you can be brought back to court and be sentenced in the ordinary way. If it was a sentence passed before the magistrate's court, the magistrate's court has the power to sentence you. If it was before the High Court, you are sentenced under the High Court and you are sentenced in the ordinary way.

I would like to deal more specifically with the reasons for the Bill. I am not going to do like Senator Boyce. I am going to deal with the Bill in its true system and what it is all about. Unfortunately, in every society, there will always be those who are bent on criminal activity and who could never be reformed irrespective of what the penal system is like. Barbados is no different from any other country when it comes to criminals and criminal activities or sentencing and reform. In Barbados, and I have said this for a very long

time, we have created a lot of the criminals we have in this society. I repeat it openly and I have said it openly. We have created a lot of the criminals we have in this society.

Mr. President, if you look at an Act called "The Criminal Law Arrestable Offences Act" published in 1992 under the Democratic Labour Party and under a particular gentleman when he was Commissioner of Police, who believed that brute force was the order of the day and that if you holler "whiff" outside, a police could arrest you and carry you down. Look at Section 5 in that Bill. It is the most heinous Section that I have ever seen in law. A police could arrest you for anything at all. If you told him your name and he does not believe it is your name, he could arrest you and carry you in. In Barbados, you only have to arrest a man and the stigma is attached to it.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: That is why we have criminals because you put them in jail overnight. I have said from the day I came to Barbados that the barber shop and the kitchen at Glendairy Prison are two institutions of crime in this country.

I have practised criminal law for a number of years. I have gone to Assizes and I have seen people who were taken off the street for a little bicycle offence like not having twelve inches of white on their back fender, not having a bicycle bell, not having a generator, all these things. You overnight them in Glendairy Prison and when they come out they are the greatest criminals you could ever want.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: How you mean not Glendairy, what you know about this, this is not nursing, shut your mouth.....

Mr. PRESIDENT: Senator Bolden, please. That will be struck from the records.

HIS HONOUR SENATOR C. L. BOLDEN: It is about time we stop playing foolishness now. We have to be serious about what we are dealing with today. We are talking about rescuing a society. I am telling you facts that I have dealt with for over thirty-five years in this country.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: I practise law every day and I know what comes before the court and I am telling you what is out there.

I had a case in which a young boy was picked up from next to the Wharf for riding a bicycle. He was remanded in custody to Glendairy Prison. He was brought back down and

three months later he was picked up with three others and charged for breaking in a hotel in St. James. You know what he said? He said, when I went up there, the fellows hold me in the barber shop.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: He was bellboy down at the hotel. It was a fabulous case where they carried nearly \$34 000 out of the safe and carried it through a window. I am telling you. I know because I see them every week.

It is time that we look at what we are doing. We have cases where minibus drivers had been sent to prison for overloading a bus and when they come out, they tell you that from the time they went through the door what suggestions had been put to them. When you could have revoked the man's driver licence and take him off the street, you send him to Glendairy for fourteen days. We have had many cases.

We had a man come to Barbados and give the name of Rockefeller and he went crediting everything in Barbados until he went to Collins and bought two electric shavers and that is when the bubble burst. He was picked up and sent to Glendairy Prison. Thereafter, everybody that came down and came before the court, could give you a litany of who beat them and who did not beat them. They were more primed in the actions of hardened criminals than anything else. We make the criminals whether you like it or not. Whether your father was one or not. It is time that we understand what this Bill is about.

Asides.

HIS HONOUR SENATOR C. L. BOLDEN: I am addressing the Chair. This is what this is about.

Mr. President, this Bill is allowing judicial officers to take a more humane action in sentencing persons who come before them. Go out in the courts today particularly on a Monday morning and if you do not find 14 to 16 young men sitting on the benches, charged with offences and as the report say, first-timers. We have no remand centre in Barbados for first-timers. This is one of the things that we need.

We have a problem in this society which we will not face. We started free secondary education in this country and we continue to try to force as many children, every child in this country into a secondary institution. Nobody has ever yet produced the drop out rates of those children going into secondary school. We have to look at the social status of our

community where we still have the older secondary schools and the newer secondary schools. When you stand up in court or sit down in court on a Monday morning and the magistrate hear these young men. Where do you go to school? I went to the Alleyne School. I went to Parkinson School. I went to Combermere. What are you doing? I do not work, Sir. I never worked, Sir. You know why? Because they figure that having gone to secondary school, they cannot do certain jobs and therefore they must find alternatives.

When you send those very people into Glendairy Prison you create the criminal you now have to face. We have, as Senator Trotman has said, a number of deviants who have been sent to Barbados from industrialised countries.
3.35 p.m.

If you hear the association between those persons and the young criminals in our society you will understand why I say that made them. It is time that we begin to look at these activities.

Mr. President, we also have in our society today a number of people whose mental capacity has been impaired by drugs or some other form of stuff they are taking and they will tell you - read the newspapers - I broke in the house but I did not know what I was doing. We have no way in Barbados to deal with that situation. I have had the privilege of representing a man charged for murder and the authorities from the mental hospital came and said that the man was a mental case suffering venereal disease of the brain but they had no way to keep him in the mental hospital. They sent him out the Friday and he killed his brother the Saturday. Attlee Niles and his brother, the two men from the police band.

During the trial the Chief Medical Officer threatened nurses that they must not come and give evidence in court. If you doubt me, go and ask Colton Bennett because he had the guts to come and give the evidence in the court and the man was convicted for manslaughter.

I am saying that we have situations that we must look into even today. When you sit down in court and hear them there are as wild as anything else. What do you do? You remand them to Glendairy. You do not send them to an institution where they can be treated according to the ailments they are suffering. Remember the case of the man who cut up eight people at Eastmond Corner? Three died and five were injured. He was sent from Glendairy Prisons, remanded, and when he got to Glendairy Prisons they sent him down to the mental hospital, brought from the mental hospital to court, adjourned, and then to Glendairy Prisons he went. Fortunately for him, he died in the Queen Elizabeth Hospital before he could complete even the first preliminary hearing for murder.

I must compliment the Attorney General because this is the first time that we have ever had any sort of legislation which really looks at the situation with persons coming before the court.

We have a situation now that if a builder goes in town and orders material and the contract flops and he does not pay, he is arrested and brought before the courts and the police nine times out of ten now every morning objecting to bail of a first offender. What is basically a civil matter like child support objecting to bail, so the man is sentenced to Glendairy Prisons.

We only have to be around the courts and you will know what is happening. We have not got in Barbados up to now a criminal case review commission. The reports have said that there are a number of people in Glendairy who said that they were wrongly incarcerated. In Britain, you had the IRS and I am telling you that while I would say that the majority of policemen are good policemen and a credit to the police force you have some bad eggs. There is a case in Britain in which they had a detective who every Saturday evening used to arrest 5 to 10 boys and they were all charged with throwing bricks until he arrested one boy a Saturday evening and the father who was a biochemist decided that his son would not have done that and he went to the police station and asked for a piece of the alleged brick that his son had thrown. When he did the analysis, it was proven that that piece of brick was the same brick used for cases stretching for about three months by the same police officer.

The first thing the police officer played mad and the next thing he was thrown out of the police force. Now the British Government had to pay compensation and if you look in the Criminal Law Review you will see the case in there. I am talking about facts, things that have happened. We have no criminal case review commission in Barbados. We should be at a stage where we can review the cases of persons who are incarcerated in Glendairy and who feel that they were there wrongly and, if so, we should encourage the courts to give leave to appeal out of time and have these cases reviewed.

Another point. We have people who commit an offence and are sent to prison and I believe that this same criminal case review commission could deal with those persons who admit that they are wrong and that we can have these people released.

You know, about three to four weeks ago I went to the prison to see a client. When I came out, my car refused to start and one of the officers said, "Man, we have the best technician in here." A chap came out, diagnosed the problem of my car within a few minutes. I asked why is he in prison and they said well, "he goes and he comes."

We have people who are recidivists. We have people who have become institutionalised. You see it is December now, Christmas? Policemen will tell you that there are persons who will stand up in front of them and break a show window. You put them before the courts today and the magistrates put them on probation and they come back out tomorrow and break the window again and you have to send them to prison. Those are persons who can no longer live outside in the society. As I heard one man say sometime ago, "Thank you, Sir, I now know where I am going to get a Christmas dinner. I am going to get ham and cake up there."

These are situations that we have to look at. You cannot ever have an empty prison as Senator Boyce would want but there are conditions which we can deal with that we can improve the quality. What I understand the Attorney General is trying to do is to save people from prison and give them a second chance in life in this society. The magistrate will now have a greater scope to deal with the orders and sentences not like one magistrate did who said a man had to print a board 'I Stole From this Store' and walk up and down in front of the store. You do not want humiliating situations like this, a dehumanising situation.

What we want are situations where particularly first offenders, and that is why you have suspended sentences in here, community service orders, community sentences and mediation because custodial sentences should be the very last. I am saying that there are some cases where there is a need for custodial sentences.

I heard Senator Trotman say he hopes we do not arrive at the situation where people will believe that there will be no custodial sentences and then continue in their deviant behaviour as they normally would have been but the Bill provides for that.

As I pointed out, if persons are given the lesser sentences and they are in breach of those sentences then they are brought back before the courts and sentenced in the ordinary way that they should be.

Along with this Bill I think we should look at some other things. The society as a whole has to look at itself and ask why do a lot of people commit crime.
3.45 p.m.

Persons who have had secondary education find it out of place for them to do something lesser than what their counterpart is doing. And I think we have to look at our commercial interest in Barbados and see what part they are playing in society to see if they are accommodating those persons. Because the types of jobs and the quality of jobs must change as our educational standard changes.

No longer do you have people coming out of the ordinary primary schools and going into fields digging cane holes.

Aside.

HIS HONOUR SENATOR C. L. BOLDEN: As you said, there is no longer picking pond grass. So therefore we must look at the quality of work and it brings me back to a favourite subject which I believe Senator Lynch can help me on. How does the Barbados Hotel Association with these all-inclusive hotels who shut themselves up and people all around the hotels can get nothing to do. They have complained about the jet skis, but they cannot produce any statistics to show how many people were hurt by jet skis in Barbados. When you go down St. James before you used to see the visitors, up to last Friday evening I had a meeting with the taxi drivers at the Port. There are now fighting among themselves because many of them go there for a whole day and cannot get one job because those who have the tourist industry muzzled up decide they want all for themselves and you must have fights and problems with those outside.

Up to two weeks ago a complaint came to me of a tour coach that went to St. John's Church.

Mr. PRESIDENT: Senator Bolden, I would like you to deal with penal reform.

HIS HONOUR SENATOR C. L. BOLDEN: I am dealing with penal reform, Sir, I am saying why crime is created and why we must not send those persons to Glendairy and lock them up. We have to deal with them leniently. What I addressed my statement to, is that the commercial interest must play its part in preventing the commission of crime.

This coach was at St. John's Parish Church and when the visitors went to buy something from the little curios shop they were told not to buy from there that the next stop is "so and so" you can buy from there. Now, if you have somebody set up, a little curios shop in an area hoping to make some money from the visitors who pass and cannot make any money it brings me to a point, Sir. I was in Oistins Magistrate's Court about three years ago and a man was brought before the court charged for larceny. He pleaded guilty and the Magistrate asked him if he had anything to say and he said,

"Sir, I have been out of work for the last six months through no fault of my own. When I went home and I saw my little children crying I had to..."

The Magistrate said,

"Stop. Say no more."

That is what I am talking about, Sir, because unless the society as a whole plays its part, we will end up with crimes of all kinds and all sorts because those of us who have, want to keep it all to ourselves and those who have not will go on a stream of taking it from us. That is how the crime will be created.

So we have to look at this Bill in an overall scope over crime. This Bill is the end of the crime action, Sir. The crime begins first, you get the trial and you get the conviction and then you get the penalty. And I am saying that you have to stop crime at the inception. We have to do all we can to stop it at the inception, then we will have very little of that to get down to this aspect.

Mr. President, I thank you.

SENATOR Miss C. Y. FORDE: Mr. President, I rise to support the Bill and even though I may not be very specific, I would like you, Sir, to please guide me to ensure that I be relevant.

Mr. President, I support the Attorney General's Chamber and the Officers for their dedication and this effort in making the penal reform creative. It is a creative and humane approach in dealing with people and as I said I would like to commend them for it. It is amazing that in Barbados people seem only to remember Barbados after 1966 and it seems as though Barbados before 1966 was no Barbados.

I have a tremendous difficulty in dealing with individuals who have short memories and as far as I can remember my mother and grandmother talking, the Right Excellent the late Sir Grantley Adams always made mention of Barbadians having short memories.

Senator Bolden earlier mentioned problems relating to school leavers. I am happy to say today that the Youth Affairs Department has undertaken for the past three years an effort to trace school leavers to find out where they go and what employment and activities they get involved in after leaving school. And I would like to think that this information would be very useful in helping Barbadians to be able to determine where young people go. The forms are sent to the secondary schools and the students make comments regarding where they would like to go; whether the Samuel Jackman Prescod Polytechnic, at home or on the block or whatever further training, university or wherever. And I find that to be a very useful exercise and I trust that it would be very widely used by all departments in helping to determine what happens to our young people and to have policies and programmes prepared as to what can be done to assist in this particular situation.

It hurts when I know that in the early 1990s we as Barbadians knew about gangs, but the Justice Minister at that

time and many others in the Democratic Labour Party said there were no gangs. For me that is a section of where a lot of our young people have become involved in criminal activity.

I know that there are some individuals as was mentioned by all other Honourable Members who seem to be innate, they are born with it. Some of them will develop it from within the communities and the homes where they live and we cannot look beyond that because many people are shaped by the kind of training and the examples, experiences that they receive in their homes and in communities.

I think the situation at this stage is cancerous and I accept the information expressed earlier, because I too recognise that it is not only a Barbadian problem with this upsurge in crime, but it is Caribbean and it is worldwide and therefore we need to work with other agencies to be able to eliminate some of the crime within our society. I am happy about Interpol and all other agencies in helping to track down crime.

Mr. President, I visited Her Majesty's Prisons on 18th of December and I also want to commend the personnel at the prison particularly the Reverend Lucille Baird and her team who have put programmes in place for rehabilitation to assist those inmates to help them overcome the problems that they are experiencing. Many of them as far as I recognise are at Glendairy because of the involvement, either through the use and abuse of drugs or for trafficking offences. And from the testimony from one of the former inmates, it really impressed me as to the kind of work that is happening and the kind of change that seems to be coming about in those young people within Glendairy Prisons and I would like to see more of that happening.

I heard Senator Boyce earlier speak about dollars and cents and what dollars and cents have to do with it. I got the impression in my own simple, humble way as referring to the comments to do with dollars and cents and it takes \$26 for one institution to be able to deal with the criminal problem as opposed to \$2.00 for another institution to deal with it. 3.55 p.m.

I am understanding that in association with the kinds of reform that will take place to assist like the Probation Department which I would consider to be lesser in cost to deal with individuals so that the problems can be tapped from that level earlier than for them to have to be imprisoned and then for the cost to be escalating, and I really would want to support that particular exercise.

Mr. President, I know that the various activities that have been undertaken within Barbados over the last four years or so, and certainly before, are very, very important if we want to really tackle some of the problems that our people are experiencing, and I am not referring to young people only. We have some very experienced men and women who are really big criminals and it is important that we deal with the matters in a proactive way. I am saying proactive because the efforts of the Ministry of Education in particular in this one and the expansion at the Samuel Jackman Prescod Polytechnic and ensuring that that regular examination that would have been offered for entrance to the Polytechnic be used for diagnostic purposes only so that remedial programmes can be put in place but it will not affect any young person from getting the opportunity to pursue a course. For me that is a very forward step if we keep pushing the examinations at them and eliminating them because we know they cannot reach that examination stage. That is one of the reasons why many of them will want to stay away because they become humiliated. They know automatically they will be eliminated and therefore they would not come.

The other aspect of it is to do with the kinds of modules that have been included to do with landscaping, small engine repairs and fishing vessel programmes for me are also very important because a lot of our young people are aware of their capability. They know they cannot do the mechanical engineering and the other areas where it calls for a lot of "booky" exercises but they know how to use their hands to repair a blender, or a ceiling fan. And because of that kind of implementation of new programmes in the Polytechnic that too has pulled a lot of our young people off the streets so that they can find meaningful activities and training to help them to be able to find employment.

The elimination of those two certificates for the Community College has also helped many young people in the Hospitality Unit to take advantage of the training that is happening there. I am saying proactive because we become very reactive when anything happens. We all jump in Barbados and I feel that programmes must be put in place from early so it will help. It will not eliminate all but certainly many of the problems we experience now will be eliminated.

I am of the view and I support the effort from the community level. Senator Boyce spoke about the Neighbourhood Watch but I go further than that. I would prefer to start from the Primary School where it seems to me now that in Barbados everybody must get a house and get it now. Everybody must get rich and get it now and I agree that the advertisements also help to make young people feel - Well, I always use the expression; "Rome was not built in a day."

I think that we must, at the primary level, teach children good virtues. I do not know for sure, and I am only one person, what exactly happens within our schools at the level of religious education and I would like to think that it is still continuing in a lot of them but when it comes to that human approach, the brotherly love, the helpfulness, the caring and the sharing, a lot of that is not happening. We are not teaching children to be honest.

