
THE SENATE DEBATES

(UNOFFICIAL REPORT)

PARLIAMENT 1999 – 2003

THE SENATE

Wednesday, July 24, 2002

The Senate met in the Senate Chamber, Parliament Buildings, on Wednesday, July 24, 2002, at 11.15 a.m.

PRESENT

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

His Honour Senator C. L. BOLDEN, C.B.E., Q.C. (Deputy President)

Senator the Hon. J. X. WALCOTT, FRCS, (Edin.) J.P. (Minister of Health) (Leader of the Senate)

Senator the Hon. G. S. H. MURRAY, B.A. (Hons.), J.P. (Minister of State, Prime Minister's Office and the Civil Service)

Senator T. E. BARKER, B.A. (Hons.), M.A. (Econ.) (Parliamentary Secretary, Ministry of Economic Development)

Senator P. C. Goddard

Senator Dame Patricia SYMMONDS, D.B.E., G.C.M., B.A. (Hons.), P.G.C.E., J.P.

Senator Miss J. C. ODLE, J.P.

Senator J. E. D. WILLIAMS, B.Sc., M.B.A., J.P.

Senator D. D. MARSHALL, LL.B. (Hons.), L.E.C.

Senator K. D. SYMMONDS, B.A., LL.B.

Senator C. A. MASCOLL, B.Sc. (Econ.) (Hons.), M.A. (Public Finance)

Senator L. H. McCLEAN, B.Sc. (Hons.)

Senator C. LeR. TROTMAN, M.A.

Senator Mrs. P. E. RICKINSON, B.A. (Hons.) M.P.H. (Harvard), S.R.N.

Senator C. K. LAURIE, D.I.C.T.A. (S.T.), FBSTA

Senator Sir John Stanley GODDARD, K.A., B.Com., F.C.A., Hon. LL.D. (U.W.I.)

Senator B. R. COLLYMORE

Senator the Rev. L. W. B. ROCK, M.Div.

Senator Mrs. V. E. NEWTON, S.C.M., B.A. (Spec. Hons.) M.A., LL.B. (Hons.) (U.W.I.), F.L.A. (Gt. Brit.) L.E.C.

Prayers were led by Rev. Father Errington Massiah.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR-GENERAL

Mr. DEPUTY PRESIDENT: I have to announce two messages from his Excellency the Governor-General.

Message No.2/2002

His Excellency the Governor-General to the Honourable the Senate and the Honourable the House of Assembly.

His Excellency the Governor-General presents its compliments to the President and Members of the Senate and to the Speaker and Members of the House of Assembly and has the honour, by the command of the Queen, to convey Her Majesty's reply to the message of congratulations sent on the occasion of Her Majesty's Golden Jubilee.

The second Message read:

From Buckingham Place

to the President of the Senate.

I was pleased to receive your kind message of loyal greetings sent on behalf of the Members of the Senate, the Speaker and Members of the House of Assembly of Barbados on the occasion of my Golden Jubilee.

As Head of the Commonwealth, your thoughtfulness in writing was much appreciated and I send my warm good wishes to you all.

Elizabeth R.

July 2002

PAPERS

SENATOR the Hon. J. X. WALCOTT: Mr. Deputy President, I am commanded to lay the following documents before the Honourable the Senate:

1. Value Added Tax (Refund) the Barbados Military Cemetery Association) Order, 2002;
2. National Insurance and Social Security (Miscellaneous Amendments) Regulations, 2002;
3. Severance Payments (Fund Contribution) (Amendment) Regulations, 2002;
4. Take-Over Bid Regulations, 2002.

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

SUSPENSION OF STANDING ORDERS

SENATOR the Hon. J. X. WALCOTT: I beg to move that Standing Order, 45(2) be suspended for the remainder of today's sitting so that we may be able to debate the Firearms (Amendment) Bill 2002.

The question was put to the Senate and agreed to.

INTRODUCTION OF BILLS AND/OR RESOLUTIONS

SENATOR the Hon. J. X. WALCOTT: Mr. Deputy President, I beg to give notice of the following Bill and Resolution and move that they be read a first time:

1. The Firearms (Amendment) Bill, 2002
2. A Resolution to note and approve Protocol 4 for the implementation of the social partnership 2001-2004

PUBLIC BUSINESS

ORDER NO. 5 – THE FIREARMS (AMENDMENT) BILL, 2002

SENATOR the Hon. J. X. WALCOTT: Mr. Deputy President, this Bill seeks to amend the Firearms Act 1998-32 and seeks to carry out several amendments to the existing Act which was amended in 1998. It has been found that there have been several deficiencies in the present Act and there have been a number of consultations with the Commissioner of Police and other interested stakeholders, the Barbados Pistol and Rifle Federation, and in

conjunction with the Attorney-General's Office they have come up with some amendments to the Act.

The amendments seek to:

- (a) regulate the export of firearms;
- (b) extend the exceptions to the licensing requirements;
- ©) extend the disqualifications for holding licences; and
- (d) relieve licence-holders of the need to always carry their licences, provided they can produce them within 24 hours.

It also provides a legal basis for the collection of fees which did not previously exist, in other words, it would validate the collection fee which was an omission from the previous Act.

Mr. Deputy President, over the last 50 years there has been tremendous progress in development in our island. There have been rapid advances in health care delivery, in our educational system, the provision of housing, and improvements in our social services. This is due primarily to sound governance by successive regimes of governments depending upon which party was in power and for this we should be grateful especially when we look at some of our CARICOM neighbours. However, in spite of all of these advances we have made there are still some social ills that need to be addressed and one of these is crime. I read in one of this morning newspapers that the United Nations Development Programme (UNDP) has listed Barbados as number one in the region in terms of human development indices but crime is still one of the social ills that we need to address, particularly firearms related crimes.

Sir, in reviewing the last ten years, the use and incidence of firearms in Barbados has been of major importance. I will look now at the figures provided by the Commissioner of Police. For the period 1993 to 2001 there were 1 432 crimes committed in Barbados with the aid of firearms. If I may be specific, in 1993 there were 235 crimes with the aid of firearms. Of these 205 were robberies, 29 were serious bodily harm and one murder. In 1994, however, the figure went down to 186. In 1995 it went further down to 116. In 1996 there were 129 and in 1997 there were 105. In 1998, this is of significance because this was just before the last general election and at a time when we heard of crime and violence, the total figure was 107 of which 65 were armed robberies and 35 cases of serious bodily harm. I think it is significant to note that whereas in 1993 when we had 235 gun related crimes, in 1998, we had only 107. However, in 1999 the total

figure increased to 133. In the year 2000 it jumped to 262 and fortunately last year the total figure was 159. So we seem to be heading for another decline and for this we should be grateful in the circumstances.

Indeed, the Advocate Newspaper of the February 18, 1992 reported that the Government of Barbados, and I quote:

“The Government of Barbados would soon introduce tougher measures to help curve a current rise in gun related crimes and a new Bill to amend the laws governing illegal firearms was being examined.”

That never came to fruition until 1998.

Sir, gun related violence is not limited to the individuals who are involved. The individual who is the victim may have a life threatening injury, may be crippled because of injury to his brain or the spinal cord and may be disfigured in the case of gunshot wounds to his face or other parts of the body and then there is the actual pain and suffering which cannot really be quantified. Ironically, the perpetrator usually has problems too. He suffers with fear and guilt in some cases and wonders what is going to happen to him. This is also spread to the families of both the victim and the perpetrator. The victim's family is worried. They go through mental anguish wondering if their loved one is going to die, if he is going to survive and what sort of state he would be in and they worry about problems like rehabilitation. Similarly, in the case of the family of the perpetrator, they have to worry about the cost of legal assistance and other things like that.

There is also an effect on the society. Every time a young person is killed by gun related violence or other violence we need to reflect to see where we have gone wrong - when I say, ‘we’ I mean all members of the society - why this person would have ended up like this and we should certainly take stock in these cases as to why with all the resources and all the developments, why some young people have managed to get through the cracks so to speak and end up being murdered.

Not only are there these sorts of problems, there is also the economic cost in the case of gun related violence. Certainly as in the case of the victim who might have been the breadwinner in the family having to lose such a person in the family is significant. You may also have a case where the individual is working and supporting that family and after an incidence of gun related violence he becomes paraplegic and you will go from a situation where the victim was the main person bringing in income into that household to a situation where other individuals in that household will now, apart from having to find a source of income, have the added burden of caring for the person in their rehabilitation period and certainly if they are

paraplegic or paralyzed, it will be a continuum of care until they die.

11.25 a.m.