I have a difficulty when parents, say: "My child brought home a geometry set" but they do not seek to find out where it came from. For me that starts some of the crime that develops into the stage where you break into a bank or somebody's house. Unless we really put our feet down at that level and look at attitudes towards people, attitudes towards study, attitudes towards employment, for me those are some of the important things and that is the foundation of shaping good citizens and therefore the influence that will impact on other young people who would want to follow in such a particular route. I think we really must work harder at primary level.

I also am of the view that more role models in our communities need to give back. I always talk about "Operation give back." The scouts, cadets, guides, the little photography club, the health club, the Interschool Christian Fellowship, those are extracurricular activities that have helped to frame and shape most of us in Barbados and they are very lacking in our various schools and communities at this stage in our development. I think we should not be going into the 21st century dropping most of those activities that have already put us in good stead. I am sure we will continue because we have gotten the base or the foundation as to what are good virtues, what are good attitudes, what is a good personality having been involved for many years in such activities.

I have heard the late Scout Commissioner talk about a visit to Glendairy Prisons and searching statistics to learn that at the point in time, about five years ago, there was only one person who was a scout who was at Glendairy Prisons. To me that says a lot. Even though his investigation might not be scientific in his approach, it still speaks volumes as to the role that the Scout Movement has played, or the cadets or any of the other disciplinary extracurricular activities within the schools and the communities that have worked well for Barbadians and for me, I think that is very important if we are to go further in this century helping to develop good young people with good attitudes, good work ethics and good discipline then we need to enforce more of that from the community level. It is people like us, people in the Church and others out there who would be considered to be role models who have to give back something to those communities if we are to get those young people to emulate us and to stand up for what is correct, what is right and what is proper.

Mr. President, I also have a tremendous difficulty in going to various places in this country, particularly in the communities, and I can basically speak for the communities in the parish where I live, and a lot of parents and others within the community seem to accept smoking of marijuana as one of those things. It is not my problem. The most simple party or fundraiser, young men and women, seem to just want to step on the outside on the pavement, go up the stairs and pull a spliff. For me, I think we should all be talking with them.

I did it only yesterday evening, for that matter. I talked to young people. Why would you want to come to a gathering like this and smoke? Do you know the impact it would have on the little children? Those are things we need to look at if we really want our young people to understand what they are doing is unacceptable. There must be another way of improving and upgrading themselves without having to get involved in that kind of activity.

The other comment, Mr. President, that I want to touch on in closing is to finally say that I think the Out-of-School Suspension Centre, because we are talking about young people going out of school or young people being in school, would play a very successful role in involving parents in their various rehabilitative programmes that will take place there. There is no point in pulling in the children and working with them and giving them all the counselling but leaving out the parents. The parents must be actively involved as well in this Penal Reform Bill that we are looking at. A parent who is educated, a parent who is brought on stream is better able to touch base with the children and give them the encouragement, the inspiration and help them develop the self-esteem that is necessary if they are to be able to try to overcome some of those problems. I would like to think that that kind of active participation on behalf of parents and other people within the community will assist greatly in helping our young people to move away from crime and wanting to do something more productive.

4.05 p.m.

The newest trend I have recognised is that a lot of young people when they are questioned, they prefer not to take employment because the salary or the wages are small. Therefore because of the attitude that if you are trained as a mechanical engineer, you do not take a job as a clerical officer but rather go on the block or do whatever and wait until that opportunity comes. I think that that is another aspect of training of attitude that we should try to instil in our people. We were all taught to take what you have and make the best of it until you can improve. I think that is very useful in speaking and communicating with the youth and helping to set an example.

Why can we not tell them of the examples that we grew up with so that they can understand that X did not always have a BMW or Y did not always live in a particular community. Not that it makes a difference with me but they need to be given experiences so that they know that we went to school without shoes and therefore you do not have to have a pair of Buffalinoes, the brand name shoes to wear to a fete or you do not have to have a Paco pants. Because it is the materialistic approach for me that causes a lot of our young people to get involved in crime because they do not have access to money as readily as another person would, who is working for a bigger salary. Therefore, they let you know, I am not working for any man's money. The comment that I often hear them make is, I am not working for no white man's money. They would prefer to sell drugs because the money comes in quickly. Or it is easier to go and to steal.

I think that it is about time even though this might not be fully related, that a lot of the jewelry stores in town that are using the jewelry and melting it down, some effort should be made to let these people be aware that it is unreasonable and that it is against the law for that kind of activity to take place. I do not know how it could be done because many of them are taking jewelry from individuals, pinching it how they can and it is because they want to have this macho look or this current look with gold cap and the big gold ring and the gold earrings in the ears. I am talking to both male and female. We are making them feel that you got to get it now and get it quickly without having to go through certain sacrifices to be able to reach that stage. Unless we tell them of our experiences, the kind of foods we had to eat, not that they have to eat them but it gives them a better perspective as to where we have come from.

Mr. President, finally, the mediation aspect of things, I support that. I want to say hats off to the Director of Youth Affairs, Mr. Richard Carter. Two months ago when the controversy took place in St. John on the bus with the young men, the conflict that took place there, Mr. Carter and his team of youth commissioners went into the communities and liaised with the young people and they had a football match. The only individual or group that were invited were the media and today the young boys are going into each other's communities to be able to participate. They are going to visit their girlfriends and we have not heard of any conflict in Sherbourne or Venture, I think it was, in St. John since then.

It was quietly done by the Youth Affairs Department where the teams of the leaders of those groups were called together and matters were discussed and I am sure that they have been able to strike a balance and have been given a clear understanding. It is not your territory or anybody else's territory, it is Barbados and if there is a conflict then the conflict has to be resolved but it does not have to be resolved in a violent way. As a result of that, those two communities are working together. Certainly the same problem occurred

in St. Thomas a few years ago with Proute Village and I think there was another community in St. Joseph and the Attorney General had a friendly football match and the guys had a wonderful time and there has been no other conflict. I think that what all young people need in most instances is somebody to show them another way of resolving the matter without using the gun, the knife, the stick and whatever else that is escalating in our community.

It is with those comments, Mr. President, that I want to thank you for giving me the opportunity to make my very simple comments. With those comments, I would like to support this Bill, the Penal Reform Bill, 1998.

Thank you, Mr. President.

SENATOR THE HON. G. S. H. MURRAY: Sir, I join this debate quite encouraged by some of the interventions made particularly by Senator Trotman, Senator Forde and people of that nature.

Asides.

SENATOR THE HON. G. S. H. MURRAY: Particularly by those persons. It was a very enlightening experience. I think, Sir, what is coming through despite all the rhetoric, I think there is an acknowledgment that crime is what the social scientists call a universal phenomenon. Therefore, it is no wonder that some of the experiences that we are having in Barbados, that people are experiencing similarly in St. Lucia, in Jamaica and in Trinidad & Tobago. Really and truly it is a very complex issue and it really reflects the age old battle within man as an individual, between men, within societies and even between societies of good versus evil, bad versus good. Some people will put it down to a fact of nature versus nature. In other words, are criminals born or are they made? Is it the way that you are born or is it the way you are socialised and brought up that makes you a criminal? It is a situation that no society has been able to resolve. That is why we have this phenomenon all over society and the mere fact that prisons exist everywhere. It is a fact that people admit and societies acknowledge that there have to be provisions made for persons who will be deviant....

Asides.

SENATOR THE HON. G. S. H. MURRAY: That is a good word, miscreants. That kind of deviant, miscreant behaviour. Violent behaviour is another way of saying it, Sir. The point is that society acknowledges this and therefore that is the background on which I would like to make my presentation.

Sir, this is why I was so disappointed at some of the over simplistic comments from Senator Boyce in which he sought to cast the comments of the Attorney General when

he was in Opposition and he dealt with the whole matter of crime. It is a very simplistic presentation, those comments as he tried to put the Attorney General's comments out of context and into a political context and what could be called the politics of crime. Senator Boyce's misrepresentation of what the Honourable Attorney General has been saying is over simplistic.

It is as over simplistic as the comment from your outstanding youth leader who talked about the question of crime. She talked about the question of tools and crime and to say that to ask young people to give up their guns is to ask them to give up their tools of trade. It is that kind of over simplistic nonsense that cannot do this discussion any good and that we must try to shy away from. Therefore I am very glad that some of my colleagues have gone the other way, have gone upstairs rather than downstairs.

On the other hand, I was very heartened by the fact that the Democratic Labour Party has at last seen a change of heart on the question of crime. Senator Forde made reference to the fact that at one time the analysis of the crime situation in Barbados especially crime among youth was summarised in that infamous phrase, 'there are no gangs in Barbados'. Because no people were beaten to a pulp therefore there were no gangs and therefore there was no need to do anything about it. Like I have said, we have gone long past that. Senator Boyce complained that we in this Party have sought to politicise the issue of crime.

Sir, I remember with great anguish how around 1996 when his Party accused the Barbados Labour Party not only on being soft on crime but having some of its principal personalities involved even in the drug trade. If that was not bad enough, that their wives were also involved in the drug trade.

Asides.

SENATOR THE HON. G. S. H. MURRAY: Yes, that is a fact. So much so that some persons had to be taken to court.

Asides.

SENATOR THE HON. G. S. H. MURRAY: This is a fact, Sir. It is a fact of the shameful political history of Barbados at that time. Therefore, to talk about people being soft on crime in this Barbados Labour Party, is not fair. It is well known, despite the mighty protestations of Senator Boyce, that in the last government there were persons at the highest level who were not keen on capital punishment and the local Privy Council met very rarely and that led to time elapsing to allow persons to take advantage of all of the legal loopholes and that is why no hangings characterised that period.
4.15 p.m.

I have to say, Sir, that this piece of legislation really represents some of the most humane, progressive, far thinking legislation that has come in this area in a long time. It really crystallises and epitomises the work of the Attorney General who is not just a lick and lock up man as the DLP would like to make us believe but it reflects his humanity as a person and it also reflects his erudition as a man who has been schooled and trained and qualified in the way of criminology.

He is not just a lawyer but he is able to probe beneath the surface of the law and grapple with the whole question of human behaviour and look at some of the forces that motivate persons to become criminal and, hopefully, try to understand some of the measures that could be tried to try to alleviate the situation and try to change their behaviour.

Therefore I am very proud to be associated and I think it is a tribute to his persistence and the breadth of his vision and his farsightedness and I am sorry that some of it has been castigated as otherwise by the DLP and I remember this would be a piece of political history for Senator Boyce if he were in his seat or some of the younger persons who might be hearing.

I remember that in 1960-61 when the BLP was in power there was always some talk of trying to make some progressive steps regarding the prison to develop the prison some more as a structure only to have it summarised by the DLP of those days of building more prisons to lock up poor black people. That is why the prison is today as it is, as cramped and as inadequate and totally unsuitable for the progressive society which we are operating. Therefore, Sir, I think the society needs to rally behind this legislation.

I think that a great deal of thought has gone into it. There are provisions being made that have helped to advance the way criminals are treated, the way they are punished and also the way attempts will be made to rehabilitate them.

Despite all of these well-intentioned measures, all of these lofty ideals and principles, unless persons themselves are responsive to these initiatives it might not be as successful as we had hoped because despite all the laws and all the programmes, systems and policies that are put in place it has to strike a responsive chord in individuals, in families and in society. Therefore, Sir, unless in some form, shape or fashion, persons feel that there is a sense of shame and a sense of degradation for breaking the law for fear of being punished, arrested or being walked across the courtyard and have your picture in the *Nation*, unless people fear those kinds of social sanctions, the fact that you are running in the face of all that is good in society, if you feel that it does not matter and it gives you pride of place to be among the boys on the block to say, "Man, I went to prison.

So what?" If you treat it in that casual, cavalier fashion what we are doing will not amount to much.

Therefore this is where the family unit comes into being. This is where all the other social institutions that help to make the society what it is, that help to perpetuate the values of society, will have to play a role, where people have to understand that prison is no place of glory. It should only represent an unfortunate period in one's life and that one should not seek to go to prison as one seeks to go to Bridgetown to shop, that it is just a daily casual excursion and that one does not have to feel any sense of shame or let down.

Sir, it is with those words that I seek to give support and commend this Bill to the Honourable Senate and to commend the Attorney General for his progressive work. As I said, it reminds me of another step that was taken. We talk about rehabilitating persons and trying to let them see that life can be better for them and they can lead honourable lives after prison. One has to put this also in tandem with a measure that was taken some time ago where the decision was taken to clean the slate of persons of certain criminal activity and certain criminal convictions in order to give them a fresh start in life.

When one puts this together with all that is happening in the whole scheme of penal reform, I think that this represents the dawning of a new age and a new era and it represents a glimmer of hope within the society that, in the same way that we see it is our bounded duty to fight ignorance and illiteracy and never ever give up the battle on illiteracy or lack of schooling or we feel it is our duty in this society, a bounded duty in the same way that we strive every day to have the most excellent health service possible, we have to see the same thing with crime because one is no good without the other. We have to see this battle against crime as an ongoing continuum whereby every step that is made we have to see the other steps down the road to be made. We cannot rest on our laurels. We cannot be self-congratulatory but we have to see it as a battle against all evils, all that we have striven for in this society in order that our society as we know it and as we would like it to be can continue.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I rise to support the Penal System Reform Bill and I am speaking from a different perspective. Since I am not a lawyer I will be speaking from a nursing perspective and I am sorry that my friend Senator Bolden is not here to hear my contribution.

Mr. President, from my perspective as a nurse to us crime is a form of anti-social behaviour. It is when people opt out from society for one reason or another. The way we try to deal with it not as putting them in jail but as putting

psychiatric nurses in the schools, in the primary schools, to monitor the behaviour of children and to pick up any deviation from the norm so that at that level treatment could be obtained. We all know, Mr. President, that it does not matter how much you try, there are a few in society who will not conform. But in general most people tend to conform and to respond to some form of treatment and counselling.

There are many reasons why people commit crime and it has been traced to childhood, from the time when children for example start acting up. For example, if the homes are not comfortable they might do something in order to get attention and then it grows and grows.

What I would like to see is that there are psychiatric nurses in the primary schools and in the secondary schools to monitor the behaviour of the children. These nurses should be qualified as counsellors not only to monitor the behaviour and pick up any deviation from the norm but also to provide the necessary guidance and counselling and also to follow those children back into the community into their home environment because you really cannot counsel people just in the school. You need to go and look into their background and see what has gone wrong in the home environment and the community environment.

4.25 p.m.

Mr. President, much has been said about child support and I do not agree that people should be sent to jail for that. There are other ways and means of collecting child support. I know at least in one country that it is deducted from the salary by law of the person and paid to the person for child support. I do not think it is an offence that anybody should be in jail. If they do not work, you cannot deduct it from their salary. I would like to think that if you are not working you would not be sent to jail. I sincerely hope that you are only sent to jail if you are working and refuse to pay child support. There are many other areas in which I myself also feel that people should not be sent to jail.

Mr. President, I have spoken on several occasions of the need for employing trained psychiatric nurses and social workers as prison officers to be on the spot to assist with counselling of those people who are incarcerated. If people are in prison for smoking marijuana, they need intense counselling. It is not something that can be done by one or two lectures. They need help. They need to be involved in group work. If they are in prison, they cannot join any of the anonymous groups that meet and try to keep people off drugs or alcohol. But in prison there can be groups that are formed where they can get together and try to rid themselves of the habit of smoking marijuana.

Unfortunately, Mr. President, marijuana seems to be an everyday use in our society among the younger people. I

have come in contact with young people who tell me that they have smoked marijuana and I try to find out why and they feel it is just like eating food. They say, "well, you smoke it." Something has gone wrong somewhere in our society. And these are people between ages 16 and 20. If they come to work, they work for two hours and they disappear and they go to smoke somewhere and come back in order to give them energy. This is what is going on in the society and no amount of talking to these young people could make them understand that what they are doing is not good for them. So, therefore I think that we need to get to them before they start smoking marijuana and start committing any form of crime.

Now in the olden days there was much more discipline in the society and people were afraid of committing crime. They are no longer afraid of committing crime. As I said, they were placed in the Station Sergeant's cell overnight, spoken to and let go. Whether this was right or wrong, in those days most people felt that it was right and in those days the crime rate was not as high as now. I am not saying that people should be sent to jail now. I support this Bill. I realise that we have to take a different approach to the persons in our society who are committing different sorts of crime.

I myself like the electronic monitoring of Curfew Orders under section 16. I do not know if we have the electronic equipment available, but at least that would be able to keep people within their home environment and one could make arrangements for some form of help or counselling for them when they are using the electronic monitoring and Curfew Orders. That is a very big punishment and they would feel as though it might be a disgrace and would help them to conform. But it means that they will not be mixing with hardened criminals and learning the tricks of the trade and how to avoid the police *et cetera* and what to do and what not to do. Because, that is what happens when they go into prison. It is a school where they learn how to break the law and get away with it.

Mr. President, another area of the Bill that I like very much is the Community Service Orders. I am not so sure how successful we will be in implementing them, but I wish you very much success. One would need a fair amount of training and support from the community and I am not going into that because Senator Forde spoke quite a lot about the community participation in the prevention of crime and there is no need for me to talk about it again.

The only other area from my perspective that I would like to mention a word or two is about, section 38 - Additional requirements in the case of the mentally disabled offenders. It was mentioned by Senator Bolden that we do not have facilities for this. At present they are housed at the Psychiatric Hospital which we know is totally unsatisfactory for anybody at all to be housed. It is in a state of disrepair

and the layout is like a prison cell – only and the layout accessible from the outside. So that when six o'clock comes the people are put in cells and locked up until six o'clock the next morning and it does not lend itself to any form of rehabilitation whatsoever.

There is need for small facilities, not very large hospitals to assist persons who are not well who are suffering from some form of mental illness but who need psychiatric help and also counselling. It has been shown that several persons with the aid of certain medication can be rehabilitated and lead a relatively normal life. And that is why the District Nursing Service at the Psychiatric Hospital was started whereby the nurses would go out into the community and ensure that persons who are mentally ill take their medication and attend the clinics.

Asides.

SENATOR Mrs. P. E. RICKINSON: The nurses do have the medication. They have not complained that they are out of medication for psychiatric care.

Another area of patients who have been committed to prison at Her Majesty's pleasure are those who are placed at the Psychiatric Hospital in maximum confinement in between walls. There has been talk about building a facility at the prisons where these persons who have committed murder and who are confined to the Psychiatric Hospital for life will be housed. I sincerely hope the time will come when that facility could be built because I think it will be much better attached to the prisons than attached to the Psychiatric Hospital. Because these are people, who will never be placed on parole and who will be in hospital confinement under treatment for the rest of their lives. And this also strengthens my case for more psychiatric trained nurses at the prisons to deal with that. Not only that but also to assist with counselling of not only persons who are on marijuana but persons who have committed other offences.

Mr. President, I think I have said enough being on my area of specialty and I would like to support this Bill and hope for the best.
4.35 p.m.

SENATOR N. A. LYNCH: Mr. President, I rise to give my support to the Bill. I believe that as one who came very close to criminal activity I am very well versed to speak on the whole concept of penal reform.

Very seriously, Sir, when I see Senator Trotman in his colonial attire and I listened very attentively to all the things he had to say, one whose father was a police officer and whose mother worked at the Government Reform School at Summervale for 30 years, I think, Sir, I am well versed to

speak on the whole concept of penal reform and the concept of what has been happening with our youth.

I also worked very seriously with the youth being the President of the Amateur Athletic Association and I have seen some things in recent time that have led me to a lot of what I am going to say here today. First of all, let me say, Sir, that I think we all need to congratulate the Attorney General and the Government for what I consider to be a fantastic Bill. I think for too long we have been too much caught up in looking to incarcerate people, put people behind bars rather than looking at the real root of the problems and the problems we have been having in this society.

I am not one, Sir, who is convinced that a lot of what has been happening in recent time as it relates to crime is any wave that is going to continue in the society, but I believe that if one only looks very seriously at the level of crime and the kind of crime that is being committed in Barbados, that one should very easily be very clear that a lot of it is organised crime.

I have never heard statistics, Sir, that really state in this country how many people are really involved. How many of our young people are really involved in crime? What percentage of our young people are really involved in serious crime? One per cent, two per cent? I have not heard any statistics that substantiate anything that says that the majority of our young people are involved in crime. I would really like to hear some solid statistics about what has been happening in Barbados as it relates to violent crime in the society. I must say, Sir, that as long as we speak about violent crime, and as long as we speak about what has been happening among the youth, I would like to see the statistics that point to it.

Certain remarks made by SENATOR N. A. LYNCH were ordered expunged from the records by Mr. PRESIDENT.

SENATOR N. A. LYNCH: Sir, I think it is clear that most of what we face today is learnt behaviour and I do not think, and I am stating now from my own standpoint, I am not relating to anything that was said in here previously, that I do not think that any behaviour, and I will refer to the asides as well, is anything that anybody is born bad. This is my point of view now, Sir.

As far as I am concerned, the social aspects of the Bill are the real outstanding parts of the Bill that I really want to speak on. I think this also lends credence to the fact that a Government and a people that are really caring and compassionate is the kind of society that we want from Barbados and it must begin at the top where the Government and the people who enact the laws, and the people who bring laws to Barbados are the ones that care and are compassionate.

I think, however, Sir, we must be very clear that in a society, and I relate it to the United States, and to what has happened recently in New York the whole concept of zero tolerance when it relates to crime is a fundamental part of keeping the society straight and narrow.

I think this is a fantastic Bill because it gives the court options other than dealing with persons accused and convicted other than sentencing them to jail. I think it is important that we look at the root cause of what has been happening in our society. I think this Bill gives us an opportunity to really analyse what is happening with people's behaviour, the cause of the behaviour and looks to deal with this behaviour rather than sending people immediately to jail.

I think, Sir, for sometime now we lost our way some years ago when some things started to happen in Barbados. One of these things was the whole concept of when we got rid of assemblies in schools.

Aside.

Mr. PRESIDENT: Order, please.

SENATOR N. A. LYNCH: In essence a lot of people for all kinds of religious beliefs opted out of assembly in schools. Sir, I think when people stopped going to Church in Barbados, and there are a lot of young people that do not go to Church anymore, when people stopped going to Church in Barbados we had all kinds of problems.

I think, Sir, that when people stopped having to be in schools compulsorily and being pointed into extracurricular activities that teach discipline, scouting, cadets and sports that we also lost our way. I think that television, the great wasteland that the United States has imposed upon us, has also caused us to go in the wrong direction. There is also a serious lack, I believe, in Barbados of civic education.

I want to point this out, Sir. In recent time I have been involved with someone. There are some television crime commercials that have been on television recently and in these crime prevention commercials the cameraman actually shot these commercials – some of them in Bridgetown asking people to protect their bags and whatever. One of the young ladies who was used as a model in one of these commercials when the commercial was actually finished filming, the cameraman actually told her: "I can pay you now by cheque but my car is parked near Parliament and if you want to collect your cheque immediately, I can post you one, or you can call me, or you can collect it another time, or you can come right now over to the Parliament Buildings and collect your cheque."

4.45 p.m.

She asked, where is the Parliament building. This is a 19-year old, who is supposed to be a well educated young lady who said that she did not know where the Parliament building was.

Sir, it is significant to me. A lot of things came into my mind. She did not even know where the Parliament building was furthermore to know who the parliamentarians are.

Asides.

SENATOR N. A. LYNCH: She might know who the Prime Minister is but I am sure she did not know anything else. When asked, what do you call that building? Are you familiar with this building? She said yes, but I do not have a name for it, I do not have any reference to it, it is not important to me. I think, Sir, all of these things and a lack of serious civic education in our country has also caused us to be led astray.

Sir, I want to speak on the point of the suspended sentences. When we talk about mediation some people seem to pooh-pooh the whole concept of mediation. When we look at where we have come from and what is the root cause of many of the problems in Barbados, I think we need to stop and think. I try to sometimes picture myself in the same position and asked, why I was not involved in crime being involved in athletics? I had a lot of colleagues who took drugs. For example, performance enhancing drugs and I never was one to take performance enhancing drugs. I was very clear. There were a lot of social drugs that were being used. I actually pointed to the whole concept, and when I get back to the concepts of family, the concepts of the church, the concepts of being involved in the discipline that lend to serious disciplines like athletes and sports, I understand the plight that we are in and that our young people are in today, in Barbados.

I think, Sir, that any Bill that comes to the House that leads us to deal with people and deal with the root cause of problems is a Bill that I consider to be a fantastic Bill and one that can only lend to a country moving seriously into the 21st century.

The concept of the attendance centres – I think that this is another serious component of the Bill. There must be some concept of trying to figure out why it is that most of these people have been led into crime. I know, Sir, that apart from the fact that my parents were very strict and the fact that we had to fit into certain areas....

Asides.

SENATOR N. A. LYNCH: I want to speak to the concept of family and of family being important to the whole area of why people do not end up being involved in crime.

Families, Sir, are important. I believe that we need to go beyond the boundary when we start to deal with how we deal with the civics of a country and people and create ways and means for people to be actually mentors for families. Families can mentor families. Families can actually adopt other families in a community. These are the kind of issues that we need to deal with that can stop crime and can stop us from having to enact laws that deal specifically with incarcerating people. From locking up people, as the Bajan says.

The other thing, Sir, is the whole concept of community service and being able to go back to the community for someone who has actually committed a crime or accused of a crime. Like Senator Bolden, I believe that a lot of the criminals that I see have become hardened when they overnight in Glendairy Prisons or when they go up to Glendairy Prisons in the first place. I do not think that for a lot of small crimes that are committed that people need to be incarcerated or that people need to be put behind bars because that is where they learn a lot of the behaviour that they then bring back out onto the streets.

I know, Sir, that there is a statistics which I got from my mother who has worked at the Government Industrial School, Summervale for almost 30 years. That a majority, more than 50% of those boys who leave Dodds end up going to Glendairy Prisons. There must be some correlation between the two. I have never studied it really in terms of statistics and I do not have solid statistics on it but she says that a lot of the people who went through her hands at Dodds and Summervale ended back up in jail. A lot of the behaviour is actually learnt in the penal institutions. Therefore, Sir, any Bill that gives us an opportunity to look at other options, to weigh other options, to look at counselling, to get to the real psychological base for why people have been committing crime, must be important to a society like Barbados.

Imprisonment as a last resort. Obviously, Sir, this is very important because I do not think that people should end up in jail for things that they have....

Asides.

SENATOR N. A. LYNCH: Senator Bolden cited some serious issues like people who could not find a job or whatever and that on a first offence that these people should end up behind bars.

I want, Sir, for you to bear with me and give me some latitude as it relates to crime and the tourism industry. I have heard Senator Bolden make some statements which I want to

deal with. I do take the point that the commercial aspect of it all, is rather important to how we deal with people and how people end up in crime. If a society does not look after its most needy people, obviously they are prone to end up in crime and other anti-social behaviour. At the same time, I want to be very, very clear that one of the major threats to our tourism industry must be the perceived concept of crime and danger for tourists on the island.

There are many surveys that have been done and the most important aspect of a tourist coming to Barbados or visiting any country revolves around safety and security for that particular individual. They want to be very, very clear that any society which they come to is safe for them to be in.

Sir, I want to take up some statements that were made here regarding a particular aspect of our tourism product that deals with the concept of safety and security and that is the all inclusive hotel. Barbados is not a destination like Jamaica. I understand that people feel really scared about being on the street. At the same time, Sir, the concept of safety and security is so important to the visitor that the all inclusive concept is a fundamental concept to the development of the tourism industry. All inclusive does not have to mean that a person is shut away totally from all the goods and services that are available on an island. I would like to remind Senator Bolden or educate him, edify him for the first time that 70% of all of the business that is conducted in tourism is done so in the concept of package business for tourism. The all inclusive hotel did not start with the Almond Beaches and the like. For the longest time the plans that we have been running on the west coast of Barbados in Sandy Lane and Royal Pavilion and those have been something akin to the all inclusive concept. It has been happening for years in this country.

I am saying, Sir, that if that is what allows a tourist to feel sometimes that he or she is protected from what he perceives to be something that maybe dangerous to him, that is the point that we must push. All inclusive is just another market niche that we need to satisfy. If 70% of the people who are booking tourism, tours, visits and whatever overseas, do so in respect to package business, we would not have got that business had we not have had the all inclusive hotel.

Therefore, Sir, we need to respond to it. Are you going to tell me that the 30 000 people who went to Almond Beach last year would have come to Barbados had it not been for an all inclusive product. I, Sir, believe they would not have come. Therefore, it is important that we have a product. What we do not need to do is to have a proliferation of all inclusive.

Let me say this, if Heywoods had an occupancy of 40% and now Almond Beach has an average occupancy of 90%, more goods and services must be available for those people than were available when they had 40% occupancy. It is important that we have it.

Sir, I believe that it lends to the whole concept of protection. We talk about safety and security, we are talking about crime and it lends to the whole concept of protecting our visitors. Sir, 30 000 must consume more goods and services in Barbados than 15 000 people or 10 000 people. At the same time you do not want that concentrated in one small pocket of people. You want it to be spread around. There must be a diversity of products available to people.

HIS HONOUR SENATOR C. L. BOLDEN: Mr. President, on a point of order. The Honourable Member is trying to explain to the Senate the question of all inclusive hotel but he talks about package tours. I am sure that package tours and all inclusive are two separate and distinct entities.

Mr. PRESIDENT: Neither package tours nor all inclusive have anything to do with this debate. I have given Senator Lynch some latitude. Having made your point, Senator, please let us get back to the debate.

SENATOR N. A. LYNCH: Thank you, Sir.

Sir, I think that I have explained my point with the all inclusive as it relates to safety and security and I would end it by saying that the most important aspect of a vacation for any visitor is safety and security. If the all inclusive lend to that then it is important for us to have it in Barbados because it is fundamental to it. We cannot send them to Glendairy, we must keep them down at the Almond Beaches and the like.
4:55 p.m.

Sir, I have looked at other options available and I am wondering when we talked about electronic monitoring and other things but I want to say that the whole concept of... I am not saying that anything that deals with parole or the whole concept of whether or not you can. Whether or not parole is an American concept parole I believe is important in Barbados. There are a lot of women at the prisons who are no threat to society. There are a lot of other people in Barbados incarcerated whom I believe at this time are no longer a threat to society given the fact that they have been there for such a long time.

I think that we need to explore the option of parole for people who are up at Glendairy Prisons who are no longer a

threat to society whether or not because of age, whether or not because of the time that they have spent there. I think those people can be considered in essence to be rehabilitated.

Sir, I think this Bill would also have looked at the whole concept of parole. I also want to say that when it comes to the youth involved in crime – I talked about the church and I talked about the schools and a concept of getting into a compulsory activity that lends itself to learning and engendering discipline, Sir, I believe that for too long we have gone along with a concept that does not lend to people being involved in compulsory service.

You go into cadets or you go into sports or scouts as your own personal option but I believe that we need to be looking seriously in Barbados if we want to arrest crime before it even gets started to look at the whole concept of not just having a youth service in Barbados but a compulsory service that all people of a certain age must go into.

There is no way in a Barbados of the 21st century we can have people choosing an option in a school or in a community that is just an option for them to decide. We need to have in Barbados a compulsory youth service that people go into where they can learn about discipline, be disciplined in a compulsory service and not an optional service.

Sir, when it comes to the whole concept of sports, I think sports are so important to help us to arrest the problem before it starts and I think it is important that we deal with the root cause and therefore I think we need to go beyond the boundary. We need to deal more seriously with how we look at sports and how we look at the concept of sporting development in Barbados. Sports can also seriously now lend to becoming a serious professional discipline and we need more commitment to sports in Barbados if we are ever to have the society that we want.

Finally, Sir, I want to say that I believe the Bill is a fantastic one. I believe that anything that looks at options outside of incarceration is important to Barbados and to this society moving into the 21st century and I want to be associated with anything that is progressive in thinking, with a party that has a millennium vision, a real government with a millennium vision and one that deals seriously with the young people of our society.

Sir, with those words I want to lend my 100% support.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Parts I, II, clauses 3-32, Part IV Clauses 33-41 and Part V were called and passed.

Schedules 1 to 3 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to HIS HONOUR THE PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed.

SUSPENSION OF SITTING

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Sitting be suspended until 5.30 p.m. today.

The question that the Sitting be suspended until 5.30 p.m. today was put to the Senate and agreed to and Mr. PRESIDENT suspended the Sitting accordingly. 5.05 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

ORDER NO. 6 - THE VALIDATION OF FISCAL
INCENTIVES (MCBRIDE CARIBBEAN)
LIMITED BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, this is a technical matter. Incentives have been granted to that (McBride Caribbean) Limited for the period 1993 to 1997. However, the appropriate Orders had not been issued and therefore it is necessary to pass a Bill which would validate the fact that tax would have been foregone. I should say, this is a matter which basically was done properly except for the fact that at the final stage the order was not presented and the final parts of the procedure were not put in place. So as I said this is therefore a validation Bill to ensure that the incentives that were granted to (McBride Caribbean) Limited were properly and lawfully done.

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

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 - 2 were called and passed.

The Schedule was called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to His Honour the PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed and so cited as the Validation of Fiscal Incentives (McBride Caribbean) Ltd Act, 1998.

ORDER NO. 7 - THE ESTATE DUTY (WAIVER)
BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, this matter of the Estate Duty (Waiver) Bill, 1998 really seeks to correct a situation which has popped up from time to time. Since 1981 estate duty was abolished. This is out of a desire on the other hand to ensure that the full benefit of a person's estate could be passed on without the imposition of the long arm of the tax man. However there are one or two transactions which, from time to time would occur. Estate matters which were dated prior to 1981 and which from time to time since then have emerged and the Minister of Finance has had to respond on a case by case basis to requests for waivers.

In one or two cases there were small estates when one however were to have the death penalty and interest in relation to payment, then for those already small estates building on existing estates to be passed on to the heirs and successors of the deceased.

This Bill therefore seeks, by statute, to waive all of those duties and taxes on estates predating 1981 which have not been settled as yet. Thereby removing the need for the time of the staff of the Ministry of Finance to deal with these matters and to ensure that these matters which are generally of the nature of small estates are really left intact for their heirs and successors.