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SENATOR the Hon. J. X. WALCOTT: Mr. Deputy President, there is some direct cost to the society as a whole. Society has made an investment to the youth through social services and education and in these circumstances one must say it has regrettably been wasted. There is additional cost such as hospitalisation where sometimes persons require surgical care, which has an attached cost. Most times, persons need expensive orthopedic screws and plates to repair their bones, extensive care and rehabilitation which have extensive costs and which affect the provision of funds available for the general health care of the society. Apart from the economic cost, it also affects the general care available to other members in the society. I should also add that persons waiting for elective surgery have had their surgery postponed because of these traumatic gunshot cases which take precedence over elective cases.

Sir, when one looks at the number of gunshots wounds that were seen at the QEH over the last three to four years, in 1999, there were a total of 67 persons with gunshot wounds; of these, 23 were admitted. In 2000, it rose to 88 persons, with 45 persons requiring admission. Of that total, 81 were males and 7 females. Fortunately in the year 2000 the number of persons treated for gunshot wounds had declined to 41, where 20 persons needed admission. Up to the end of June this year we have had 31 gunshot cases, while 13 persons required admission. Therefore, this will have an economic affect on our ability to deliver health care in general.

Sir, apart from this direct effect, the whole system of terror and gun-related crime can have a devastating effect on our economy as a whole. I think we all remember the British tourist Paula Briggs who was shot in her heart a few years ago. Fortunately we were able to save her. We were also praised and hailed in the British press but can one imagine if a tourist of whatever nationality were to be shot and killed in Barbados at this time, in a situation in where our tourism is in a serious decline?

Mr. Deputy President, having said that, I do not purport to say this Bill can be seen as the only solution to the gun-related violence in Barbados but as part of a comprehensive programme. The Act, as it existed, had its shortcomings but has been successful.

Sir, if one looks at the number of firearms seized during the years 1997 to 2001 one could see there has been some degree of success. In 1997 the number of firearms

seized were 45; in 1998, it was 52; in 1999 it was 67; in 2000 it was 87 and in 2001 it was 92.

Sir, there are other areas which need to be addressed if we are to deal with this problem of crime and gun-related violence. We need: to reduce the propensity of persons to commit crimes; to look at improving the quality of our law enforcement; to recruit and to train more police; to modernise our justice system to deal speedily and swiftly with cases; to ensure the courts have a full range of penalties available to them; to look at reducing the opportunities for crimes to be committed; to address the communities and look at ways of strengthening these communities to that potential law-breakers could be dealt with.

Sir, we must also look at the causes of crime in this country. Whether or not we like it, the socio-economic factors play a very important part. There remain areas of poverty in our country. People see inequalities in our society. There are a number of young people who see no hope or no future in this country. Persons coming out of the educational system boast of a free secondary and tertiary education and some of them are not even functioning literately, yet we boast of this educational system. Sometimes some persons come out with no skills to secure their future in this world. We all appreciate that as the world becomes more globalised, we are all becoming more individualistic and selfish in our outlook on life, hence young people find it an easy avenue and become gobbled up by the drug culture and in the concept of making an easy dollar.

Sir, during the course of the upcoming months a number of these issues would be addressed and debated as Government looks at the total plan on crime in this country. Government is committed to deal with these problems. This is shown by the creation of the Ministry of Social Transformation to deal with a number of areas which I have highlighted. The Urban Development Commission is dealing with the renewal of urban areas and the concept of slum parents. It is also addressing poverty alleviation and, in its project, has reached a total of 681 poor Barbadian families.

It has provided training in communities. There is a community art career programme which I am sure many Members might not be familiar with, which aims to improve and to strengthen the artistic abilities of young persons, which serves as an avenue for employment and for owning their own businesses. The courses offer such programmes as graphic arts, animation, computer graphics and paint brushing. Sir, over the two years of its existence, it has trained over 150 persons, to which 80 per cent were males, where some of them have gone onto setting up their own businesses.

There are also community workshops being held whereby staff of the Ministry of Social Transformation visit communities and groups, while offering advice and assistance in the development of programmes in providing training and other assistance where necessary and where possible. These are all areas that are geared towards addressing the problems within these communities which could lead to violence.

There is a community technology programme which has been embarked upon by the Ministry of Social Transformation involving resource centres in Black Bess, St. Peter; St. Marks, St. Philip; St. Elizabeth, St. Joseph; Bonnets, Brittons Hill; The Valley, St. George and Weston, St. James. This project is expected to be expanded to other areas such as Bush Hall, Emmerton, Parkinson and Deacons, towards the end of this year. This programme looks at refurbishing community centres, providing computer laboratories and internet facilities and, in the process, introducing people in these communities to such programmes as desktop publishing, spread sheet, et cetera, so they could manage in the new technological world in which we are living and not be left on the sidelines so to speak.

Our educational system would also have to play its part and cater to the needs of all types of individuals, not only to the academic but also to the technical, creative, and sporting abilities of these people. It must be an education which allows individuals of all the various skills to develop their full potential and certainly to aim at a situation where we could obtain functional literacy at the end of our education system.

We must also look at rebuilding a social cohesion among these communities where this no longer exists. We need, through the auspices of the Ministry of Social Transformation, to look at the system of community mentoring where we involve persons to act as mentors and role models to these individuals. Certainly more resources have to be put behind the concept of drug control and demand reduction in relation to drug consumption.

Sir, if we look at the statistics from the Commissioner of Police, there seems to be some hope still. So far this year the number of offences seem to have declined. When we look at the number of persons who were charged with these offences, it is a worrying statistic. In 2000, the total number of persons charged with gun-related crimes were 180. Out of this figure, 67 persons were in the 20 to 29 age group. In 2001, 122 individuals were charged. In the age group 20 to 29, 74 individuals were charged. I should add that in the 16 to 19 age group, 24 were charged. In other words, we had a situation where 98 out of 122 persons charged with crime related incidents being in the 16 to 29 age group. This year so far, 95 persons have been charged, with 67 coming from the 20 to 29 age group.

Sir, this is a worrying statistic if we realise that this is the age group most seriously affected by HIV/AIDS and in a situation where young men are being incarcerated for gun-related incidences, with some of them being murdered or injured, I think we have something to wonder about in our future.

11.35 a.m.

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SENATOR the Hon. Dr. J. X. WALCOTT: We cannot afford to lose a large segment of our males in this age group. What is going to happen to the children who are growing up without their fathers? We are presently addressing the problem of HIV/AIDS and we are going to have to address the problem of crime within this age group.

Sir, I revert now to the amendments.

Clause 3 will repeal Section 3 of the previous Act.

Clauses 3 and 6 will now make provision for those who want to export firearms to apply for a firearm export licence.

Clause 4 prevents persons convicted in Barbados from obtaining licences.

Clause 5 gives the Commissioner of Police more power to determine who will obtain a licence.

Clause 10 defines a collector as a person who collects firearms and ammunition.

Clause 4 is very important and introduces the new offence of endangering life or safety committed by a person who, without lawful authority or recklessly discharges or otherwise uses a firearm in a public place in a manner that places another person in danger, death or seriously bodily harm.

Clause 18 makes provisions for a person to produce his licence within 24 hours.

Clause 19 makes provision for a mandatory minimum sentence of imprisonment.

Clause 22 makes regulations dealing with licences and fees which had not been previously made.

Sir, last week after this Bill was debated in the Other Place, the following night three people were shot in St. Thomas and the day after that, two people were shot in the city. There seems to be this wanton, reckless, needless violence that has led to fear through the entire society.

We have not reached the stage of Jamaica, Trinidad or in Guyana where people are being shot every day but we should not gloat on this. We should be cognisant that a lot of things that happened in Jamaica years ago, we boasted that they would never happen here and we are seeing them here now.

Sir, in this situation I am urging Honourable Senators to support this proposed amendment not as the sole solution but part of a total set of measures which this Government will be bringing to the House from time to time during the course of this year.

With these few words, I beg that this Bill be read a second time.

Senator L. H. McCLEAN: Mr. Deputy President, the climate that presently exists in Barbados, the Caribbean and the wider world lends reason to implement certain measures. I am also concerned about the extent to which these measures are useful or to what extent they actually contribute to the reduction of crime in our country.

I was appalled to hear the Honourable Leader of the Senate referring to statistics which, in his words, reflect a reduction in the incidences of gun-related crime in Barbados. As usual, the benchmark was 1992 or 1993 because the attempt is made to make distinction between the level of crime under a previous administration and this administration.

I do not know when Government will recognise that the people of Barbados have elected them to make things better and not for them to say that things were bad before and, therefore, there is no need to worry now or blame this administration.

Sir, the experts tell us and the police admit that statistics for reported crime is never a clear indication of the number of crimes committed, so to say that there is a reduction in reported gun-related crimes is no indication that there is a reduction in the number of crimes committed with firearms.