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

The question was put to the Senate and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move, Sir, that this Bill be read a third time and I certify that this is a money Bill.

The question was put to the Senate and agreed to.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and passed and cited as the Estate Duty (Waiver) Act, 1998.
5.40 p.m.

ORDER NO. 9 – INCOME TAX (AMENDMENT)
(NO. 4) BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, the Income Tax (Amendment) (No. 4) Bill, 1998 again seeks to put in place measures which were announced by the Right Honourable Prime Minister and Minister of Finance in his 1998 Budget.

This Bill, Sir, includes the exemption of the Hotel Equity Investment Fund from taxation and withholding tax on dividends. It provides for deductions in respect of expenses incurred by companies in obtaining ratings to issue commercial paper and also expenses with respect to the listing of shares on the Securities Exchange of Barbados.

It also provides for other matters in relation to the Hotel Equity Investment Fund, for example, a tax deduction of 120% of the amount invested for general companies or individuals and for life insurance companies of a tax credit of some 48%.

It makes provision for accelerated depreciation under equipment for use by manufacturers. It makes provision as well for the reverse tax credit, that is, a grant of some \$500 per year for income earners earning less than \$13 000 annually or not greater than \$1 048 per month. They will get their \$500 tax payout annually as well as to make provision for Registered Savings Plans.

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

The question was put to the Senate and agreed to.

SENATOR THE HON. R. R. FARLEY: I beg to move, Sir, that this Bill be read a third time and I certify that this is a money Bill.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, the Bill was passed and cited as the Income Tax (Amendment) (No. 4), Act, 1998.

ORDER NO. 10 – INSURANCE (MISCELLANEOUS PROVISIONS) (NO. 2) BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, Members will recall that earlier in this session we passed the Insurance (Miscellaneous Provisions) Act, 1998. The Act basically sought to make certain arrangements for the convergence of domestic and international insurance operations and the Insurance (Miscellaneous Provisions) Bill was that transition instrument. It was anticipated that the transition could properly be made by all of the relevant entities by December 31, 1998. Therefore, throughout the Bill in a number of action items the date, December 31, 1998 appears. It now transpires, however, that it is not going to be possible to have all arrangements in place for December 31, 1998. The Bill, the Insurance (Miscellaneous Provisions) (No. 2) Bill, 1998 basically seeks to have a date of December 31, 1999 set as the date by which all of these things will occur.

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

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY, the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is now in Committee.

Clauses 1 and 2 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to His Honour, the PRESIDENT, the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed and cited as the Insurance (Miscellaneous Provisions) (No. 2) Act, 1998.

ORDER NO. 12 – GUARANTEE OF LOANS
(COMPANIES) BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, this Bill, the Guarantee of Loans (Companies) Bill, 1998, seeks to allow the Government to provide guarantees for loans by various financial institutions for companies in which Government has at least a 50% ordinary share capital.

This matter, Sir, seeks to provide some element of tidiness to the arrangement which has had to be approached in an *ad hoc* fashion from time to time. Also it is perhaps one of the newer aspects of the governance which is required in a modern context.

The principal instruments by which the objectives of Government were effected were the Government Departments as part of the Crown and secondly, statutory boards. Statutory Boards were usually also the legislative framework in some cases which allowed for the companies with the approval of the Minister of Finance to obtain loans. From time to time in some cases Government guarantees were required and in other cases not. However, there are a number of commercial entities in which Government is either the sole shareholder or principal shareholder. For example, the Barbados National Oil Company, the National Petroleum Corporation and several others which are registered as companies rather than companies created by statute as in statutory boards.

What this Bill would seek to do is to provide an open framework within which Government may guarantee loans to companies in which it has the controlling interest. It does not have to be 100% shareholder. That is important as well because as part of Government's divestment procedure, there are situations in which Government may be having part of the shares go to the workers in their establishment, for example, but there would still be a requirement for financing to put the project on a full and proper footing. Therefore, this is important. In any case it makes sure that Government does not guarantee loans in registered companies of which it is not the majority shareholder. The company must be at least 51% owned by the Government.

Also the guarantees by the Government can only be given with the approval of Parliament so each and every time Government proposes to undertake such an action it must come to Parliament for Parliament's approval. That guarantee having been obtained, of course, any Minister of Finance will only approach Parliament after a sound and rigorous analysis and being able to convince Parliament that this is something worthwhile and worthy. The loans naturally are guarantees. The guarantees then become a charge on the Consolidated Fund in case of default and the usual situations similar to what would apply in the Local Loans Act and similar legislation would apply subsequently.

5.50 p.m.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY, the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 to 9 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to Mr. PRESIDENT, the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY, the Bill was read a third time and cited as the Guarantee of Loans (Companies) Act, 1998.

ORDER NO. 5 - THE MUTUAL FUNDS BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the second reading of this Bill, the Mutual Funds Bill, 1998.

This matter, Sir, of the growth and development of mutual funds has two dimensions for Barbados. One is the development of a framework for the proper regulation of mutual funds operation within the Barbadian context - mutual funds owned by Barbadians mainly operating in Barbados and so on, the domestic aspect - and also the interest in developing a framework for the addition of mutual funds as another avenue for the international business and financial services sector to join international trusts, international business companies and other international elements where, although located in Barbados and procuring services in Barbados of a technical and professional nature for example, that the ownership and the activity and the like would not be originating in Barbados. So that international mutual funds is the other dimension.

In keeping with the general direction which Barbados has decided to adopt, we have taken the step of having a single Mutual Funds Bill which would seek to establish the framework for the operation of both of these entities. Ten to fifteen years ago we would have gone, as was customary in those days, with two Bills. One to deal with the exempt international side of it and another to deal with the domestic side of it. However, that bifurcated approach has caused some undue attention to be cast on countries around the world particularly the most pointed reference would have been in the report arising out of OECD, the Organisation for Economic Co-operation and Development, which is really the G-7 countries basically. They have developed this report on what they call 'harmful taxation' or 'harmful tax

competition'. When one gives a report a title like that, it almost immediately set up a series of pejorative connotations, it cast aspersions on virtually any and every person, company or country which is...

Asides.

SENATOR THE HON. R. R. FARLEY: Mr. President, it basically sets up some pejorative imputations and it sets up aspersions on companies, individuals or countries, as I have mentioned before. Because you have a report on 'harmful tax competition', any reasonable and right thinking person would believe that it is something bad. It goes on from there.

What they are basically getting at is that there is a need to stamp out these places around the world where international companies can register here and operate there, all for tax benefits. Of course, that obscures the fact that many of the regimes by which international companies experience those benefits were developed by and for the benefit of the companies in those developed countries. For example, foreign sales corporations. The legislation is developed in the United States of America for the benefit of the United States of America to allow United States of America's companies to obtain what is in effect a subsidy, a special tax rate for exports.

Asides.

SENATOR THE HON. R. R. FARLEY: That is a fact. They have just allowed one or two countries around the world to register them but they know the benefits of boosting their companies internationally. I am setting that context in terms of dealing with the new piece of legislation which at one and the same time deals with what are essentially, although they are mutual funds, really two separate creatures in terms of the way they are formed, the way they think and the way they act. They are really different.

6.00 p.m.

Of particular significance is the fact that for the first time and this is to me the most important aspect of the Bill, that fact that we are creating a framework within which local mutual funds can operate. We have a number of mutual funds in Barbados and they are being formed fairly rapidly leading now onto three. We now have three or so Barbadian mutual funds. There are about five in all but we have a number of domestic mutual funds, some three or so years old, some only three weeks old but the fact is that this mutual fund mechanism is one of the most powerful, the most potent, most creative and innovative opportunity for the ordinary citizen to be able to invest in exciting possibilities and to change some ownership patterns in Barbados.

Why do I say that, Mr. President? If we look at the very nature of a mutual fund, a mutual fund as the "mutual" part

of its name would suggest is really all about pooling. A mutual fund is a fund that issues or has equity interest in the form of shares whether or not they are capable of redemption as the Act says but basically what the purpose of a mutual fund is, is for issuing or the pooling of investment funds with the aim of spreading investment risks and enabling investors in the mutual fund to receive profits or gains in acquisition holding, management or the disposal of investments. That is how the Act defines it and that is what we know mutual funds to be.

Here we have an instrument. Here we have a mechanism by which you and I, ordinary Barbadians, can come together with other ordinary Barbadians to develop a pool of funds which is large. We can use other ordinary Barbadians like ourselves, Sir, those who have had training and experience in investment matters in banking and finance, in law, and we can come together and not only pool our money but pool our collective knowledge and wisdom in a way which will have us not only own a large pool of money but be able to outsmart the next company, the next group and thereby achieve our objectives, whatever they may happen to be within the particular group.

Again provision is made in terms of the legislation for there either to be an open mutual fund where you take on all comers more or less and investors in the mutual fund or you can have a smaller closed group. I believe it is not more than 15 but a set number of investors and you can work.

The important feature here, and I am not suggesting that we are creating this opportunity today. It has been developed and in use already. Every financial system around the world is only as good as it allows people to have confidence in it. Confidence is the underpinning of any financial arrangement in any economy. Therefore we did not consider it prudent for us to continue in perpetuity with a system in which mutual funds developed and expanded but yet there was no clear framework for the regulation of mutual funds in the same way how other financial instruments and other financial institutions are regulated.

Again, the harsh reality, Sir, often the brutal reality is that particularly in instances where we are trying to encourage ordinary persons like you and me to invest our money in these instruments without adequate safeguard in terms of the law and the regulations we can find ourselves burnt.

We are not big investors and therefore any loss, any burning that we would experience really could be of a major and shattering proportion. We only have to cast our minds back to situations like Trade Confirmers in which a number of ordinary Barbadians saw what appeared to be an attractive opportunity with the reality that the average Barbadian or the

average person in any society is not an investment analyst no more than the average person is a lawyer, a doctor or a specialist. In other words, investments is as much a special area, especially by those who specialise in it, as engineering, brewing and astronomy.

The point I am making, Mr. President, is that a Government has a responsibility to ensure that where there is a growing area of financial activity in which the wealth of ordinary citizens is involved that it has an adequate system of prudential oversight to ensure that there is a clear framework for registration of companies which will propose to offer the services to ensure there is a system of examination and therefore early detection of problems and therefore efforts can be made to mitigate the situation.

As I mentioned, Sir, Trade Confirmers investors had their money and they assumed that they were generating good rates of return and therefore this would continue – then to find that the bubble burst. That was a system in which the issuing of commercial paper was not included under the tighter financial regulations as were banks in those days. Since then the Financial Institutions Act has taken care of that in terms of issue of commercial paper.

We had the Barbados Foundry where again investors in commercial paper in those institutions found themselves in some trouble and there are other examples that we can see over time where financial institutions emerged in an unregulated environment. Creativity is a good and wonderful thing, however the State has a responsibility to take a look where that creativity is going and ensure that that creativity is kept within due bounds of priority and that the interest of the ordinary person is not placed at stake.

So, Sir, that aspect of the empowerment of the ordinary citizen is what to me is the most fascinating aspect of this Bill. What we need to do, all of us who as lawmakers would have studied this law intimately who would have looked at the nuances, who would have turned it inside out to ensure that it is workable, fair and reasonable, we have a responsibility to ensure that Barbadians at large in general are aware of the existence of this legislation so that they know what is the framework within which the mutual funds that are advertising so vigorously operate.

We also believe we have a responsibility to encourage Barbadians to consider mutual funds as an option in terms of their own economic empowerment. Also, Sir, to exercise some choice as to what type of mutual funds because there will be different types of mutual funds. There are some mutual funds that will give them more control and more say in the direction in which the fund goes than others. There are mutual funds that will give you different levels of risks and different levels of return.

6.10 p.m.

For example the Barbados National Bank in announcing this Mutual Fund indicated that there are four different types of programmes that they offer depending on what you are looking for and where you are at in life. Are you looking for an investment today for a longer term yield, so you are willing to forego some immediate earnings for capital growth? Are you looking for an investment today which will give you interest earnings from day one where you can withdraw and use to augment your income today? This is important. So the aspect of general promotion of this information in the aspect of financial counselling and generally ensuring that Barbadians at large are more aware of matters of a financial nature will be an important aspect of this particular legislation.

We certainly for our part in the Ministry of Industry, both through the Barbados Industrial and Development Corporation as well, Sir, using the general auspices of the Government Information Services and other media intend to promote the establishment of this framework to better regulate mutual funds in Barbados. So, Sir, I am happy to be associated with this particular matter.

Now, Sir, a mutual fund can be operated either as a unit trust company, a partnership or operated by an individual. What we will put in place now, Sir, is a system whereby in order for one to declare that one is a mutual fund and to invite members of the public, one has to do a number of things. So the criteria for registration has been clearly established. For example, one has to have capital of half million dollars and one needs if one is going to be offering open ending funds of all and sundry to have insurance liabilities of some \$650 000. Of course for the closed end smaller mutual fund there are different arrangements. But it is particularly important where companies are targeting the mass market and say to us,

"Let us be the ones to market your funds for you. We are the experts and will take good care of you and make sure that you are well in the end."

Now, Sir, provisions are made as well for the corporate governance of the fund and this is an area of extreme importance. Many organisations that purport to be broad based, often run themselves in trouble to this issue of corporate governance. The rules are set out quite clearly in terms of forming directors, changing directors and so on to ensure basically that there is transparency and to ensure that the persons involved in the fund adhere to what is normal and acceptable practice in those particular matters. And in fact on the issues of corporate governance, we cannot forget the interesting experience and what great public education it was at that time, I believe that would have been in the mid 1980s, when the matter of the operations of the Barbados Mutual came under scrutiny from the policyowners.

Policyowners who for many years, although they were part of a mutual company never gave thought to what being a part of a mutual company was all about and what were their rights, roles and obligations. But this again, is an issue of corporate governance when the number of enlightened shareholders became aware of what these rights were, they decided to exert those rights as was their right which is a good thing.

And what this Bill is doing is ensuring that the rights and obligations of the fund managers and of the other persons involved in the operation of the mutual funds are quite clearly spelled out so that issues of corporate governance would not prove to be a problem. This Bill makes provision as well for the other necessary corporate governance issues, the matter of the publishing of a prospectus concerning the issue of new share offerings, the level of detailed information which has to be there and the like.

So, Mr. President, we are satisfied that those issues are taken care of. The tax provisions as well are well set out. Remember as well in this particular matter that there would be tax provisions in relation to domestic companies and international companies. Also, in this Bill as is very much in keeping with the new style of drafting or the new arrangements in terms of the establishment of legislation that spans both the domestic and the international areas that rather than having all of the provisions especially related to taxation in the particular Bill – whether it is the insurance Bill or the mutual funds, that exemptions where they are granted are granted under the Income Tax Act. And therefore you will find that the amendment which we would have passed earlier today in respect of the Income Tax (No.3) (Amendment) Bill would have been in relation to providing for a number of the tax provisions which are very much in keeping with this Act.

Mr. President, I commend this Bill to the Honourable Senate. I suggest, Sir, that it marks a new direction in terms of the conversions of international and domestic activities. I suggest that it represents the Government's obligation to ensure that what is in fact an opportunity for the economic empowerment of a broad cross section of Barbadians for allowing them to pool their resources, to draw on their collective skills as well as the specialist skills of any fund managers whom they may appoint, to allow ordinary Barbadians to increase their owners stake in any or all attractive opportunities which may arise. But we are also exercising our responsibility to ensure that when we encourage them to go forward to do this, that they have adequate credential standards, as represents the best practice in this particular aspect of the financial industry worldwide, in operation in Barbados.

I am therefore pleased to commend this Mutual Funds Bill to the Honourable Senate and beg to move, Sir, that it be read a second time.

SENATOR J. D. E. BOYCE: Mr. President, and in dealing with this Bill, of course, I always like to declare upfront that my expertise is not in the area of finance or financial management, but I do believe that over the years as you work and try to eke out a living, some things rub off and you begin to appreciate certain niceties.

Sir, the question of mutual funds, although the term might be new to Barbadians in the question of control of mutual funds the Honourable Leader of the Senate has been at pains to go through all the details as to how he sees it. Of course mutual funds in Barbados as he said, are not new and except for the period between 1991 or 1996 having started around 1968 with the first mutual fund, there has been continued interest in this area of opportunity by way of investment. Sir, the growth in the mutual funds has been also of note. In terms of growth certainly, I am aware of the much advertised for instance, "Fortress Fund" which after about a year and a half of trading was able to appreciate its value by some 83%. So those who invested in that fund would have done very well.

Sir, it is absolutely important that these regulations be put in place and we note by looking through the legislation that the regulatory organisation, shall be in large measure the Securities Exchange of Barbados in respect to ensuring that the correct offices and practices ensue. Sir, of course we would like therefore to note that there are many questions of confidence, and this is where I start to move from the strictly technical financial considerations and legal framework to what I call the interpretive finance, and what is happening out there in the public eye and the confidence aspect in the investors' minds.

6.20 p.m.

Sir, the questions which still surround the operation of the Securities Exchange of Barbados need to be dealt with. I know that they will eventually be dealt with. Outside of an unnecessary emotive presentation from time to time we need to sit down and grapple with the independence of the Securities Exchange of Barbados.

It is something which, in a small country, we recognise it is going to be difficult but still we must try harder. There are examples in Barbados of regulatory organisations who by their statute have to be formed in a way as to be absolutely independent. And immediately what comes to mind is something like the Public Utilities Board where all the members of the Public Utilities Board, it should be clear, that they have no connections whatsoever with any of the utilities which will from time to time come to them or seek their advice or guidance on matters of that nature. The same

should apply to the Securities Exchange and the quicker we can deal with that situation I think it would bring even more confidence in terms of the investment market.

I am concerned too, when we talk here about ordinary Barbadians. You see, Sir, I have a difficulty with that all encompassing term which the Honourable Leader of the Senate used so often during his presentation. Who is he referring to? Who are those ordinary Barbadians who have the discretionary funds to invest in these kinds of arrangements?

I do not come across many of them and I do a lot of moving around Barbados as you are well aware. Sometimes even my very conservative assumptions are shattered like yesterday morning when I suggested that a household would probably have an income of some \$50 000 annually, I was quickly shut up, Sir, and told it was more like \$35 000, or \$40 000, to start thinking in that area, so we have to be very careful.

When we see these pictures of Barbadians, yes, going to purchase the lots at the Mutual, and this is, of course, no pun intended, the Mutual land up at Fort George, that is not all the Barbadians and these are not first time owners either. That is a different category of Barbadians. So we have a large cadre of Barbadians who are not able to enjoy these kinds of investment privileges and we have to provide for them too, Sir.

As we set up these arrangements we have to look and see where we are providing for my interpretation, not Senator Farley's, of ordinary Barbadians so that as time progresses they can look to enjoy some of these opportunities that might accrue.

We saw, I think it was yesterday's headline or today's in one of the newspapers which talked about that same subject, the fact that many Barbadians, and I am not going to get into debate on one side or the other, but if that is a conclusion, that a lot of Barbadians are existing on a very tight financial strain. Again, these opportunities are not real to them.

I think that when we examine it, we recognise, yes, there might be some Barbadians who have benefited from this kind of opportunity but is it a lot of them. Then is when we ask the question. Then is when we get to the question about what happens down the road. That is where, again, the regulatory framework has to be put in place to ensure that the investment of some of these mutual funds is outside of the traditional guaranteed areas, and I believe I have mentioned this before so I just want to deal with it for a little while.

If you have an opportunity for new money and you are going to go and invest only again in land speculation, in

hotel development, *et cetera*, you are going to find that you are dealing with the same traditional owners. But if you are going to put up funds, for instance, which would allow a competitor to establish, say for argument's sake, a large chain of supermarkets, let us call it Bridgetown Supermarket or something like that, and we are going to invest in a project where a number of Barbadians are going to come together, new people, and we are going to invest in that because it is a guaranteed market, if the opportunity for gross revenue in the supermarket business in Barbados is, say, \$300 million a year, we are saying that there is room for more competition. So we go into that kind of investment and we set up some new entrepreneurs. And that is what I would like to see as part of the regulatory framework where there is an insistence that these mutual funds be directed also toward non traditional business and toward new business.

That is why the Honourable Senator's work is so important. Sometimes I wonder if he does not recognise as he goes about his duty that he is the person responsible for new entrepreneurial opportunity development in Barbados, and I mean impactful development, Sir. That is why we in the Democratic Labour Party have such a great divide with the Honourable Senator when he talks about what has happened in the Ministry of Trade, Industry and Commerce because whereas we are happy to hear that there are 167 or 170 persons who would have had access to the Access Fund, the one that lends \$500 to \$5 000 under certain arrangements from the office in Tudor Street, we are totally dissatisfied. 6.30 p.m.

We find the Honourable Member guilty as charged of sitting on the desk of opportunity and not doing sufficient to see that the other critical fund, established now some two years ago, that is what was first known as the 'Beg Fund' and is now better referred to as the Enterprise Growth Fund, where they have not to this day been able to say that they have disbursed a single cent. I want to hear that opportunity move forward. I want to hear now we are going into the area where mutual funds can make the difference. We are going into the area of venture capital. We are going into the area of businesses which will challenge the *status quo* and provide competition and opportunity for Barbadians to make it big in the business world. That is crucial and that is important. If we are going to sit or if we are going to stand and we are just going to pass legislation after legislation and we are going to fall in line with international regulation. Yes, that is alright but at the same time we must have opportunity, we must ensure that new Barbadians tag along in these activities. That new Barbadians grow in business and new Barbadians are able to look forward to a brighter and better future. The Prime Minister of Barbados, no less a person than him, Sir, said that his vision of growth for Barbados besides the fact that he will have a car in every garage, was that it would be based on the expansion of existing business and the

development of new entrepreneurial business. Those are the ones that would create the jobs that we so much desire in Barbados.

It is the creation of the new business that I am not satisfied with. I am not totally satisfied with it. Even in the case of the Access Fund some of the borrowers will tell you that the conditions do not really suit development and it is more like a cycle of borrowing and repaying and borrowing and repaying but not able to grow. The conditions are extremely difficult to deal with in some cases in that you have to go with three, four, five persons who have to come together in arrangement that continually introduces new difficulties.

Sir, as we contemplate the legislation for the establishment of mutual funds in Barbados, we must think a little bit about who stands to benefit most from this kind of legislation. What we can do as legislators and in the case of the Government of Barbados, as administrators to encourage or to ensure that more Barbadians have that opportunity. What we can do by way of easing the burden in other areas so that there can be some discretionary spending available to participate in this kind of activity. Because if you have got to pay electricity bill, pay taxation, and taxation, Sir, now is 36 cents per dollar as against 28 cents in 1994 and we know the story to that Sir. Pay value added tax, pay all these things, you have not got the discretionary thousand dollar bill when the month comes to put in any mutual fund. When it will generate 40%, 50%, 200%, it is irrelevant....

SENATOR T. E. BARKER: On a point of order, Sir. The Honourable Member is misleading the Chamber when he says that taxation is 36 cents on the dollar. Perhaps, Sir, he can tell us where he gets his information. According to the official publications, it is not 36 cents on the dollar. I wish he would desist from trying to mislead this Honourable Chamber.

SENATOR J. D. E. BOYCE: Sir, the point I want to make is that when we have all this taxation the point is that we do not have that discretionary spending. Barbadians will tell you. They are some that do. I do not deny that but the majority of Barbadians do not have that discretionary spending. If we want to really get more Barbadians on stream we have to...

HIS HONOUR SENATOR C. L. BOLDEN: On a point of order, Mr. President. The Honourable Member cannot get up and say if it is not 36 cents what I mean to say is this, it must be struck from the record because he is putting a false statement in a record for posterity and he is withdrawing without giving the correct figure. The record must be correct, Mr. President.

Mr. PRESIDENT: Please proceed.

SENATOR J. D. E. BOYCE: Sir, if I can wrap up, Sir, because I know that the season is here. You recognise, of course, Sir that my fellow Senator has not been present today because she has had to travel urgently and she would have wanted to make a contribution on this Bill so I felt bound to give some of her sentiments along with mine in this regard.

We have got to be mindful that the opportunities we create are real. The warning from this Side of the Chamber is that, yes, we establish the groundwork, the framework, the security of the mutual funds legislation as being set out here but also if we are going to make an impact in Barbados we must create that environment which will see more Barbadians participate and more Barbadians able to participate. Many Barbadians cannot even raise the mutual funds to send their children to university because their businesses are so highly leveraged at this time...

Asides.

SENATOR J. D. E. BOYCE: When I say cannot raise the fund, you know what I mean, Sir. I mean, "the funds" to send their children to university. They cannot even raise that far less to raise \$10 000. The \$10 000 they raise is to carry out the education programme for their children.

We need to look at easing the cost of living generally so that we can really all participate in this new activity. I believe, Sir, that that is an important dimension which must be added to this discussion at this stage.

I thank you, Sir.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be read a second time.

On the motion of SENATOR THE HON. R. R. FARLEY the SENATE resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 and 2 were called and passed.

Part I, Clauses 3 to 11 were called and passed.

Part II, Clauses 12 to 23 were called and passed.

Part III, Clauses 24 to 34 were called and passed.

Part IV, Clauses 35 to 42 were called and passed.

Part V, Clauses 43 to 51 were called and passed.

On the motion of HIS HONOUR SENATOR C. L. BOLDEN, Mr. CHAIRMAN reported to Mr. PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motion of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed and cited as the Mutual Funds Act, 1998.

ORDER NO. 11 – THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 1998

SENATOR THE HON. R. R. FARLEY: The matter before us, Mr. President, represents an amendment to the Representation of the People Act, Cap. 12, to make more specific and detailed provision for the method of appointment of a polling day for election officers and for related matters. There were some amendments made in the Representation of the People Act, 1997 and these included amendments which related to this matter. However, when it was sought to personalize the intention of having the election officers, those persons who work with the electoral office on election day have arrangements which are similar to what is in place for foreign service officers, it was recognised that although the provision had been made in the law there had not been the empowerment of a special day to be set by the Supervisor of Elections. It was recognised that the permission needed to be drawn up in the same kind of language as that already in place for foreign service officers. 6.40 p.m.

The amendment therefore makes provision for polling day for election officers to be held on such a day as the Governor General may appoint the Order and that the Supervisor of Elections would publish in the *Official Gazette* the date on which that particular part of the poll would be taken. Also, Sir, there are new regulations which are being drawn not part of the Bill to add the appropriate form which would give effect to this amendment to the Representation of the People Act, Cap. 12.

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

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 and 2 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to HIS HONOUR THE PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motion of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed.

ORDER NO. 13 – THE HEALTH SERVICES (AMENDMENT) BILL, 1998

SENATOR THE HON. R. R. FARLEY: Mr. President, this Bill seeks to amend the Health Services Act to empower the Minister of Health to make regulations concerning the operation and management and control of private hospitals, nursing homes, senior citizens' homes, maternity homes and the like. It is really a very brief amendment which seeks to allow for the regulations to be made in this particular regard. However, the importance of this matter should not be judged only by the brevity of the legislative action which is required.

It is well-known that Barbados' success in terms of its attention to health care over many years has resulted in a situation where Barbadians are living longer. The average age of the population has increased over time and the percentage of the population represented as persons over 65 has continued to grow and on trend the mature aging population of Barbados will represent a very significant proportion.

It is important therefore for us not just in the face of that future but also faced with some of the present harsh realities in terms of the need to ensure that care is being offered at a satisfactory standard. It is unfortunately true that there are a number of private entities purporting to be nursing and care establishments which in truth and in fact are not up to an adequate standard.

The last time that regulations were drawn was 1969 and even with those 1969 regulations which need beefing up there are a number of entities which it is clear would not be able to conform to those regulations. What the Government of Barbados is proposing to do is to ensure that there is an adequate framework for the proper licensing, registration inspection of facilities that purport to call themselves nursing facilities.

The Government has responsibility to ensure that where the public is offered services of that nature that the public's interest in the matter can be adequately and properly protected. This is really an important part of our population. Clearly there was a need for standards and accreditation and the Ministry of Health has set in place an accreditation team which would ensure that adequate inspections are carried out

to determine that establishments are in such a condition as would enable them to be licensed. For example, the accreditation team would include representatives of the nutrition officer, the public health inspector, a public health nurse and the drug inspector from the drug service.

These aspects would highlight some of the areas of concern which have been raised by members of the general public, by persons who have relatives either in care or for whom care is required, given the circumstances, and therefore inspection which looks at the entire environment and the food that is served and the physical facilities, the extent to which there is an appropriate separation of the sexes, the extent to which there is provision for care of persons whose mobility is reduced because of age or other particular circumstances and basically to ensure that while we do not want to stifle creativity and the provision of these services that where for example someone is merely offering a home for the elderly or senior citizens' home as opposed to a nursing home that there is an adequate distinction there because there is room for all of those types of things. There are facilities needed for persons who are basically well but who may not want to live alone, their relatives are overseas and so on and that is an entirely different need and demand from persons whose relatives might be here but they need special care.

6.50 p.m.

Therefore the system of accreditation and licensing would take account of these different needs and give the appropriate licensing. But all and all what would be of paramount importance is ensuring that an adequate framework exists for the provision of the care of the elderly that their loved ones could be satisfied that the institutions are able to deliver what they purport to deliver and that the elderly in our community will not have just more years to their lives but certainly more life to their years. Because it is the quality of life, which is important. Long life without good quality, I wonder what it is worth, but it is the quality which is important.

So, Mr. President, this amendment to the Health Services Act is really designed to empower the Minister to make regulations to cover that wide range of areas. At present, the Minister cannot make regulations to cover all of those areas and that has been a deficiency and we want to set that particular situation right.

So this is only one aspect of the whole programme of the care of the elderly. I will not, unless I have to, Mr. President, this evening, go into all of the Government's programmes for the care of elderly but I certainly will do that if I need to do that this evening because the care of the elderly is of tremendous importance to us and we certainly

look forward to discharging our responsibilities as the Government for the care of that very large and important part of our population.

I will just for the next 30 seconds that I will be on my feet, Sir, still however make the point, the point which caused me some pain as I see it. I have a great concern over what would appear to be the rising number of situations in which younger family members seem to see themselves without having any responsibility whatsoever, to exercise any care or concern in respect of their elder relatives, as close as mother and father, as close as aunt and uncle, grandmother, grandfather, the very people who would have moulded them and who would have fed them, cared them and protected them from danger.

The younger persons in Barbados unfortunately do not seem to see that they have responsibility. So you visit a home in a district in Barbados for example, one or two districts in the constituency I have seen that, Sir, and unfortunately, you will see that the house is not in the best of conditions and you enquire – an old lady living alone – and you make further enquiry – you hear that the daughter lives not too far away. She is married and has her children, somebody is overseas, somebody is whatever, and no one wants to lift a finger to help. The Government is required to fix the house. Of course, as soon as the house becomes fixed and you visit again, you will suddenly see lots of people around. There are grand children who have been sent to spend some time, or one of the persons who live somewhere else returns home. When in fact, Sir, it would have been much better if all of the children and the other younger able-bodied relatives would be able to show that love and concern to assist the elderly person. That pains me.

Even the matter, Sir, of merely visiting and giving love and care – very often there are people who do not have physical needs but they need companionship. They need some attention. They have a story to tell and could impart much wisdom and knowledge to the younger generation. But again, it pains me that young relatives would want to leave it to the home help or for the public health inspector or the resident beat officer or to the church group to be the ones to visit and to give some care and cheer to the elderly relative.

So I would want, Sir, to use my standing in this August body to urge the family members of the elderly to shoulder their responsibility. Those elderly persons have paid their dues. They would have in many different ways, emotionally, financially and otherwise taken care of their children, the neighbour's children and the children of the community generally and we have a responsibility to pay them back. But, Mr. President, that is another long story on which I could speak for the whole day, but we do not have the whole day. The hour is late and Mr. President, I beg to move, Sir, that this Bill be read a second time.

SENATOR J. D. E. BOYCE: Sir, just a short intervention on this matter, because the substance of the amendment proposed to allow the Minister to have the power to designate these homes to have regulations set for the proper management of these homes is not anything that anybody would quarrel about at all. But I think as was said in the Other Place, Sir, sometimes they have a saying that you fix your house first. I do not know the exact words, but you fix your own house first before you go and tell others about their's and that is as simple as I can put it.

And the truth is that the health services in terms of the facilities that we offer the elderly in our public institutions are the ones which need to have regulations put on them, Sir. And there are some very serious incidences which I do not need to repeat. All I need to say is that when I hear Senator Farley pontificating about how useful this legislation would be in setting up the regulations, I wonder who he thinks he was talking to. Because we live in Barbados and we know how the old people in these communities are suffering.

You know sometimes it hurts, he said it hurt him to even speak about it when he was referring to a home which was not in the best situation when he came across it. But, Sir, you meet people who have relatives in public institutions in this country who relate to you the kind of hardship they go through in respect to the services. So I am saying there needs to be regulations, but if the Minister implements the regulations for the public hospital, what confidence can we repose in the implementation of the regulations for the private ones?

I will end my presentation by making it very clear. The Democratic Labour Party is not satisfied with the service being rendered to the old people who occupy the Geriatric and the public nursing homes in this country. We are absolutely not satisfied with it and we want to send that message clearly to the Minister of Health and the Right Honourable Prime Minister because he is ultimately responsible for all of these things.

And so, I can have no confidence, Sir, in the implementation of regulations for private homes which to a large extent are better served, the ones that I see. I know there might be some that are not as well-off, but the three that I encounter regularly in my area seems...

Aside.

SENATOR J. D. E. BOYCE: Sometimes, Sir, we speak English and we wonder if the English is being understood but the three that I encounter in my regular movements seem to be very well-appointed, not like the Geriatric Hospital there in Beckles Road where windows are dropping out. Nor not like the public hospital at Oistins where the provision and service is not adequate.
7.00 p.m.

Certain remarks made by SENATOR J. D. E. BOYCE were ordered expunged from the records by Mr. PRESIDENT.

SENATOR J. D. E. BOYCE: Sir, if we can find money to give to the Israel Lovell Foundation which is supposed to be doing this work of helping the poor and the elderly, I am saying we can find money too to put in established public institutions charged with that responsibility.