Indeed, Sir, the litmus test would be the level of fear which people in the society feel. Are people saying that they feel a lot more comfortable than in 1992 or 1993? The answer is that today the people in Barbados live in a greater state of fear than they ever did in the history of this country.

Sir, whether Government wants to admit it or not, people in this country believe that we are almost in a state of siege when it comes to gun-related crime. People will tell you they do not go certain places any longer, they do not travel at night and that they feel unsafe in the privacy of their homes. Sir, never before have we seen this level of

wanton use of firearms in our society in public places as we see today. In fact, the Minister made reference to the number of gun-related crimes which took place immediately following the passage of this Bill in the Other Place.

Sir, one cannot say there has been a reduction in gun-related crimes and that it is something to feel happy about. I think it is bordering on insulting the integrity and intelligence of people in this country when you seek to make those kinds of comparison. It is best to leave these things out if we want to have a national approach and consensus in the fight against crime in this country.

I have said in a previous debate that Government could start by issuing a word of apology to the Leader of the Opposition and the Democratic Labour Party with respect to how they dealt with the matter of crime when the matter was raised by us in the last elections. Sir, having made a mockery of crime and violence in this country, Government is now confronted with this monster. Somebody once said that when dealing with these matters, it is like riding a tiger, you think you are going well until the tiger turns and looks at you. Sir, the Government was prepared to tell the people in this country that there is no serious problem with crime and violence in this country and having told the people that, they are now faced with increasing levels of crime...

SENATOR THE HON. G. S. H. MURRAY: Mr. Deputy President, on a point of order.

11.45 a.m.

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SENATOR Hon. G. S. H. MURRAY: Mr. Deputy President, the Honourable Member is grossly misleading the Chamber when he seeks to establish that the Government said that there were no problems with crime in Barbados. The Government's position was, crime was not the only problem in Barbados. There was a crime but it was not the greatest problem at that time in Barbados.

Mr. DEPUTY PRESIDENT: Would the Honourable Senator please continue.

SENATOR L. H. McCLEAN: Sir, in his presentation, the Honourable Leader of the Senate made the point that crime impacts not only on the victim and relatives of crime but also on the perpetrators. He also went to great length to point out the extent to which crime impacts on society, making specific reference to the impact on the delivery of health care. For example, the cost related to treating persons who are victims of crime, the rehabilitation of persons and the burden it places on family members, and we agree with this.

Therefore, the Government now realises that crime is not only about injury or the lost of property to an individual but that it is a serious problem and it can impact on vital sectors of our economy. Regardless of what we may do, how good economic figures may look, how good we are rated in terms of the Human Development Index (HDI) and what international agencies may want to say about the quality of life enjoyed by the people of this country, the fact remains, if there is a high incidence of crime, then persons who would want to invest in Barbados would shy away from this country.

Sir, this came home very forcibly to me when I was listening to a regional report on the debate on this Bill in the other place. They chronicled the number of gun-related crimes that were committed in Barbados over a period of time. When I heard that, I said to myself that this report is being heard across the region and by persons who are potential investors or visitors to Barbados and it did not sound like a place that I would want to come to, were I looking for some place to invest.

Sir, even though we often try to seek comfort in the fact that things are bad in other places, there is no comfort knowing that another person's house is burning when yours is also burning. The fact remains that your house is gone. Therefore, I am happy that the Minister, at least, recognises that point. We must, therefore, ensure that we not only introduce legislation in order to deal with these matters but we must go beyond that.

The Minister made reference to the community projects which are designed to introduce people to computers but it goes beyond that, Sir.

For example, what is happening with the education system is, people are going through the school system and coming out of school without any certification. What is wrong with the system? How are we going to address that? I am not talking about having evening classes for people who have gone through the school system and failed. I am talking about dealing with the system so that we reduce the extent to which we are losing our young people and losing money, according to the Minister, which we are investing in the training of young people.

Sir, to that extent a significant number of people feel that they are not part of the economy of this country? Sir, they feel that they do not have a stake in the economy of this country. It is still felt that there are certain things that are reserved for certain people. Therefore, we will have a situation when people feel that there is a loss of hope. What are we doing about these things? How are we going to make people feel that they have a responsibility to our society?

Sir, when you look at the age group where we are losing people to crime, whether they are victims of crime or they end up in Glendairy, it is the people who are in their most productive years. The matter of crime not only goes beyond what happens to the victim or the perpetrator but what happens to the society as a whole.

Sir, the question is always raised as to what happens if a tourist is shot and killed in Barbados. What happens if something happens to a tourist and how is it going to impact on tourism? The average Barbadian is not only thinking about what would happen to a tourist but what is going to happen to him and his family. We are hearing of the types and levels of crime that Barbadians never dreamed about unless they see it in a movie. People are now being car-jacked and put into the trunks of their cars at gun point. Vehicles are being stripped and women assaulted, you cannot feel safe driving on the highway any more.

Sir, I heard of an incident where a lady said that she travels only on the highway even though it would be shorter for her to travel on one of the other roads. She said that she is not traveling on any road where she has to stop at a major stop or traffic lights, because she does not know what would happen if she stops.

Sir, when you have a situation where people have to be living in this kind of fear, some people may suggest that nothing may happen. You cannot tell this to the man who stopped at the traffic lights at the top of the University Hill, some time ago, and a man pushed a sickle through his car window, because he was looking death in the face. Those of us who are able to travel in a level of comfort where our vehicles are high off the road and the windows are well protected, we might not feel the sense of fear. They are some of us who travel in less luxurious means and we have to be mindful of the possibility of these things happening.

I know that there is a greater sense of awareness on the part of the people of this country. Maybe, there is a greater sense of awareness on the part of the Government also but I think that we do ourselves no good when we seek to bring this matter down to narrow partisan politics.

Asides.

SENATOR L. H. McCLEAN: Sir, when we raised the matter as a national issue, the Barbados Labour Party politicised it by saying that it is no issue. They are now saying that things are not bad because it was worse under the Democratic Labour Party.

Sir, there is a specific matter in the Bill. On page 2, Section 3 says "The principle Act is repealed and the following section is substituted:

3. (1) Subject to this section, no person shall
(A) use;" et cetera.

It also says under (A) "A weapon designed to fire any rocket projectile or any other projectile".

Sir, a flare is also a projectile. It has been known that persons have used flare guns either in a threatening manner or to cause injury to persons.

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Senator L. H. McCLEAN: Yet these are necessary equipment when fishermen go to sea. For some reason this seems to have slipped the attention of the drafters of the Bill. I am speaking subject to correction because I do not know if it is addressed in the original Act, but I know it must be addressed somewhere since we are allowed to bring them into the country. There must be some legislation dealing with it. Since it has caught my attention because we have heard of cases where these were used by persons other than those who should legitimately have them in their possession, and, therefore, maybe we need to pay some attention to the use or the possession of flare guns. All of these are things which we need to watch very carefully.

There are persons who will find any way if they are intent on committing crime to commit that crime in order to get around the law. As I said, Sir, I am speaking subject to correction but that matter of the flare guns seems not to be addressed and I would be happy if someone could clarify whether it is addressed in some other legislation or somewhere else and what is the implication for this.

Senator C. K. LAURIE: On a point of correction just to assist the Honourable Senator. The original Act says that the only way you can use a flare gun is at sea for navigational purposes and for sending signals. That would intimate that if you used a flare gun on land then you would be committing a crime.

Senator L. H. McCLEAN: I thank the Honourable Senator for clarifying that. I do not have the original legislation but, as I said, it had to be addressed somewhere in the Act. Some of us have not been able so far - I think there is a problem with the Printery. Some of us so far have not had the use or easy access to the laws of Barbados. Whenever I want to research any legislation I probably have to blame the Minister responsible for the Printery because he is not giving the resources that are necessary so that the Printery can produce...

Mr. DEPUTY PRESIDENT: Would the Honourable Member continue the debate and stop the cross talk?

Senator L. H. McCLEAN: Mr. Deputy President, if I could get back to the issue of this matter of firearms and crime. We also have introduced a measure to regulate the export of firearms. Now this is very interesting. This seems to me to be one of those issues which you see creeping into our legislation which are not necessarily of our making but measures which we have been advised by other sources to introduce. Barbados does not produce firearms as far as I know so that any exporting of firearms would have to be re-exports.

We, therefore, have to pay greater attention to the sources of the firearms and this matter of concerning ourselves with the export of firearms. I know that some of the gun dealers in Barbados, the legitimate gun dealers, may have to export firearms to one of the islands or somebody might have to come here and buy one and would have to take it out. I am wondering, Sir, if this is one of those matters which are introduced because of the current climate relating to the pieces of legislation that we have had to introduce in recent times at the urging of other persons.