This is no politics now, Sir, and when it has to be told like it is, I will stand and tell it like it is. You can rest assured of that, Sir. They have to find the funds to improve the situation in public geriatric hospitals in this country. Too many of our old people are suffering and when you talk to the relatives who can raise tears, they run out of their eyes as they relate the stories of their loved ones who are confined to these institutions. So they can mumble as they like and they can quarrel and protest as they like.

The reality is that there needs to be an improvement and before we set about setting regulations for the private institutions, let us get the public ones up to a standard that we can walk around Barbados. We are always ready to put these international regulations in place and things like that. When you look and see what we are doing with our people, it is a crying shame. I am not going to stand here and in any way let them muzzle me, Sir, in what I have to say in this regard?

Mr. PRESIDENT: Please address the Chair and the authority in this Chamber rests with the Chair. You cannot make a reference to other Honourable Senators muzzling you.

SENATOR J. D. E. BOYCE: Sorry, Sir. I withdraw that comment. We have to be very serious on these matters. They are burning issues and they are not to be taken in any way but as seriously as I put them. It is not good enough. Let us not fool ourselves. If we talk to the people involved it is just not good enough and we must commit ourselves to doing better. I am grateful to Your Honour.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I rise to support this Bill to amend the Health Services Act to empower the Minister to make regulations for the proper management, control and inspection of private hospitals, nursing homes, senior citizens' homes and maternity homes. I did not know they are still in existence. However, I am glad that these homes will definitely be regulated by law. It is long overdue because of the conditions of some of these homes that leave very much to be desired.

Unfortunately, Mr. President, as soon as it was announced that there was about \$2 million available to be given to some of these homes, several little homes are being

sprung up like three beds, and four beds and what have you and they are not properly furnished or properly set up for the care of our elderly.

It is very important that all of these persons be given a licence and the Government must be very serious, very strict and extremely firm with persons operating such homes. If they take money from Government, I understand it is \$1 500 per person, for the care of the elderly, or if they take money from families, it is usually about \$1 000, they need to provide the care that is needed.

I support the Government supporting these homes because it is needed and the Government really cannot provide enough homes to cater for the aged and it is good to get persons involved in small businesses and catering to the population but it must be done properly.

Another area about these nursing homes, Mr. President, is that presently there must be a registered nurse attached to the homes and often this is not the case. Often what happens is they just employ people with little or no experience or training and often they do not have a registered nurse on the premises to supervise the untrained personnel.

According to the existing Health Services Regulations untrained personnel can work under the supervision of a registered nurse. That is no problem and the registered nurse can train them on the job similar to the substitutes that Government uses throughout the district hospitals and the geriatric hospitals and they do excellent work. I do not have any quarrel with that but it is when there is not a registered nurse, or when the people put down the name of a registered nurse who is living in England or somewhere else and nowhere to be seen and carry out these types of homes. So one has to be very vigilant and very careful when one is inspecting these homes to make sure that they are operated according to the regulations.

Mr. President, I am very glad that it seems as though these homes will be regulated mainly by polyclinic staff, by the public health inspector, public health nurse and a nutrition officer. These are all attached to polyclinics. I do not know how many accreditation teams the Ministry is going to employ, or if each polyclinic is going to be responsible for the homes within their area or what is going to be done but I think you will need more than one team in order to do surprise visits to make sure that our elderly are being taken care of in the way they deserve.
7.10 p.m.

It is so important that there must be that registered nurse because sometimes these persons are ill and they need to see a doctor and only if you have a qualified registered nurse there who can ascertain if the elderly have a stroke, if they are going into coma *et cetera, et cetera* so that they can

get a doctor or make the necessary arrangements for them to be taken to the Accident & Emergency Department to get the proper care. I have heard a lot of sad stories about persons who had strokes and they did not know they had a stroke or if they are diabetic and they have a wound and they do not know and then they lost a leg because it become gangrenous. You need a registered nurse on the premises.

I sincerely hope the regulations will include the registered nurse to be on the staff of these homes. I am not talking about senior citizens homes, I am talking mainly about nursing homes in particular. Senior citizens homes are different. Those are people who are senior citizens and who are not sick. One does not really need a registered nurse to be there but in particular in nursing homes and in private hospitals.

Also, I would like the regulations to indicate the number of untrained persons in private hospital to registered nurses. Some of these hospitals employ mainly untrained persons and you do not know because they all wear white uniform because it is cheap labour. You need to look very carefully to see the ratio of untrained to trained persons.

Mr. President, if the Government is going to make regulations for these private agencies, the Government has to try and put itself in order and quickly. Virtually all of the district hospitals are in a state of disrepair with roofs leaking, insecure doors, stoves need replacing, the need for bath chairs, the buildings are cracked, all of this. St. Philip District Hospital, the Geriatric Hospital which is unfortunate because a fortune was spent repairing that hospital and bringing it up to standard but I do not know how in a couple of years those windows could be falling off.

Asides.

SENATOR Mrs. P. E. RICKINSON: I do not know if it is cheap wood or the maintenance but it should not be in the state that it is in, given the amount of money that was spent on that institution.

Mr. President, another thing I would like to talk about is the staff. The Government cannot in one breath insist that private nursing homes have a staff compliment of so much when in their own hospitals like St. Philip District Hospital you might have 26 patients to one nurse, sometimes in the night and in the day. That is unsatisfactory. I think the time has come when the Government is going to also have, because these people are old and elderly and need to be assisted, you are going to have to employ male aides, not orderlies, male aides to work under the supervision of nurses so that the nurses can...

Asides.

SENATOR Mrs. P. E. RICKINSON: You can get them because people need work and you will get male aides, if you advertise, to work under the supervision of the registered nurses and to assist with the lifting of the elderly in and out of bed.

Asides.

SENATOR Mrs. P. E. RICKINSON: I am not going to stay long. Just one or two more minutes.

Those substitutes who have been working for the Government for many years, I am making a plea to give them first choice now that posts are available because they are in charge of the ward at night. There is a registered nurse in the building but these untrained nursing assistants have been in charge for many years since 1980 and they are still in charge of the wards at night and I sincerely hope that now posts are available those who have been working long will be given first choice. It is only right and fair to give them security of tenure. What happens is that they call them at home for example in the morning to come to work in the evening, they drop everything and they go and they work faithfully. I am not talking about those who do not work properly. I am talking about those who have given loyal service. With this I look forward to the regulations and the coming into being for the licensing of these homes.

I thank you.

SENATOR THE HON. Miss O. P. SYMMONDS: Mr. President, I am going to be very brief but I feel compelled to speak as one who for ten years had to look after my mother who eventually had Alzheimer's and an elderly cousin too who passed away only this year. I know that elderly people can be trying. Some of them can be very trying and it is not always easy if you are working to look after your love ones at home. Therefore, I am not blowing my own trumpet when I say that I managed to do it and I was glad about being able to although in the end I did have to put my cousin in a home.

Therefore, I am interested in those and I have always loved elderly people and visited some that I knew in some homes and district hospitals so I feel that I am speaking from firsthand knowledge. Ideally, if you can keep someone at home, I think it is better. I think only those who need to be put into a home should be put into one and the rest looked after with caretakers. That is where the community comes into it. With others, there is the idea or concept of shared housing with someone who is like the other person, lucid and able to get around but may need, say, a young person from a large family just to stay with them at night.

Senator Rickinson spoke about having physicians on call and what I would like to suggest is that wherever possible and there could be a geriatrician or a gerontologist

that that is important. Not just an ordinary general practitioner but somebody who specialises in the care of the elderly. I also think that there should be a psychiatrist available and that would tie in with the admission procedure because sometimes there are some elderly people who probably should not be in a nursing home at all and who do not really need that sort of care.

I think too that there should be some building code and security in the building, fire escapes or something like that. Also to see that the building is safe against physical attacks like rape.

I also think, and this I would wish to emphasize, Mr. President, there should be activity appropriate for the elderly. Sometimes they are just there sitting and gazing into space or being confined because some do attempt to get away but there are no activities for them and they are treated like children. Really the elderly need to be treated with the dignity and respect which they deserve and that they have earned. I am aware that for a home to be run properly it is a very costly business but I think whether private or public that there are certain minimum standards which should be set. I wonder if they should not be a manual published for the staff, especially untrained staff.

With those few observations, Mr. President, I wish to support the Bill.

Thank you.
7.20 p.m.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Bill be read a second time.

The question was put to the Senate and agreed to.

On the motion of SENATOR THE HON. R. R. FARLEY the Senate resolved itself into Committee on the Bill, HIS HONOUR SENATOR C. L. BOLDEN in the Chair.

COMMITTEE

Mr. CHAIRMAN: The Senate is in Committee.

Clauses 1 and 2 were called and passed.

On the motion of SENATOR THE HON. R. R. FARLEY, Mr. CHAIRMAN reported to HIS HONOUR THE PRESIDENT the passing of one Bill in Committee and Mr. PRESIDENT resumed the Chair and reported accordingly.

On the separate motions of SENATOR THE HON. R. R. FARLEY the Bill was read a third time and passed.

**ORDER NO. 14 - RESOLUTION TO APPROVE THE
GUARANTEE BY GOVERNMENT OF PAYMENT
OF A LOAN FROM THE EUROPEAN INVEST-
MENT BANK TO THE BARBADOS LIGHT
AND POWER COMPANY LIMITED**

SENATOR THE HON. R. R. FARLEY: Mr. President, this Resolution seeks the approval for a Government guarantee of this loan from the European Investment Bank to finance an electricity generation project for the Barbados Light and Power Company Limited. This is a matter with which we are familiar. This has been done on several occasions over many years. At present, the funding from the European Investment Bank is about the lowest cost of funds available for any purpose. It so happens that this particular project qualifies.

The interest rate of this loan is in the region of 3% per annum and there is a four-year moratorium on repayments. Basically the project has an estimated budget cost of some BDS\$170 million to be financed by \$35 million out of the resources of the Barbados Light and Power Company Limited and to be financed as well by suppliers' credit of some \$70 million and the \$65 million from the European Investment Bank. This matter is part of the Lome agreement between the European Union and the African Caribbean and Pacific States and this particular project will see the replacement of two of the low speed diesel generators which have formed the backbone of the generating capacity of the existing electricity generating system as well as of the traditional gas turbine. Part of the project as well involved financing for renewable energy projects and one or two other developmental and research activities in the energy sector.

I beg to move that this Resolution do now pass.

SENATOR J. D. E. BOYCE: Mr. President, I rise to say a few words on this Resolution before us for the guarantee of the payment of the principal and interest of a sum of \$30 million European Currency Units on behalf of the Barbados Light and Power Company Limited in respect of what I read as the expansion programme for the expansion of power generating capacity of the Barbados Light and Power Company.

The Senate Leader in his presentation talked about the replacement of two diesel generators along with the additional supply of gas turbines and he mentioned quickly in passing it also would include some renewable energy projects and other related research. He did not go into any detail and I think that is unfortunate.

I hope that the time is not the reason why the Senator took that route because these questions are of vital importance to Barbados and development and whenever we

have the opportunity to make contributions to add to the thought processes which engage these kind of decisions it is important that we do so.

Sir, the Barbados Light and Power Company is in the fortunate position under the regulations which set it up as being the sole provider of electricity in the island and this is an extremely important matter because along with the provision of electricity and essential energy source it is important that we in 1998 ensure that this energy is being provided at the most efficient means possible.

I want to talk about that a little bit, Sir. I have no arrangements with anybody that I would not speak on this Bill so I would like to develop my point in this area fairly carefully.

Mr. PRESIDENT: Under the Rules, Senator, you have an hour.

SENATOR J. D. E. BOYCE: Thank you, Sir. I would not need an hour but I need to make a few points.

Sir, one of the objectives of energy conservation is to reduce the requirement, the cost to the country in terms of the fuel and the energy costs. The Light and Power Company plays a very important role in this regard. We see here again that if we can contain our energy consumption instead of just growing and growing as we add on building after building that not enough attention is being paid to modern technologies which would see a reduction in the consumption patterns of the users of electricity. We find ourselves constantly in this position where we have to be adding on capacity. We talked about \$170 million. It is a lot of money.

Again, the programme of energy conservation will include a deferral of this kind of expansion. I think that it is true to say that the Barbados Light and Power though it cannot be said that they have done nothing, have not done enough in terms of going into a serious and committed programme of energy conservation with the Barbadian people. It is not sufficient to talk about a 10% rebate for paying a bill early. It is not sufficient every November for the first week of November to join with the energy division to promote a week of activity in which you talk about energy efficient refrigerators and that kind of thing.
7.30 p.m.

There is more to it than that, Sir, and in Barbados, poverty scratched at the surface of this area of importance, but never got into it deeply. I am happy to say that from my information, the Barbados Light and Power Company along with the Government of Barbados in the Energy Division has now gone into a programme of looking at the whole question

of the feasibility of demand size management. That is a programme where we seek to reduce the consumption in the public domain so as to reduce the pressure on the generating facility.

This is long in waiting, Sir, but he needs to look at more inventive means of dealing with this situation and it has other related solutions, because he needs to look at what is termed as time of day rates. I do not think enough work is being done allowing industries to have the option of using the electricity during a slower demand period of the Barbados Light and Power Company and so defusing some of the peak which would occur during a normal working day and allowing them to be spread more evenly over the 24-hour period that we are considering.

If we look at the consumption production pattern of the Barbados Light and Power Company one will see a natural peak occurring between seven o'clock in the morning and five o'clock in the evening. So that if we can postpone that peak into the evening, we can promote certain interesting developments. Not even by way of being able to offer better rates because then the accumulated cost in terms of assets, *et cetera* can be lessened, but we can also look at a question of moving some of the activity, hence the people who work in industry to another time of day and so spread the load. So the Barbados Light and Power Company know about it. It is not a matter of any new rocket science that I am talking about. These are all things that the Barbados Light and Power Company know about but they do not do, I think, enough in promoting it, Sir.

Sir, the other question is of course there has been in the development in the world, a company whose main business is in the promoting of energy efficiencies in terms of the practice of commercial and domestic facilities. And again, the confidence which the customer would have in the companies which do this kind of work would be enhanced if you were guaranteed the support of the Barbados Light and Power Company and this is something too, which I would like to see them look at and look at in a very serious way. Because they are the ones who collect the utility bills at the end of every month or period and they are the ones who have the power to deal with any default in terms of payment.

So sometimes when you make presentations to organisations and you can save them funds, you have the problem then of getting the support in the banking facility because you as an energy company, would not have the power to ensure that those savings actually come to you. So you need to hold hands with the Barbados Light and Power Company and we need to look at legislation or some kind of amendment to the regulation which allows the Barbados Light and Power Company to join with private sector companies in this kind of promotion and this needs to be dealt with very, very soon.

Sir, there have been instances too, in Barbados of projects which have been presented, I know for sure about the burning of tyres, *et cetera*, an incinerator which would be used to generate electricity, again we need the support of the Barbados Light and Power Company in these kinds of projects. They must support the private sector if these projects are to go forward meaningfully.

I am a little bit concerned about the fact that they might want to go into projects, but we recognise that they would want to have some control in terms of what standards operate. It is generally understood that businesses can participate fully and meaningfully in this activity and can be guaranteed the cooperation of the Barbados Light and Power Company once they meet certain criteria. Most like what we have dealt with, in other areas, like indeed just recently, the establishment of the mutual fund. We have set up regulations which will underscore the operation of these kinds of entities.

Sir, I think if this is done, then we can look forward sometime in the future to a much more energy efficient environment in which we operate here in Barbados. And we can look forward to savings in terms of not only the direct savings to the user – that is the one who goes into the energy conservation project – we can also look to national savings by the reduction in our energy bills, the very massive importation of fuel that we have to deal with today and again most importantly and directly related to this Resolution would be the whole question of postponement of further investment in the future.

I am not saying eliminating, but postponement of investment, recognising, Sir, that this postponement would be a gradual thing and is not going to happen all of a sudden. It requires a commitment, it requires the regulatory framework to be in place and it requires the support and understanding of the Government and the Barbados Light and Power Company. And just like we can join with them now to guarantee the loan which they seek from the European Investment Bank we must also join with them to ensure that they do put some of these energy efficiency activities in place for the benefit of all of Barbados.

I am grateful, Sir.

SENATOR C. K. LAURIE: First of all, I do not know if people realise it, but the electrical cost in Barbados is not just the highest in the Caribbean, but it is the highest in the hemisphere.

SENATOR T. E. BARKER: On a point of order. The electrical cost in Barbados is high but it is not the highest in the Caribbean or the Region or the hemisphere. There are other countries higher, so that is a little bit inaccurate. I conceive that it is high but not the highest. So as a matter of accuracy he should rephrase the statement.

SENATOR C. K. LAURIE: I am going by a publication that I get from Oladi in which I am sure the Senator is fully aware. I think you are absolutely right. Grenada is the only country that is higher than us. Yes, I conceive that. But places like Jamaica and Guyana, where one would expect...

Aside.

SENATOR C. K. LAURIE: Other than Grenada, we are the highest cost producers in the whole hemisphere.

Aside.

SENATOR C. K. LAURIE: Tax.

Aside.

Mr. PRESIDENT: Please address the Chair.