I would simply want to end by saying that Government needs to stop this nonsense of trying to compare the then and now. The people of Barbados have given this Government two consecutive terms. They have to get out of this mode. Every piece of legislation, every time Government gets up to do anything, they have to talk about what happened in 1992-93. It is now ten years. They are even trying to claim free secondary education. After ten years I believe that by now they should get accustomed to the fact that they are the Government and no longer the opposition. Must the people of this country always dwell in this atmosphere where these people are saying things are not so bad now because it was worse in 1992? We know it was worse. There is no question about that. There were some hard times then and some hard decisions had to be taken but to the credit of the persons who took those decisions Barbados has been able to enjoy eight continuous years of growth.

Unfortunately, we have not been able to enjoy eight continuous years of the decline in crime. In fact, what we have seen is an increase in the level of crime. Whether you want to trot out figures about reported crime or not, the fact of the matter still remains that the people of this country are living in greater fear and there is greater concern for the level of crime now than there ever was. I would hope, Sir, that the courts will be able to impose the necessary penalties which would be a deterrent to the commission of acts of wanton crime in this country. I thank you, Sir.

Senator Dame Patricia SYMMONDS: Mr. Deputy President, I rise to support the amendments to this Act which is certainly necessary for this time. Years ago, the use of guns was remote and I remember very vividly

chairing a committee for the Ministry of Education, a language arts curriculum guide committee, and when we were looking at examples one member who later became a clergyman after he retired as an education officer said that he did not like the examples we were citing in a particular question because he had never given his children toy guns and never would.

12.05 p.m.

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Senator the Hon. Dame Patricia SYMMONDS: At that time, we were rather amused and felt that he was a bit rigid because in those days, pictures were comparatively harmless, cops and robbers, children played with toy guns, might was not right, and the good people prospered in the end and the bad ones were punished and so it did not present a problem. But of course today, it is a very serious problem.

The question of the educational system, I propose to deal with a little later on. I wish to deal specifically with two planks, but first I should like to make an observation as a layman, about sections 21(A)2. To me the word, 'maliciously' in reference to toy guns has an interesting distinction. It is not just the act but the intention, what lawyers, I understand call mens rea and which from my knowledge of Latin, is extensive of Latin I understand, and then, 'recklessly' expands the category and imposes a higher standard of care.

Obviously the legislation is tightening all together the use and possession of firearms. I think the punishments in this case are combined. One of the planks and it was mentioned by our Leader, Senator Walcott, is the modernisation of the administration of our system of justice and the delay in trying some cases. So that even perpetrators of crimes are dismissed because of the delay. I was reminded of a verse from Ecclesiastes, the translation from the new English Bible states, and I quote - although I must confess that I much prefer the King James' version with all its beauty - but the new English translation says:

"It is because the sentence upon a wicked act is not promptly carried out, that men do evil so boldly."

Sir, this is partly to correct that and to see that sentence is carried out quickly.

Sir, another plank that is proposed is a refocusing of cultural values. It has been asserted that this will require a national effort and I do not think that this can be repeated too often and I think that is at the root of it, not our very good educational system...

Aside.

Senator the Hon. Dame Patricia SYMMONDS: Yes, it has some flaws and we know that children are leaving without certification, but that is being looked at and being corrected. I think that the root of it is the question of the home and the values. It is distressing to learn that over the last five years or so, there have been juveniles who have had access to firearms and some were involved even in making pipe guns. There are a number of ills which have led up to the prevalence of firearms being used and some have been mentioned. These factors, Mr. Deputy President, are very complex.

I think that one of the main ones is poor parenting. There is also television. There are programmes which are really detrimental to children's minds and even to their souls. There are computer programmes and videos which highlight violence and there are cartoons which show objects of war and destruction. The heroes are ugly. They are not human and in some instances, the heroes are even made to look like the villains and the villains like the heroes. These cartoons appear to be funny but they have no punitive consequences. A great many video games are aggressively related and they are particularly negative for individuals who already have aggressive thoughts and males are particularly vulnerable.

It is pleasing to hear of the community art programme, but it is a fact that because of socialisation, males are more likely to get a hostile view of their world. Serious violent behaviour is also associated with narcotics and that has been documented. Senator Walcott spoke about it, so I will not go into that, but there is also a link between social exclusion and aggression, so there is a combination of factors.

For example, juveniles abusing drugs through bad company. The wrong image, they want to portray an image of power and status. There are certain kinds of music. Adults do not always listen to the music and the lyrics. I remember years ago at a meeting of the Association for the Teaching of English, one of our teachers pointed out that it was going to pose a very serious problem and that we had to listen to the lyrics and that it was not only the music. There is an access to weapons and individuals' personal characteristics tend to interact over time with his social environment, that is, the environment in which he lives. Then there is poverty, although poverty is not necessarily a factor, it is not always a cause.

Mr. Deputy President, some of the old moralities are disappearing. There are challenges to deep-rooted traditions, old rules and time-honoured practices, values that adults once held dear and realised were timeless and absolute are disappearing. Values like courtesy, honesty, consideration for others.

Then, too, Mr. Deputy President, there is a neglect of parents which is another factor. Admittedly, it is hard, especially in these days to combine parenting and a job. I know from experience that parents have often told me that and it is true, but parents must realise that they owe it to their children to make every effort to instill values because children are ultimately their responsibility.

Sadly, and I am sure that Senator Rock will substantiate this and probably elaborate on it, some do not send their children to Sunday School. Today, they consider it old-fashioned. They do not go to church. Years ago, going to church was a premier activity. I know because I had to go three times on Sundays so that if even I am a little recalcitrant now, those values instilled at church, have remained.

Text books and books like Aesop's Fables, reinforced those values and the ministry is cognizant of that fact and is asking teachers to return to some of those old values and text books, like Aesop's Fables. Sir, good literature is important. I am pleased to see that the Ministry of Education has now made it mandatory for literature to be taught up to the Fifth Form. I know they talk about levels now-a-days.

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Senator Dame Patricia SYMMONDS: I am not clamouring for scripture to be offered necessarily as an examination subject because I know there is already an overloaded timetable, but if children are exposed to it as is done, I have to keep stressing that ever so often because there is this misconception that scripture is not being taught in the school but it certainly is, it can contribute to their spiritual and moral development and teach them the principles a person should live by. Moreover, as I indicated earlier, as literature too, the Bible contains some of the most beautiful passages of poetry to be found in the English language.

Mr. Deputy President, this legislation is necessary and it comes at an appropriate time but legislation alone will not solve the problem. In dealing with offenders, we are dealing with the end product. Children have their socialization for behaviour in the home setting. It is important that the socialization process introduces them to positive societal mores, for example, the language they use, - I am not talking only about the purity of it but the lack of profanity - and the kind of interaction between children and adults and the interaction with teachers. It is helpful if the child sees that the parent and the teacher are cooperating in order to enhance the child's growth. Children who are neglected or abused will show assaultive or aggressive behaviour even when they are toddlers and if they are not

corrective measures early in life they look on it as an acceptable form of behaviour.

Many parents need parenting skills. There are parenting programmes, I am sorry that Senator McClean is not here to hear that, which will help. There is a parent volunteer programme sponsored by the Ministry of Education and it is helping not only to impart knowledge to these parents who go to the schools and help but it is concerned with behaviours. PAREDOS has been contracted to run programmes for parents and reports indicate that there are popular and effective. The school's supervision department of the Ministry of Education has also set up training especially for parents of students who have been delinquent in truancy and 90 per cent of those parents who are invited to attend these programmes do attend. There are also some churches and some schools which have parenting programmes and these too have been very effective.

Mr. Deputy President, children have to have guidelines and these guidelines must not be negotiable. So parents have to set an example by their own behaviour and try to curbe any behaviour that is inappropriate because they are the first role models for their children. They have to instil correct values in them from early, for example, letting them know that they cannot always have what they want that it may be their needs and not what they want. They must discourage a wrong sense of value, materialism, which has crept into our society insidiously. A famous British poet once said and we have to say it here in a sense. Yes, we are doing extremely well in many ways and this Government is tackling poverty alleviation and housing problems and we are, in spite of September 11, holding our heads above water but as the poet said, the world is too much with us. Getting and spending, we lay waste our powers. Nothing we see in nature that is ours. Children are seeing so much that is ugly and not what is beautiful and it is up to parents to help with this.

These ills need the commitment of the home, the school, the church and the community. Legislation, I repeat, cannot do it alone and Government cannot do it alone. It takes a village. That is becoming a cliché but clichés are often very profound and in this case is. Nowadays, people are afraid to speak to children. I, some years ago, saw a boy throwing stones and another one called out to him and said; "be careful, do not hit the old lady". I looked around to see who they meant and then I went up to him and spoke with him. I learnt that he was at school in fifth form and about to take exams. I said to him, "Look, are you going to jeopardise your chances and so on. There are ways of redress. If somebody hits you, you go to your principal and speak about it." Conflict resolution is one of the things that the Ministry of Education is stressing. That is something that is very important that we have to

look at today and remind ourselves again that we are our brothers' keepers.

Mr. Deputy President, these ills will take some time to be corrected. There has, as I said, to be collaboration but this legislation should act as a deterrent. The 1998 Act was rather lenient when things like throwing stones could earn someone a fine of \$24 and firing a gun would only incur a fine of \$10. Today with peoples' attitude to life the sanctity of life is not regarded in the same way as it was when we were taught the ten commandments. Thou shall not kill was one of the first commandments we learn.

Therefore, I think that we have to congratulate the Attorney-General's Office and the Government for bringing this legislation. It is opportune, it is necessary and it is appropriate and I heartily support it.

Thank you, Mr. Deputy President.

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SENATOR C. K. LAURIE: Mr. Deputy President, in 1998 when the Firearms Act was passed, I made an attempt to have some amendments done to it. I was told that it was passed in the Lower House where there is a battery of lawyers, in what way could I amend the Act but I am very pleased to see some of the amendments that I had proposed have now come back to the House. At that time I was aware there were two rifle clubs, one pistol club and ten gun clubs which were not covered under the Act.

One issue that I did bring and is still here, is the issue of a projectile. According to the Act, one cannot own a piece of equipment which fires a projectile. That means that young boys with the gutterperks and catapults are now liable to be prosecuted. My grandson downloaded something from the internet on blow-guns and he made one. That definitely fires a home-made dart. Another issue is archery. Barbados has gotten into the business where we have actually won medals at Pan American games. Barbados has hopes of sending a team to the next Olympics. Are they covered by the Act? As long as the Act says projectile and there is no actual definition as to what is a projectile, then it is opened to interpretation.

We should never pass a law which depends on a policeman determining what is the law. We must have the exceptions put in to prevent ridiculous things from happening. I had asked someone from the archery club how they felt about it and they said they were awaiting a decision. This club does observe very stringent rules. In fact, there is a very senior police inspector who is a member of their council. I have attended some of the

shootings and the rules and regulation are of very high standard.

Sir, when one goes to buy ammunition that person has to get a licence. Would that apply if a person wants to buy an arrow? This is an area which needs clarification. I thank you, Sir.

SENATOR D. D. MARSHALL: Mr. Deputy President, I am grateful for the opportunity to speak and to sound very strong support, firstly for the amendments to this legislation. Secondly and perhaps more importantly, for the continued efforts of the BLP in taking a tough stance on the matter of guns and gun-related crimes.

Sir, I am not too sure we need to be overly distressed about the issue of archery, et cetera. There is both a civil law and a common law maxim which says that which is not prohibited is allowed. That might be frightening for some of us but the legislation clearly does not bring archery within any definition of a firearm. No doubt, a bandit using a bow-and-arrow could be as lethal as a person with a gun.

SENATOR C. K. LAURIE: On point of elucidation. The legislation definitely says 'propelling or releasing instrument or mechanism...' That would clearly mean something that releases something, such as a catapult or bow-and-arrow.

SENATOR D. D. MARSHALL: Perhaps we are reading from a different script. I am looking at the 1998 Act, under the firearms definition.

Sir, the point I wish to make is that sometimes we should be careful in running around to legislate every possible thing. Mr. Deputy President, I think the approach taken by the Government today is one which is very sound but I am very mindful of the fact that, as a young boy, guns had a more romantic image. It was a symbol of status in centuries past; only the elite had the right to bear arms. It was a symbol of power. Overtime the concept of owning a gun and gunmanship became romanticised by some of the favourite novels such as J.D. Edson, Sudden, et cetera. In fact, I remember having some heated arguments as to which of these characters was the fastest gun in the West.

Sir, the great difficulty that we face is that the romanticising of firearms now comes in a different form. In fact, one questions whether that romantic and noble image still exists. In fact, the use of firearms is more now a reflection of the foolish bravado among young people and is completely pervasive in a certain sector of our society. The music to which our young people listen deals with 'licking shots', et cetera, which makes the idea of having a firearm in any place seem almost normal. It is no longer the brave cowboy saving the West from the wicked bandits, as foolish as that may have been. It is now a situation where

our young people feel because of the influences that impact on them, having a firearm however obtained and for whatever purpose, is the brave thing to do. It is now a symbol which has replaced all those things young people used to use as symbols. Certainly, as a little boy, having a bicycle meant that one was important. These days I understand having an illegal firearm, even though having only one bullet, has replaced that situation.

Sir, that is the situation with which we are faced, that is why the current situation must be dealt with seriously and be nipped in the bud. It is clear in any modern society that the use of firearms must be circumscribed by some rules and regulations. Naturally, law and military enforcement personnel would have to have them. The regime which we are seeking to establish with clarity is one where citizens who have a good reason for possessing firearms and who could demonstrate that they be permitted to own a firearm without any danger to the public, is now becoming the criteria.

Sir, from my experience with the Royal Barbados Police Force, the officers have always taken their jobs seriously. It is to my knowledge that where a person is married, the Commissioner of Police will not grant a license for a firearm, except with the consent of the wife. This amendment is not in place as yet and so obviously we are speaking to the 1998 legislation. Nowhere in the 1998 legislation is he required to do that. In fact, someone may argue that he is acting beyond the scope of his jurisdiction but it goes to show the sensible and measured approach that is being used by the police in making an assessment as to whether or not an individual is a fit person to own a firearm. It is also to my knowledge that a firearm license is not issued unless a person could supply the police with a certificate of competency that one is able to shoot the firearm at a target and not shoot oneself in one's foot.

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SENATOR D. D. MARSHALL: These continue to be important safeguards and I am very heartened by the fact that we express it now in clear terms that certainly give good guidance.

There is a measure of subjectivity but the system has served us well. We must be eternally vigilant that firearm licences are not issued to people who come to the police with suspicious reasons for obtaining that firearm. The Royal Barbados Police Force deserves heartiest congratulations for dealing with the issuing of licences.

Sir, it is important to mention the creation of two new offences under the legislation, the discharging of firearms in a public place and using an imitation firearm. It

is quite likely that these are considered to be common law offences and the common law has been flexible over the years to include a range of things as the time requires but it is important that we not wait on the development of common law for this. We have to continue to bring our legal framework into the context of today's society.

We are always telling people to get involved in sports and activity but it is tragic that people are coming out with guns and shooting in a very reckless and careless manner and it is only a matter of time, if this continues unchecked, before innocent bystanders may find themselves falling prey to gun play of the worst kind.

In my practice as an Attorney I have come across people who had imitation guns and they felt that since it was not a real gun, that the police's time should be spent going after persons who actually had real guns. This is an approach which never commended itself to me and it is really quite preposterous because an imitation firearm can be used in an intimidating and vicious way as you could use a real firearm. Certainly if some person were to break into someone's home at night, the resident or occupant would not stop to ask if the gun was an imitation or real one so the Government had to take a tough approach on this matter.

I do not support, at this time, the creation of a special gun court in Barbados. The idea of a gun court sounds appealing but according to the available statistics, the number of gun-related offences for the year numbered about 130 and I do not believe that circumstances justify setting up a court only for the purposes of dealing with firearm offences. However, I do believe that we need to have people charged with these offences brought before the court in a short time and the imposition of tough sentences with very high fines.

Sir, that is characterized in these amendments because we see that a person who discharges a firearm in public is to be sentenced with a minimum term of 15 years. I think this sends a sound signal that this country can no longer tolerate this kind of hooliganism. It is fair to say that all of the other offences will carry similarly high minimum sentences and fines in the region of \$50 000 and I am glad to see that we finally have minimum sentences with a high level of fines.

Mr. Deputy President, despite all that is happening with gun-related crimes, the statistics do show that crime overall in Barbados is down and that the number of seizure of guns in recent times is on the increase. This does not mean that we can become complacent. In my own opinion, I think that a different kind of gun crime is rearing its head. We all know the kinds of reports in the Press about gun men riding into neighbourhoods on bicycles and killing or shooting at people and putting our citizens at risk.

Notwithstanding that crime on the whole may be down, and although we may argue that we are living in a somewhat safe society, it is still important that we deal with these things in a tough way.