SENATOR C. K. LAURIE: Yes, Sir. One of the factors as I understand is because of the taxation system on energy in Barbados

SENATOR T. E. BARKER: On a point of order. The Honourable Member might not be aware of it, but in this year we removed all of the taxes on fuels, *et cetera*.

Mr. PRESIDENT: Senator, that is not a point of order. You have an opportunity to speak. Please allow Senator Laurie to speak.

SENATOR C. K. LAURIE: We have gotten now to the situation that I know of a very large company that just put in a diesel generator to generate their own electricity and they tell me that they are making substantial savings in the first month of operation.

It seems mind boggling that a company can do that. After all it is a very small operation in comparison with the Barbados Light and Power Company and still make money. That indicates that there is something wrong in the pricing system.

I would like to strongly support Senator Boyce's call for more energy conservation. A few years back when the price of oil was high, the then Government put in a number of things to lead to incentives for conservation. They trained people in doing energy audits.
7.40 p.m.

The Ministry of Energy itself had an energy auditing team. I happened to go along with them on several occasions to several places and there was substantial savings. I know

we did one audit on a bank in Bridgetown and in airconditioning alone they could save \$30 000 a year by just doing things like not having it as cold as it is in here tonight and so on. You can save a considerable amount if you set out to do it. Suddenly, over the last five or six years or so we seemed to have forgotten about these things. All these little things that were leading toward energy conservation were no longer being practised.

The Barbados Development Bank would not grant a loan to a hotel unless an energy audit had been done on the hotel. I know. I was involved in a number of energy audits on hotels which, I think, did lead to substantial savings and the substantial savings are passed on to the country because we are importing energy to a large extent.

I think we need to rationalize the system of street lights. I suppose it depends on the political constituency and so on but there are places where there are street lights and no houses. You are driving along in the country and you see a street light and you wonder why would they have a street light here. There seems to be no rationalization in terms of street lights per number of houses or something like that. It is a very strange kind of thing.

I would also like to state too that we need to have some more incentives for the use of alternate energy sources where you are having cogeneration done, for instance, in the sugar industry and so on, and this power is then sold into the grid. Light & Power's policy has been only to pay the avoided fuel cost and this is totally unsatisfactory. In many countries, the United States, the United Kingdom, Mauritius I know because I have been involved there with the sugar industry, the Government had to force the Light & Power Companies of those countries to pay for the electricity at the going rate.

The sugar industry here was getting paid .12 cents a unit while you the consumer was paying .32 cents a unit at that time. The sugar industry then gave up. It was not worth their while to do anything like that so we definitely need to put some pressure on Light & Power. The amount that could be easily absorbed by an adjustment to the fuel charge is something if they were really under some duress but I do not think... It is very unfair and they should be made to encourage people who put in windmills, photo-voltates and put their energy into the grid, they should pay for it at a reasonable price.

Another system they have, on a farm if you have a motor driving shaft cutter or something like that and you start up the motor, they say you must put a demand meter on it. This needle goes up as you start and it stays up there and it cannot come back down. The meter is made so it goes up but it never comes back down and you pay a demand charge over and above the cost you pay for the unit. This demand

charge, you may never use that unit again for the year and you pay for the 11 months following at the highest demand charge. For people who use things sporadically it is really criminal.

I remember I did some work for an organisation once and we had to put in a couple of motors. We had to put in a demand meter and 11 months after the experiment was over we continued to pay this demand charge even though we were using no electricity. When you go to them, they say it is there in the fine agreement. It is an agreement. You have to pay it. You have no choice. This is a monopoly and therefore when you have monopoly situations it is incumbent on Government to protect the consumer when these things are unfair. Thanks very much.

SENATOR T. E. BARKER: Mr. President, I know the hour is late but I must put the record straight on one or two things.

The last Senator talked about the price of electricity, but while it may be true that the price of electricity might be high, yet it is the most reliable in the region which is of tremendous importance to this country. I am not defending the Barbados Light & Power Company but you have to put it in the context of the size of the country and the fact that we have a system if you get one power cut a year the people complain whereas in some other countries where they may have it a couple cents cheaper, if you get one a week they are more than happy.

Sir, we must realize that there are lots of other factors which are involved in the whole question of the electricity. There is no question that there are economies of scale and other factors which might militate against the charge.

Sir, I want to restate something I said earlier but which was not allowed, that the Government in March of this year took the important decision to remove all taxes on fuels used by the Light & Power. That is a fact, that the extra tax was removed on fuel oil, industrial diesels and so on used by the Light & Power Company because Government recognises the fact that the cost of electricity is very pervasive throughout the whole economy and any movements to bring down the cost of fuels and hence the cost of electricity will redound to the benefit of the economy.

Sir, sometimes people do not realize what is really happening. The price of electricity has come down and that is a fact. The fuel charge on the bills today is much less than it was years ago. That is a fact. What is happening is that more and more houses are putting in more and more appliances. Most houses now have a computer and two and three television sets so more and more houses are having more appliances and they are burning lights for security and

other reasons. If the electricity bills are going up it is not because of the price of electricity but it is because of the amount of electricity that is being used, but the cost per unit is coming down, and that is a fact.

Sir, with regards to the whole question of conservation, in 1996 when the Light and Power got a similar guarantee on an earlier loan, there was a subsidy in there, I think it was a 1% subsidy, which was a sort of guarantee fee and out of the subsidy a few projects were undertaken and Senator Boyce should know this because he should declare an interest. He should know that the Government is very keen on its conservation and efficiency programme.

SENATOR J. D. E. BOYCE: On a point of order, Mr. President. The Honourable Senator is misleading the Chamber, Sir. I never spoke about anything to do with the Government's programme. I made it very clear that I was talking about the Light & Power and their practices in that regard.

SENATOR T. E. BARKER: Sir, all I said was that he must know what we are doing. If he is saying that he does not know what we are doing, let him say that but he must know and I know that he knows and he knows that I know that he knows about it because he is part of the programme. Sir, Senator Boyce helped to conduct some of the programmes so when he comes in here giving the impression that Government is doing nothing, and he talks about my guardwall in here...

Mr. PRESIDENT: Senator, could we try to keep the debate at a reasonable light. I recognise that we have been sitting for a long time. Let us move on, please.
7.50 p.m.

SENATOR T. E. BARKER: Senator Boyce conducted programmes for the Government up to last year and it was *non gratis*.

Mr. PRESIDENT: Let us please leave out the *ad hominem* comments, please.

SENATOR T. E. BARKER: Sir, it is very important because he is giving the impression that the Government is doing nothing on conserving energy when he conducted a programme on behalf of the same Government. I do not understand what he is talking about. The Government is also with the Barbados Light & Power Company, conducting a programme in demand site management. It is an ongoing programme. It is a very important programme because we recognise that we have to conserve energy. Hence we are now carrying out a study. I think it will cost well over \$100 000 Canadian dollars. It is an important project and it will finish sometime next year and we will await the results of it and put in place the recommendations.

This Government is proactive. We are not here sitting down and waiting. We are doing things.

Sir, in the last few months if you listen to the radio you will hear the Energy Division with the song about saving energy and bringing to the public's mind....

Asides.

SENATOR T. E. BARKER: Sir, I will not sing the song for you but I will remind the Honourable Member that this Government is concerned and we will make sure that the public is aware of the need to conserve energy. I am very glad when we turn on the radio that we are reminded of the need to conserve energy and what we can do in order to conserve it. I am proud to be part of a Government; I am proud of the part of the Ministry of Finance which sees it as its responsibility the need to educate the public about proper energy conservation measures.

Sir, one thing about the loan which I want to just highlight. In the guarantee now for this present loan, which will be paid for by the Barbados Light & Power Company but which Government will obviously have a large say in how it is spent, some of the money will go to the Bawdens Environmental Park which I had the pleasure of opening a year or so ago. I think that that is a very useful idea. The whole idea of a park where the park is powered by nuclear energy whether it be wind turbines or whatever. Sir, that park will get some assistance in helping to develop its programme. It will become a major tourist attraction because it is one of the loveliest parts of Barbados, that whole area of Bawdens. It is a lovely place.

Sir, we hope that Barbadians and visitors can go and see some of these alternative energy systems in operation. The farming methods will also use nuclear energy to help pump water and that sort of thing. Hopefully, Sir, within a few years with some good assistance, both technical and financial, it would be an added asset to our tourism plant. Sir, that is very important and something that we feel proud about.

Sir, one last thing I want to talk about. I know that the Barbados Light & Power Company is proposing to put another gas turbine at the airport and they have plans for two additional low speed diesel plants. Sir, I wonder about that. I wonder if we should be using more fuel oil in our environment because fuel oil is the dirtiest thing around. We have to be very careful about our environment and to put more fuel oil plants in Barbados might not be the best way to go.

I wonder if the Barbados Light & Power Company should not look at this again and probably use more turbines. The more modern gas turbines are more effective. I am sure

that Senator Boyce would agree that they are more efficient than they were twenty years ago when the first set were put in at Spring Garden. They are much more efficient and hopefully, they may look at that because the environmental outputs will be less harmful. It is something that I am concerned about because I am told that the effects of the four diesels that they have now plus the two steam plants have a slightly harmful effect on the whole Black Rock area. I wonder if Barbados Light & Power Company should not be advised to revise its plans and see if they cannot use more environmentally friendly machines in order to generate electricity.

Sir, they use low speed diesel in terms of the running cost. The initial capital cost is very high but the running cost is low. It is something that they probably should look at.

Sir, I just want to make one last point in regards to new energy. The Barbados Light & Power Company has come to Parliament for a guarantee which is in our interest again but at the same time they should know that we would expect certain things from them. That they should be more cooperative especially as it relates to matters like having more renewable energy in the energy mix. I hope that in the next year or two that they will be more responsive to some of the proposals that are coming to them from various operators who want to use wind energy. It is something that they must recognise that they have a responsibility to put in place measures to mitigate any harmful effects on the environment. It is something, Sir, that probably next year we can really investigate to make sure that we put in place proper measures.

Sir, with those few words I want to support this Resolution.

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise but I feel constraint to clarify some comments made. A broadside was made on certain political constituencies. All things on first appearance seem to have something to do with politicians. Let me indicate that it has nothing to do with politicians. It is only that the politicians are the ones who they can see and who know what the issues are in the constituency and know what the needs are more so than people who merely drive through.

I know areas where I grew up for example and when you are in some of the more rural areas, when you check where the church is, where the major shop or supermarket is, where the bus stop is, then you see what the connecting roads are between the pockets of houses, the 25 houses there, the 50 houses there, the 100 houses there, you will know that there are people who walk night and day on those roads

which are empty, lonely and not a house in sight. It is not that some politician could satisfy his fancy for having light around and is putting street lights to illuminate canes or to make his constituency look like a Christmas tree. It is to take care of the safety of those people who have to walk that distance to get to their church, to get to their bus stops to and from work at night, to get to the shop and so on. That is reality.

One should not assume that street lights are just willy-nilly. In fact, the accusation was made and I totally reject it that street lights are placed willy-nilly. It is not so. Also as part of the road safety project the Ministry of Public Works have a programme where they try to provide illumination on major roadways.
8.00 p.m.

In fact, it is very important that they pursue this programme for road safety purposes, especially on long stretches of straight roads so motorists can see the verges and so on but also at major road junctions or at any road junction for that matter. It is important as a motorist if you drive in the country you realise how dark it is and you cannot see to your left or to your right and you do not know if someone is going to do what has become popular in Trinidad. In Trinidad nobody bothers to stop at a road junction because someone is liable to jump you and take you or the car or whatever the case might be.

Illuminating road junctions whether they be in the heart of the country or elsewhere, whether there are houses around or not, is important as well. If I do have a quarrel with street lights it is that the street lights which we seem to have today seem not to give as much area coverage as street lights years ago. When I was growing up, the street lights we had were those like a two-foot light fixture with two fluorescent tubes in it. Sir, if it were in this day I would have been called one of the boys on the block but in those days it was being by the street corner. That was community life. We did not have the opportunity to go to the fancy clubs and so on, membership clubs and various places. We were there where you played some dominoes and we would stand and chat but you got more light standing under a street light than you do now.

Right now when you stand under a street light you cannot read the newspaper. The standard distance in the rural areas was a street light on every other pole and you had good light between. Nowadays, even where you have a street light on every pole you still cannot see your fingertips. I have a concern that we are spending money to provide lighting across Barbados but we may not in fact get the benefit that we are supposed to derive in terms of the security of the residents of those areas, particularly those who have to walk

along long stretches of road where there are no houses and depend on the light of the street light to provide illumination for them. So that is the concern that I have about the quality of the street lighting which we have in Barbados these days which seem to be the source of a different manufacturer but I would really want to see better lighting available.

So, Mr. President, politicians are not mad and wilfully ignorant people who just place lights all over the place but in fact you have to understand the dynamics which go into the provision of street lights in terms of the movement of people throughout their communities in Barbados.

Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 16 – RESOLUTION TO APPROVE THE VESTING IN THE BTII OF LAND AT BAY STREET AND FORT WILLOUGHBY, ST. MICHAEL

SENATOR THE HON. R. R. FARLEY: Mr. President, approval is sought for this Resolution which seeks to vest land now in parcels of some 2 470.2 square metres and 1 826.6 square metres of land at the old Eye Clinic and Welfare Department as well as 5 783 square metres at Fort Willoughby in Bridgetown. This to be vested in the Barbados Tourism Investment (Properties) Incorporated. These properties are owned by the Crown and they are being vested in this company which is the successor of the Barbados Tourism Investment Corporation which for example has been a company in which was vested properties at the Hilton Hotel site and Dover Convention Centre.

This vesting is of a similar nature and is really intended to allow that particular entity to pursue tourism development projects. Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 17 – RESOLUTION TO APPROVE THE BORROWING OF THE SUM OF US\$2 840 492 FROM NSG EXPORTS LIMITED FOR THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE SANITATION SERVICE AUTHORITY

SENATOR THE HON. R. R. FARLEY: Mr. President, this Resolution seeks approval for the borrowing of this sum US\$2.8 million from NSG Exports Limited. This is styled as a loan in terms of the legal implications of it but in fact it really represents a regular supplier credit for the purchase of

equipment and vehicles for the Sanitation Service Authority. The sum there is in the region of \$6 million which will be used to purchase this equipment.

The equipment is largely to ensure that we are able to provide regular and efficient collection service in respect of the removal of garbage from the households around Barbados. It is interesting to note that the collection fleet of the Sanitation Service Authority has become rather aged. The average life expectancy of one of the compactor trucks is seven years. However, quite a number of the vehicles, 74 per cent, of the Sanitation Service Authority are over seven years which would mean that whilst we have been replacing a number of trucks over time and they are younger than the seven years the reality is that the majority are over that period and some of that number are well over ten years which has placed us in a situation in which we cannot ensure that there is a truly reliable collection service.

On a day that there are vehicle breakdowns then it affects the programme. Just to give some indication of the scope of the programme which is required to be maintained, the Sanitation Service Authority provides its services across four geographic areas. In the northern area there is some 13 routes to be run every day. In the southern area there are some 17 and in the two St. Michael areas there are 15 each.

When you consider the distance along which those routes cover then you understand the magnitude. Basically, you are providing service to some 80 000 households in Barbados who would expect at least a once a week service and then of course there are businesses in the commercial area in which one expects to have a daily service and in fact in the St. Michael area there is supposed to be a daily collection service rather than a weekly, given the nature of the area.

We would want to move to a situation where we are able to deliver this service which is demanded. We have therefore sought to put in place a programme to procure the vehicles which are required. There were some nine proposals that were considered for the supply of a range of vehicles equipment and provision for spares and out of the nine proposals the proposals from NSG was the most attractive as far as the lowest overall cost, in terms of the cost of the inventory and the lowest interest rate which is available.

8.10 p.m.

So therefore, Sir, under those conditions we had no difficulty in moving in that direction. So that there would be some 30 compaction vehicles which will be available. Some tractors, road sweepers, bob cats and so on, but generally speaking compaction vehicles to put the refuse collection programme back on stream by having an adequate number of vehicles to service communities across Barbados. So that my

folks in St. Patricks, Christ Church would be happy to have a regular service again as would be the folks in Silver Sands. And of course, Sir, they would not be more ecstatic of the folks in Parish Land or anywhere else in Barbados.

But the reality is that across Barbados there have been situations in which the Sanitation Service Authority has not been able to deliver the goods, or maybe I should say, collect the goods. But be that as it may, Mr. President, this proposal for which I urge the support of the Honourable Senate would really put the institution in a position in which it will be able to cater to its needs.

Mr. President, I beg to move that this Resolution do now pass.

SENATOR N. A. LYNCH: Mr. President, I do not want to be long. I will be very short, but every time I think, and Senator Farley has said it very clearly about the Sanitation Authority not being able to deliver the goods in some measure, so I think I need to bring a very serious issue to this Chamber and that is the whole collection of garbage, particularly as it relates to our tourism belt.

In the St. Lawrence Gap particularly you will find that that is an area in which garbage is not collected on a regular basis, but during the weekend periods we spend long periods without garbage being collected. And Sir, particularly in a tourist belt meaning so much to Barbados and we cannot get refuse collected during the weekends. I think we need to look more seriously, whether or not particularly in these belts garbage can be collected on a regular basis.