I do not support the alarmist approach and we should not barricade ourselves in our houses or drive with our windows up, doors locked and imprison ourselves in the society. While it is true that we have to be careful and take precautions in Barbados, I do not favour the alarmist approach or a tendency of paranoia. It is safe to say that in today's Barbados we are still able to have the Party Monarch at East Coast Road with a minimum of incidence but we can run the risk of becoming too complacent and it is important that we hit the matter of guns and gun-related crimes on the head.

Sir, neither should we bury our heads in the sand because it is important that we recognise what the problem is and identify the age group where the problem is. The statistics show that the greatest number of gun-related crimes are committed between the 20 to 29 age group. Sir, when I was between 20 to 29, I was studying or working hard as a lawyer. We need to look at the root cause of this problem but at the same time it is important that we grapple with the issues and all commendations must go to the Barbados Labour Party for continuing in the face of criticism from the Opposition to deal with the issues that are capable of destabilizing our society.

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SENATOR Hon. J. X. WALCOTT: Mr. Deputy President, I rise on a point of privilege. It has been drawn to my attention that there have been certain amendments to this Bill, in the other place, as it stands before the Honourable Senate. At this time I want to read these amendments for the benefit of all Honourable Senators.

Under Clause 11 Section 10 there is now a Section 10 (3) which reads

“ Notwithstanding 30 (1) where a person to whom a licence has been granted under Section 7, 9 or 9 A

(a) fails to renew the licence;

and

(b) continues to have the firearm, in respect of which the licence was issued, in his possession for a period not more than one year after the expiry of the licence

he is guilty of an offence and liable on summary conviction of a fine of \$10 000.”

Under Clause 14 Section 21 (a) it reads.” “A person who without lawful authority or recklessly” should be changed to read “ A person who recklessly or without lawful authority or excuse”

Under Section 21 A (2) it currently reads “ A person who unlawfully and maliciously or recklessly...” should be deleted and insert “ A person who recklessly or without lawful authority or excuse...”

Sir, I should add that copies of this amended version will be circulated to Members after lunch.

SUSPENSION

I now beg that this Sitting be suspended for one hour to resume at 1.50 p.m.

The question that the Sitting be suspended until 1.50 p.m. was put to the Senate and agreed to, and Mr. Deputy PRESIDENT suspended the Sitting accordingly.

12.50 p.m.

RESUMPTION

Mr. PRESIDENT: This Sitting is resumed.

SENATOR Mrs. P. E. RICKINSON: Mr. President, I rise to support this Firearm Act and its amendments. I sincerely hope that these amendments will bear fruit.

Recently, I overheard two security guards discussing Section 14 of this Act, in particular the section which deals with someone being sentenced to prison for a term not less than 15 years and not more than 25 years. I was not sure what they were talking about and I enquired from them what they were discussing. They said that the Government is only trying to fool people because they do not think that they are going to give anybody 15 or 25 years for discharging a firearm.

Sir, I refer to this incidence because these are some of the perceptions that people have. They believe that although you have legislation, sometimes it is not adequately enforced. I sincerely hope that this legislation would be adequately enforced and these two security guards would be proven wrong.

In addition, it is my view that any developing society cannot exist on laws and regulations alone. Of course, we need them in order to give us some guidance. In addition to the Firearms legislation, we also have to look at the social contract that we have with the society which has become blurred.

Sir, I am not sure what are the reasons for the social contract to be blurred but I know that we tend to get a lot of mixed signals. For example, am I still my brother's keeper? There seems to be a lack of trust among the society. The honour, trust and value that once existed in the society are lost and in my opinion there is a 'fractured social contract', where relationships breakdown. A 'fractured social contract' is a breakdown in relationships between families, teachers and parents, nurses and the society, doctors and patients and the police and the public.

In addition to this Firearms Act, we need help in trying to get back on track so that we do not have to reach the stage where we have to enforce penalties of 15 and 25 years for an offence of discharging a firearm, if we do, it would only apply to one or two people in the society.

Sir, the Act, as presented very eloquently by the Leader of Government Business, will assist in our health care development. Sir, if we can reduce the amount of violence with firearms, it will impact on nurses in particular. There is a shortage of nurses and you only have to spend an evening in the Accident and Emergency Department to wonder whether it is a battle ground. In that department there is a constant flow of persons coming into the department suffering from gunshot wounds, and it has been like this for some time and it seems to be getting worse.

Sir, some of the victims tend to threaten the nurses and the threats are now being extended to the wards of the hospital to hunt down some victims who are from gangs or groups. The perpetrators say when they enter the hospital that the victims must 'dead'. It appears that these perpetrators do not have any value for life. I am not sure where they got the thinking from that someone should die.

Mr. President, one wonders if these perpetrators know what they are talking about and if they thought through what they are saying. No one political Party can solve this problem. It has to be an attempt by the society including the churches, police, voluntary organisations and everyone in the society to try to take our society back. We have to try to reverse the kind of thinking of some of our young people.

I have attended funerals and when you are sad and you cry, some people ask you why are you crying and make comments that the person is dead already and do not have to pay any bills. I do not know where this attitude came from. Recently a friend of mine died and I was asked why I was crying and was told that it was unnecessary to cry.

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Senator Mrs. P. E. RICKINSON: My friend's husband died and the daughter who was going to Queen's College said, "Why are you crying all the time? He does not have anything to worry about. At least I have to go and study my work." So it runs throughout the society and I am not so sure where it emanated but what I am sure of is that it has to stop if we are going to get any form of improvement in the conditions. It is okay talking about 15 and 25 years but everybody cannot fit into Glendairy Prison.

I am not sure it is desirable having everyone there so that we the taxpayers have to spend money feeding them unless they are going to do hard labour as they used to do before. They would probably tell me that that is against human rights, that you cannot put on a chain gang or anything anymore because we have signed some convention somewhere that says we must respect the rights of the prisoners et cetera. But are they respecting the rights of our citizens to make it necessary for us to bring this type of legislation to Parliament to pass to right these wrongs that are going on? We need to think about that and very carefully, long and hard.

In addition, we also need to get to our young people regarding some of the videos and the media. How you are going to do it, I am not so sure. What I do know and what I have noticed recently the new films that are coming out do not differentiate fact from fantasy. You have these fantasy figures and they are doing and saying things and it is all mixed up with fact which means that young children are going to be confused and they are not going to know right from wrong. They are not going to be able to differentiate what is fantasy and what is not, what is right and what is wrong.

How we are going to get this into our young children I am not so sure. I do not know if the schools will have time to draw this to their attention or not but somehow we have to try very hard. We also have to try hard to get some music that is not anti-establishment. For many years we have been having reggae that is anti-establishment. If you listen to the lyrics they are all about killing police, shooting the sheriff et cetera, all anti-establishment. Everything collapsed. What we are going to do about that I do not know. What I do know is that after the wars there was the music of love, love songs, everything about loving in order to turn people's minds away from war. That emanated from the developed countries like the United States and the United Kingdom and a lot of the pictures we used to watch were love scenes and beautiful scenery and not so much killing. If you died, you died from a broken heart but you were not dying from the gun. I do not know if those times will ever come back and all I can say is that we have to tell parents that when you get videos to rent videos with love scenes and tenderness as opposed to ones that are very violent.

It is very important because as soon as the values of society break down you get an escalation of crime and a society that cannot control the escalation of crime that is being perpetuated on its people is on its way to extinction. Therefore, I am calling on each and every Barbadian to try to do their part in order to prevent these heinous crimes and the little ones. They tend to commit a little crime and then they go into a bigger one and then bigger until it ends in death. We would like to get to people before they start committing crime in the nursery schools, in the primary schools in particular, before they are seven years of age, before their personalities are formed. At parent/teacher sessions we need to get to them in order to try to stem the tide and turn the thinking around so that we would not be hell-bent on self-destruction.

Mr. President, I support this and I wish the country all the best. I would like to say that in addition to what I have said the judicial system needs to bring these people to heel immediately and it does not work properly because I, myself, had to go before the courts because they said I did not stop at a major road. It took them almost a year to bring my case up in the magistrate's court. Not only that, I had to go on several occasions to the magistrate's court and sit down and wait and listen to all these various people coming and the cases being put back time after time. It took them nearly a year for the magistrate to hear my case. I did not get a lawyer to represent me.

Aside.

Mr. PRESIDENT: Please address the Chair, Senator.

Senator Mrs. P. E. RICKINSON: What I am saying is that you cannot have these types of crimes committed and then they cannot be brought to justice. Something has to happen. They have to be brought to justice swiftly and dealt with swiftly, not nearly a whole year and going to the court time after time and it is being adjourned. The court opens late and you are told to get there a certain time and you are standing up outside and the people do not come to open the court. When it does open it takes some time for the presiding officer or magistrate to get there and then it is adjourned.

Now that is unsatisfactory. I am talking about this because I am talking from experience. I learnt a lot by going and sitting among those people in that courthouse waiting for my case to come up. Luckily I am retired and I have that time but the fact is that you cannot have people committing crimes and going to court to have their cases adjourned. If you do not have enough magistrates, find them! If you do not have enough policemen, employ them! You have to overhaul the judicial system. Everything must go hand in hand in connection with values.

We have to find money to do these things. There are two things we have to find money for: the judicial system and health and then comes housing. Education will come even if people have to read their own books and go to their own libraries but the important thing is trying to control this bad behaviour, this anti-establishment behaviour that we have in this country where every other person seems to think they have to have a gun.

2.10 p.m.

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Senator Mrs. P. E. RICKINSON: I passed by the Esso Station the other day and saw a boy beating another boy with a stick and asking him, where was the gun. He replied that he did not have a gun and I had to intervene to stop them. This was done in broad day light and not in the dark of night.

Aside.

Senator Mrs. P. E. RICKINSON: No. I did not call the police but I intervened.

Sir, these are things that we have to look at and see what is going on in our society. I live in an area called Batts Rock, that if you stand up too long they will steal you. You have to be very careful there. If you put your car there and go into the sea, when you come back, your car is opened even though you have your keys with you. Your wallet has gone and your clothes have gone, et cetera. These are areas that if we are saying that we are going into tourism, we have to put on a lid. I am looking forward to the policy that has been promised to us, the total policy that the Leader of Government business said is coming and we should support it in collaboration with the total policy and I am looking forward to reading this and also giving my comments.

I support this Bill.

Senator the Rev. L. W. B. ROCK: Mr. President, I rise to lend my support to this Bill, as I am sure all law abiding citizens of our country would welcome this measure which the Government has taken to address a very serious problem in our society.

I am sure that most people are concerned about the instances and incidents of the use of firearms: the wanton use and the reckless use and the way that the perpetrators of crime and those who use firearms seem to have little concern or value for the lives of others. Their objective is to get exactly and do exactly what they want, with little concern about the impact or the effect or the risks to which they expose others.

This legislation addresses that and it sends a very strong signal to the miscreants in the society, who are guilty of these incidents, saying to them that we will not stand for this type of behaviour. It is also saying to them that the Government of this country is prepared to use very severe measures to punish those who violate the laws of this land. I think that is how it should be but all of us recognise that the legislation in itself cannot correct this situation.

As the Leader of Government Business indicated in his presentation, the socio economic roots of crime and the focus which the Government is placing upon it, raises the question in my own mind, why when we recognise that crime is impacting on the economy, on tourism and on the every day lives of our people and its ill effects on the society generally, why is it that the Green Paper, the Government proposals for crime reduction, dated April 2001, has not yet, as far as I am aware, been discussed in this Chamber? If it is as clear as indicated and the Government takes this with the seriousness that it must be taken, that this Green Paper is far overdue, in terms of our discussion and the implementation of the proposals and the legislation which will follow, Sir, that is one of the concerns which I have and which possibly will be responded to by the Leader of Government Business.

Sir, as we think about crime in the society, I want to suggest that we, as a Government, as we send such a serious message with a criminal element in the country, we need also equally to sound a note that crime at any and every level of the society will be dealt with seriously.

I believe, Sir, there is a perception that there are some people who can commit crime and get away with it and there are others, particularly those in the lower levels of the society, are the ones...

Mr. PRESIDENT: I am sorry to interrupt you, Senator. I am hearing voices, other than the Senator on his feet.

Please continue.

Senator the Rev. L. W. B. ROCK: Mr. President, I was saying that we need to send an equally strong message to those who violate the laws of the country at every level of society that they will be punished in the same way as those at the lower level.

I speak, for instance, of what we call, white collar crime. I speak for instance of companies that take the NIS dues from employees and then do not pay them into the NIS. I speak of those who violate and exploit workers. These are, as far as I am concerned, as criminal as some of those to whom this legislation is directed. It is only to the extent that the Government shows its intention that it has

the will to punish crime at every level that I believe, Sir, this legislation and other forms of legislation will be taken seriously. The perception that the law is good for some and not for all is one which needs to be clarified. I feel very strongly about that and I feel, Sir, that it is only to the extent that I have said that crime at all levels is punished equally that people in the society will feel that the law is for all and not just for some.

I want also to support what was said by Senator Symmonds and others, with respect to education and the weakness in the system which allows some to go through the system and having spent five or six years in school, have nothing to show. Therefore, they have no sense of competence or self esteem and I believe, and I have said this here before, that this contributes to the behavioural patterns which pose problems for us in the society.

I want also to make reference to the complaints that I have heard repeatedly from those in the teaching profession, who have said that part of the problem with the discipline in the school has to do with the undermining of the authority of head teachers and principals and staff by some of the rules and regulations as set out by the Ministry of Education. In fact, only recently I was talking to a teacher and she made the observation and I believe she is not singular in terms of what she has said, that all of the problems with discipline in schools, will have to do with some politicians. Some of the parents who should be supporting the school, on occasions when their children have got to be corrected, bypass the head teacher, go to some politician and they get the support of the politicians, against the members of staff. There is, for some in the teaching profession, a feeling that their contribution and work are being undermined by what is politically expedient.

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SENATOR the Rev. L. W. B. ROCK: The challenge faces all of us who are in positions of leadership and influence whether we are at the level of politics, at the level of Government at the level of the church or at the level of business to seriously ask ourselves whether we are setting the sort of example of law-abiding citizenry which we ought to set because in the long-run while we point constantly to the young people and what they are doing, we equally have to point to the adults in our community because the examples which we set are very important in terms of the influence and the effect those examples will have upon the children and the young people of the society.

While we condemn the young people and their behaviour, we have equally to condemn the adults in the society and the examples they set, the things they say and

the behaviour which they exhibit because the young people pattern their behaviour very often from what adults say and do.

With those comments I give my support to the legislation and commend Senator Symmonds for making the point that the value and the spiritual life of the individual is very important and to encourage Members of the Senate to set a good example by going to church.

I thank you, Sir.

SENATOR K. D. SYMMONDS: Sir, I consider myself privileged to be able to contribute to this debate. Sir, I rise specifically in this debate to articulate that I am concerned that firearms and firearm related offences have - I speak from a professional view point in this matter - to become perhaps the single most insidious threat to the social fabric of Barbados, to the social capital of the country, to the financial integrity of our society and even more worrisome the single most dangerous blemish on our international reputation.

Understandably, as a result of that, many persons have reacted with a sense not only of concern but an element of panic has crept into the society as a result of the abundance of firearms related offences. Sir, that panic - and one could use the term fear - or fear leads us oftentimes into the realm of overstatement if one could use that phrase. This brings to mind the words of one calypsonian in recent times when he said that the street is flowing with bloodshed and the situation so dread that the whole country is seeing red. While understanding the spirit in which the commentary is made and the impact of the commentary, Sir, we always have to be mindful in my respectful view of the need for us to be ever conscious about the overstatement of the reality of the situation of Barbados.

That apart, we equally have to be very conscious that we do not in any way as a legislative body or as a group of legislators connive at or fail to come down heavily upon the creeping violence, lawlessness and lack of respect for life, limb and property that is demonstrating itself in our society.

Sir, we need to recognise that no matter what steps we take to protect Barbados' domestic financial architecture, no matter what steps we take to enhance the pool of our labour resources or labour resource product and no matter what steps we take to make our tourism sector more attractive, the persistence of firearms offences will continue to undermine every thing that this country stands for. More importantly, it has demonstrated itself through the years to be something which erodes the well being of every sector of this society.

I remember well, Sir, just around the time I was called to the Bar in 1994 that a tourist coach was held up somewhere in St. Joseph by persons with a rifle. I had the painful experience this week of having a Barbadian returning national come to see me in my Chambers with a view to selling off his real estate in Barbados. He has invested over a million dollars in this country but has had the experience some years ago of being shot while he was closing one of his businesses in this country. This obviously will impact negatively on employment. It will impact negatively on investors confidence and when you see it impacting to this extent on Barbadians who should naturally feel a vested interest in the country then you will understand the necessity across party lines.

I am glad and heartened that this issue has demonstrated yet again the capacity for us naturally to recognise that there are some issues in Barbados in which we can brook no divide. The country cannot afford a divide on a matter of this significance. In much the same way as we accept that part of that which Barbadians have come to believe and to look forward to is an opportunity to educate themselves and in the same way that we have come to understand and expect that there will always be a commitment on the part of Government to a certain quality of health education, so too in the sphere of this aspect of violent crime, we must expect and appreciate a continuity of bipartisan commitment to fighting this insidious phenomenon.