I want to say one other thing as it relates to the whole concept of the Sanitation Service Authority and their ability to make money themselves or pay their own way. I know in other jurisdictions what is done is that the Sanitation Service Authority actually has a regime where individual citizens can purchase different receptacles to put out their garbage and in that way they earn their own way in the world.

I think, Sir, that is something we need to look at in terms of one receptacle for lawn garbage and garden garbage as opposed to what comes out of a house or home and these are things that can be looked at in a very creative and innovative way to ensure that we have a Sanitation Authority that pays its way. But, Sir, in the tourism belt I believe that garbage needs to be collected on a much more regular basis than just once a week and it should not be allowed to pile up over weekends in specific tourism belts.

Thank you.

SENATOR THE HON. R. R. FARLEY: Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ORDER NO. 18 - RESOLUTION TO APPROVE THE
GUARANTEE BY THE GOVERNMENT OF THE
PAYMENT OF THE PRINCIPAL SUM OF
\$37 000 000 TO BE BORROWED BY THE
HOTELS AND RESORTS LIMITED
FROM FINANCIAL INSTITUTIONS
AND OF THE PAYMENT OF THE
PRINCIPAL SUM OF \$36 000 000
TO BE BORROWED BY THE
COMPANY BY THE
ISSUING OF BONDS

SENATOR THE HON. R. R. FARLEY: Mr. President, approval is sought for the Government's guarantee on a bond issue by Hotels and Resorts Limited in the sum of \$37 000 000. This bond issue is a 10-year bond issue, the rate of interest is 7½%, that is the market rate and this bond issue will be used to finance the development programme of Hotels and Resorts Limited.

Mr. President, I beg to move that this Resolution do now pass.

The question was put to the Senate and agreed to.

ADJOURNMENT

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to move the adjournment, but speaking on the adjournment I would want first of all to thank Senators for their presence at this hour. I know they are all keen on conducting the people's business, however we still should thank persons for assiduously performing their duty and I want to thank them.

But, Sir, this is the last meeting for the year and I would certainly want to thank Members also for the cooperation which they have provided to me as Leader of Government Business in the Senate during the course of the year. I want to thank colleagues on this Side. I want to thank my colleagues from the Opposition for their cooperation and the independent Senators. But certainly there has been cooperation in matters relating to the scheduling of our business how we tackled the agenda and how we effected the business of Government.

And notwithstanding the warmth which was generated by debate sometimes, that has never stood in the way of our desire to maintain the grand traditions of this August Chamber and to ensure the people's business is at all times first and foremost in all of our considerations.

Of course, I would also want to thank, Mr. President, the staff of the Chamber, the Clerks-at-the-Table, the reporters and other staff which keep us going and to perhaps not digressing from the spirit of the seasons and the thanks

are given just to perhaps urge that next year when we resume that the one matter which Members have raised from time to time concerning the delivery of notices and agenda and so on could perhaps be tackled.

But, Mr. President, I also would want to thank, I am sure you will permit it, the Press for their continued interest and attention in these proceedings. Through the Press, members of the public are able to be aware of what we do in a time frame which is much speedier than the publication of the confirmed debate in Hansard and so on.

Sir, I would of course need to thank you. Because you, Sir, as the Presiding Officer set the tone and you have certainly set a tone which has been positive, yet very orderly. You, Sir, have been able to help us to maintain the honour and dignity and the grand traditions of parliamentary democracy as promised not only in this Chamber, Sir, but in any and all of the grand halls of democracy throughout the world.
8.20 p.m.

Mr. President, I want to thank you, and in thanking all of you, colleagues, staff and Press, I would certainly want to take the opportunity to wish all of you the very best for this Christmas season and certainly all the very best in 1999.

SENATOR J. D. E. BOYCE: Sir, just quickly to join in speaking on the adjournment to certainly wish all Members, like the Senate Leader did, a very Merry Christmas and a happy 1999 and also thank the staff, like he did, who have been so supportive.

We recognise, Sir, given the events which are going to occur that it is very likely that only two of them will be back here next time we sit, Sir. I will not be here with them, Sir, because I would be called to higher office so I trust...

Aside.

SENATOR J. D. E. BOYCE: I know what I mean, Sir. I will be called to serve in another place. I wish the two of them well and a very Happy Christmas and a pleasant 1999 to all of us.

SENATOR C. LeR. TROTMAN: Mr. President, when the Leader of the Senate rose to speak to the adjournment I noted that he did not propose to the Honourable Chamber a recommended date for us to convene again. That reminded me somewhat of my days as a schoolboy when at the end of July we would sing the end of year song. It was, in fact, in the Ancient & Modern Hymn Book and it talked about dismissing us Lord with thy choicest blessings. Then it said: "Those returning make more faithful than before."

I somehow get the impression, Mr. President, that we are in a season not so much of the yuletide but a season when we might be talking very much of those returning. It is within that context that I noted that somewhere there was a suggestion that there might be some time very shortly a new look in this very Honourable Chamber and I wonder if we should not make note publicly of the fact that this has been a very splendid example of how the Social Partnership can assist in the function of governance, and for those who do not see provisions for special interest groups in the governance of the country it is an appropriate season for us to make it clear that whoever is not so much important as whatever in the terms of the future social partnership for governance.

I do not expect that we shall all meet again in this place. You will set a date, Mr. President, I am sure, but I do not believe that they shall all be able to honour it.

Mr. PRESIDENT: The Leader of the Senate will set the date.

SENATOR C. LeR. TROTMAN: Oh, I am sorry, Sir. I thought it was convention that you set the date, Mr. President and you must forgive my ignorance of these things. The Leader of the Senate will set a date but I have a suspicion that we shall not all be able to meet with him on that occasion or with whoever else might lead the Senate on that occasion.

I do wish all of those who will be deciding to seek to go to higher places, I hope that in the interest of God and the new Kingdom and in the blessings that flow from the Pearly White City that those who aspire to the higher place may so be imbued with the spirit of the Master that they will be able to accept with grace whatever the good God in his wisdom shall determine for them.

Since we talk of the spirit and the goodness of God, I think it is an appropriate time, Mr. President, for us to talk about the yuletide season and the blessings of that occasion. I hope that the spirit which imbues us with confidence and courage and helps to walk boldly along the streets and knock firmly on the doors of constituents, that that also will help us in the spirit of Christmas to be sober and in the new year to be healthy especially those who have great work ahead of them in the future.

On one solemn note, Mr. President, if you will allow. I hope that those persons who may come to this Chamber in the future may be spared the embarrassment which I had today where I wanted to look at some bits of legislation and where I looked for the original legislation and because the books are not yet ready I was not able to find the appropriate sections which were being referred to by the legislation which was before us.

I thought I might have done it a little better and some people might have been able to do it a little better if we had some up-to-date bits of the machinery and that machinery is the documentation. We will have to empower the Leader of Parliament to ensure that the appropriate documentation is available.

The very last thing I wish to say, Sir, is that those of us who did not speak very much tonight did not seek to speak out of a lack of words and a lack of interest in the very interesting items which were before the House but we were assured that there were some matters which had to have a certain importance on getting on the statute book and I would like to thank those colleagues although it is not my task, who have not read us amiss in wanting to accommodate the interest of the country as a whole.

To you, Sir, I wish the pleasantness of Christmas. I know yours will be a very sober one, Sir, but for the rest who are not like you, imbued with that strength of character and that capacity to take on the new year with sobriety and with equanimity of purpose, I wish them all a sober and peaceful 1999.

Mr. PRESIDENT: Honourable Ladies and Gentlemen, in the face of such eloquence, I am somewhat at a loss for words. I note, for example, that Senator Trotman is hinting at certain events which, of course, I know nothing about and Senator Boyce suggested that he has places to go.

This is the fifth occasion on which I have had the pleasure of extending greetings to Honourable Members of the Senate almost on the eve of Christmas and the fact that it is the fifth occasion makes it somewhat special.

All Honourable Members of the Senate have done outstanding work in this place, in this year and in this session and today has been outstanding. We sat here, I believe, for close to nine hours and we completed the work that was set for us and I think that is quite a good end of term report.

I would like to thank all Honourable Senators for the support which they have given me, certainly during the years since I had the honour to sit in this Chair. It has made a difficult job somewhat easier.

There are a number of absent Senators today. Some, of course, were here earlier and were called off for pressing business at this time. Others are abroad and before I left home this morning I had a call from Senator Workman who was indisposed but who has asked me to convey his best wishes to Honourable Senators. He had very much hoped to be here today.

It remains only for me to extend to Honourable Senators and their families, members of staff and the Press, the blessings of Christmas. I hope that the new year will be a healthy, happy and productive one. I can only end by saying the few words, "May God bless us all." Thank you.

SENATOR THE HON. R. R. FARLEY: Mr. President, I rise to formally move the adjournment. The Other Place has adjourned for the Christmas recess until January 12, 1999. We therefore will more than likely meet on January 20 and I was actually going to set that date as the date that we should adjourn to. However, it may very well happen that the first item of business on January 20 for the Other Place might be a supplementary expenditure item, for example, that does not come here, or some other matter

which might not be properly sent to the Senate. Therefore, out of that abundance of caution, I would not set a date, because once we set a date we will have to meet and adjourn even if there is no business before us. So, in moving that the Honourable Senate do now adjourn *sine die*, I am still putting Honourable Members on notice that given that the Other Place is set to meet on January 12, we should expect to have our professional avocations so structured that we would be available, should we be called to service on January 20, 1999.

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

CONTENTS

PRESENTATION OF PAPERS

Senator the Hon. R. R. FARLEY 1

1. Report of the Constitution Review Commission, 1998.
2. Parliament (Administration) (Salaries) (No. 2) Order, 1998.
3. The International Business Companies (Rate of Tax) Order, 1998.
4. The Duties, Taxes and Other Payments (Exemption) (No. 22) Order, 1998.
5. The Duties, Taxes and Other Payments (Exemption) (No. 23) Order, 1998.
6. The Annual Reports of the Sanitation Service Authority for the years 1994-95, 1995-96, 1996-97, 1997-98.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

Senator the Hon. R. R. FARLEY 1

Suspension of Standing Order No. 45(2) for the remainder of the Sitting.

INTRODUCTION OF BILLS

Senator the Hon. R. R. FARLEY 1

1. The Estate Duty (Waiver) Bill, 1998.
2. The Income Tax (Amendment) (No. 3) Bill, 1998.
3. The Income Tax (Amendment) (No. 4) Bill, 1998.
4. The Insurance (Miscellaneous Provisions) (No. 2) Bill, 1998.
5. The Representation of the People (Amendment) Bill, 1998.
6. The Guarantee of Loans (Companies) Bill, 1998.
7. The Health Services (Amendment) Bill, 1998.

8. Resolution to approve the guarantee by Government of the payments of the principal and interest of a loan of 30 million European Currency Units from the European Investment Bank to the Barbados Light and Power Company Limited.

9. Resolution to approve the vesting in the Barbados Tourism Investment (Properties) Incorporated of land at Bay Street and Fort Willoughby, St. Michael.

10. Resolution to approve the borrowing of the sum of US \$2 840 492 from the NSG Exports Limited for the purchase of vehicles and equipment for the Sanitation Service Authority.

11. Resolution to approve the guarantee by the Government of the payment of the principal sum of \$37 000 000 to be borrowed by the Hotels and Resorts Limited from financial institutions and of the payment of the principal sum of \$36 000 000 to be borrowed by the Company by the issuing of bonds.

PUBLIC BUSINESS

ORDER NO. 1 - RESOLUTION TO APPROVE THE VESTING IN THE NATIONAL HOUSING CORPORATION OF LAND SITUATE AT WALKERS, ST. ANDREW 2

Senator the Hon. R. R. Farley, 2.

ORDER NO. 2 - RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND SITUATE AT THE WHIM, ST. PETER 2

Senator the Hon. R. R. Farley; 2; Senator J. D. E. Boyce, 2, 4; Senator the Hon. G. S. H. Murray, 4, 6; Senator Mrs. P. E. Rickinson, 6; Senator N. P. Welch, 6.

ORDER NO. 3 - RESOLUTION TO APPROVE THE VESTING IN THE NATIONAL HOUSING CORPORATION OF LAND SITUATE AT LEARS PLANTATION, ST. MICHAEL 7

Senator the Hon. R. R. Farley; 7; Senator J. D. E. Boyce, 7; Senator C. LeR. Trotman, 8; Senator T. E. Barker, 9; His Honour Senator C. L. Bolden, 10, 12; Senator Mrs. P. E. Rickinson, 13.

**ORDER NO. 4 - THE PENAL SYSTEM REFORM
BILL, 1998 14**

Senator the Hon. R. R. Farley; 14; Senator J. D. E. Boyce, 17, 19; Senator the Hon. Miss O. P. Symmonds, 20; Senator C. LeR. Trotman, 20, 22; His Honour Senator C. L. Bolden, 23, 26; Senator Miss C. Y. Forde, 27; Senator the Hon. G. S. H. Murray, 30; Senator Mrs. P. E. Rickinson, 31, 33; Senator N. A. Lynch, 33, 35, 36.

**ORDER NO. 6 - THE VALIDATION OF FISCAL
INCENTIVES (McBRIDE (CARIBBEAN)
LIMITED) BILL, 1998 37**

Senator the Hon. R. R. Farley, 37.

**ORDER NO. 7 - THE ESTATE DUTY (WAIVER)
BILL, 1998 37**

Senator the Hon. R. R. Farley, 37.

**ORDER NO. 9 - THE INCOME TAX
(AMENDMENT) (NO. 4) BILL, 1998 38**

Senator the Hon. R. R. Farley, 38.

**ORDER NO. 10 - THE INSURANCE
(MISCELLANEOUS PROVISIONS) (NO. 2)
BILL, 1998 38**

Senator the Hon. R. R. Farley, 38.

**ORDER NO. 12 - THE GUARANTEE OF LOANS
(COMPANIES) BILL, 1998 38**

Senator the Hon. R. R. Farley, 38.

**ORDER NO. 5 - THE MUTUAL FUNDS BILL,
1998 39**

Senator the Hon. R. R. Farley, 39, 40; Senator J. D. E. Boyce, 42.

**ORDER NO. 11 - THE REPRESENTATION OF
THE PEOPLE (AMENDMENT) BILL, 1998 ... 45**

Senator the Hon. R. R. Farley, 45.

**ORDER NO. 13 - THE HEALTH SERVICES
(AMENDMENT) BILL, 1998 45**

Senator the Hon. R. R. Farley, 45; Senator J. D. E. Boyce, 47; Senator Mrs. P. E. Rickinson, 47; Senator the Hon. Miss O. P. Symmonds, 49.

**ORDER NO. 14 - RESOLUTION TO APPROVE
THE GUARANTEE BY GOVERNMENT OF
PAYMENT OF A LOAN FROM THE
EUROPEAN INVESTMENT BANK TO THE
BARBADOS LIGHT AND POWER
COMPANY LIMITED 50**

Senator the Hon. R. R. Farley; 50, 54; Senator J. D. E. Boyce, 50; Senator C. K. Laurie, 51, 52; Senator T. E. Barker, 53.

**ORDER NO. 16 - RESOLUTION TO APPROVE
THE VESTING OF THE PARCELS OF LAND
DESCRIBED IN THE SCHEDULES HERETO
IN BARBADOS TOURISM INVESTMENT
(PROPERTIES) INCORPORATED 55**

Senator the Hon. R. R. Farley; 55.

**ORDER NO. 17 - RESOLUTION TO APPROVE
THE BORROWING OF THE SAID SUM OF
US \$2 840 492.00 FROM NSG EXPORTS
LIMITED FOR THE PURCHASE OF
VEHICLES AND EQUIPMENT FOR
SANITATION SERVICE AUTHORITY 55**

Senator the Hon. R. R. Farley; 55; Senator N. A. Lynch, 56.

**ORDER NO. 18 - RESOLUTION TO APPROVE
THE GUARANTEE BY THE MINISTER OF
FINANCE OF THE PAYMENT OF THE
PRINCIPAL SUM OF \$37 000 000 TO BE
BORROWED BY THE COMPANY AS
SPECIFIED IN PARAGRAPH 1 AND OF
THE PAYMENT OF THE PRINCIPAL SUM
OF \$36 000 000 TO BE BORROWED BY THE
COMPANY FOR THE ISSUING OF THE
BONDS 57**

Senator the Hon. R. R. Farley; 57.

SUSPENSIONS 14, 37

ADJOURNMENT 57

Senator the Hon. R. R. Farley; 57, 59; Senator J. D. E. Boyce, 57; Senator C. LeR. Trotman, 57, 58; Mr. President, 58.

SPEAKERS IN THIS ISSUE

BARKER, Senator T. E.

BOLDEN, His Honour Senator C. L.

BOYCE, Senator J. D. E.

FARLEY, Senator the Honourable R. R.

FORDE, Senator Miss C. Y.

LAURIE, Senator C. K.

LYNCH, Senator N. A.

MURRAY, Senator the Honourable G. S. H.

RICKINSON, Senator Mrs. P. E.

SYMMONDS, Senator the Hon. Miss O. P.

TROTMAN, Senator C. LeR.

WELCH, Senator N. P.