Sir, I want to speak specifically to the connection between these offences now under consideration in this Bill and the presence of a drug culture and a drug trade in our society. I say with a certain degree of certainty that the large majority of persons who find themselves before the courts in connection with firearm offences have some correlating connection to the drug trade. I am made to understand that there has been a scientific exercise conducted by way of research very recently and that perhaps by September or so we should have the cold statistics in our presence.

The drug trade has been a causative factor in the escalation of firearm offences. The firearm is used to protect turf. It is used as a means of enforcement. It is used as a means of terrorising opponents. It is used as basically that tool which persons who have no goodwill or no use for law and order in this society wield in order to protect their own narrow and dark interest.

Sir, we have had the painful experience of seeing a drug case in Barbados involving the capture of a very large proportion of automatic weapons go to the next stage of trying to undermine the fabric of our legal criminal justice system by an effort made at corrupting the jury.

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SENATOR K. D. SYMMONDS: Sir, there is a nexus between gun possession on the one hand and significant and severe crime being born and spun out of the illicit use of firearms. Sir, as legislators, we have to be very weary and conscious about the fact that one cannot be too harsh on the question of firearm offences.

Sir, there is talk about gun courts. Bearing in mind what is taking place in Jamaica and in our own country, I tend to agree with Senator Marshall that having a gun court might not be a wise move with our resources. Also bearing in mind the relationship and the equally insidious nature of the drug culture and the relationship between that culture and the firearms we are seeing knocking about Barbados and those the police are confiscating, I do believe...

Sir, before going further, I do not know if it has been shared earlier today but looking at statistics of the types of weapons the police have confiscated during raids do surprise me. From as far back as 1997, they have seized 9 mm weapons, 12 gauge shot guns, rifles, an AK-47 Soviet-made assault rifle, flair guns and pipes guns. Sir, at the criminal Bar, I can tell you that the pipe gun is a common tool. We are seeing a connection between the abuse of drugs and the use of these firearms.

I have said on numerous occasions, I honestly believe that if we are going to talk about the judicial system, we must modernise our criminal justice system. I firmly believe that to reduce the propensity of persons to commit crime, we have to help modernise it. If we recognise the nexus between the guns and drugs system, it would seem to me that we are not necessarily going down a correct path if we continue to treat drug offences as though they are offences which, inherently in them, do not carry an element of addiction. One can be imprisoned for having drugs in one's possession. It is an illegal but also narcotic substance with a very high addictive effect.

Sir, all too often what we find is that a revolving door is taking place, especially with those persons who do not have large quantities of marijuana in their possession. There is now an informal practice which has developed in the courts of Barbados, especially at the magisterial level, where one hears of three strikes and you are out. The fact of the matter is that an offender is given a fine for the first offence. On the second offence, the fine is increased but on the third offence, the offender is imprisoned. Despite that fact, what we are seeing is the same individual being charged with the same offence, which shows that somehow there is a failure either at the rehabilitative stage or we have not managed to cure the addictive aspect of that problem.

Sir, there are persons in the broader society who believe that Barbados could take the route as adopted by

some other jurisdictions when those jurisdictions addressed the issue of legalising the use of marijuana for personal use. Sir, my feeling on that is that this is something that should be resisted by every fibre of our being because of the fact that our society is largely dependent on our human resource product. The brain power, brawn, ingenuity, innovativeness of our people is what fuels our society and I do not know we would be doing ourselves any good if we were to create, what in the long-term, would be a nation of zombies, losing generations after generations to this dangerous and insidious phenomena.

Sir, I am of the view that if we then speak to alternative court structures and to assisting the judicial system to becoming modernised and to better respond to some of these problems, then I believe there are examples in the Caribbean, in England, Bermuda or New York, where there are drug courts. Persons who are first offenders are not only brought before a judicial officer but before a panel which is chaired by a judicial officer. The panel also carries someone from the medical health field, whether it be a doctor or nurse. The individual is tested so that it is established that, in fact, there was something in the individual's blood to determine that person has been a user. Sir, having determined that person is or has been a user and that the use of such could have an addictive effect, that person is then given a period of time in which to be treated to cure the effects of that addiction. It is after that period of treatment the court then attempts to pass sentence in accordance with the severity of the offence in terms of the volume and quantity of the drugs.

However, more importantly as is practised in Bermuda, there is also another component where a person who runs afoul of the law is not necessarily sent to prison but is given an opportunity to be placed into a field where that person could benefit from a training programme and be usefully and productively employed later in life.

Sir, there are certain elements already in our rehabilitative system at Glendairy Prisons. Sir, the purpose behind the drug courts as they are now being developed in those jurisdictions, is to speak specifically to the question of the addictive nature of the drug and to try to understand and respond to the fact that while one can be addicted and cured, one is not likely, if imprisoned, to get around the addiction. The person who then comes out of prison very often becomes a recidivist offender by falling back into the trap once more.

Sir, regarding the modernisation of our justice system, it is a question of some concern to me. I believe the Green Paper has spoken to this and therefore believe it to be a policy which is coming. Sir, our penal system is one big institution for everyone; so that the firearm offender who has also brought in a ton of compressed marijuana sits in the same prison cell as the person who has committed

their first offence by having half-pound of marijuana but the severity of that first person's sentence is far greater. Sir, part of the problem in Barbados is that, in our history, we have never sought to recognise there is good politics and good economics in prison.

Sir, I take my hat off to this Attorney-General and to the last one in that regard. This is the first time one is hearing about prison reform but there is a long road to travel. If we speak to Glendairy Prison, we are speaking about a prison which has no specific provision made to speak to persons of medium security requirements being away from the average offender who may be there for the first time. Therefore, an insidious situation is being created whereby persons who go there, go with a view of being rehabilitated but in fact they are often contaminated by contact with persons with whom they interact on a daily basis. I do not blame the officers at the prison because I do know that severe and significant efforts are being made to rehabilitate offenders in Barbados but we have a problem with our physical infrastructure. This country has to reach the stage where we come to accept and appreciate the fact that Glendairy Prison has outlived and has outgrown its usefulness; that by sending people to Glendairy Prison, as it now is, is acting in a manner which is contrary to the advancement of the best interest penal reform in Barbados.

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SENATOR K. D. SYMMONDS: I have said that before and when I speak bluntly I am told that I am out of turn and sometimes I hear the word 'obnoxious' but I say from my heart that we are losing a generation of our people. I have seen professionally that there is a revolving door taking place through our criminal justice system.

MR. PRESIDENT: Senator, I am sure you did not hear the word 'obnoxious' in this Chamber.

SENATOR K. D. SYMMONDS: No, Sir, I did not hear it in this Chamber because it would reflect badly on the Chamber.

Sir, I want to speak to some of the Clauses in the legislation because we have reached a stage in this country where we have to make hard decisions.

At Clause 5 of the legislation the 1998 Act is amended to include that applicants for firearm licences must satisfy the Commissioner of Police that they are of good character and physically and mentally competent. Sir, there is a spill-over from past thinking and although now we accept that we have a problem we need to ask the following questions:

Do we really want more firearms in this country?

Do we really want more people holding firearm licences in Barbados?

Do we really think that it is useful to be increasing, however slowly, the amount of persons who hold firearm licences as opposed to getting licences and firearms out of people's hands?

Sir, I agree with the Commissioner of Police's position when he says that it makes life hard if there are so many weapons legally in the system. Sir, I am doing a murder case now where a man holds a licenced firearm which should be on his person at all times but he left it in his car in full view of people passing by and it was stolen. Sir, our society has to ask, as a matter of national interest, if we need to have more firearms in this country.

At Clause 14 there is the introduction of two new offences of endangering life or safety and it also speaks to imitation firearms.

Sir, I have no difficulty in the stiffness of the penalty of 15 to 25 years for discharging a firearm or endangering someone's life or safety and, Sir, in my view, this is a fair sentence.

Sir, Senator Rickinson makes the point that hospitals and ambulances are not safe because we have had a case in Barbados where a man was shot in an ambulance. Also, playing fields where people play football on Sunday afternoons, are not safe. Therefore, the question arises, what do we do to place a ceiling on those firearms coming into Barbados.

I agree with the suggestion of the Attorney-General that the time has come that we have to look at the way containers are opened in the ports because it is clear that no Commissioner of Police in our country's history has granted a licence to anyone to hold as a personal weapon an AK 47 Soviet-made assault rifle but, nonetheless, the police were able to seize one during a raid. We know that other guns come into the country by sea through illegitimate means.

Sir, the fact remains that a lot of guns come into Barbados through the route of containers. I believe that the time has come to set aside a part of Bridgetown to have a container park where containers are searched and unpacked or we have to spend money and buy equipment to x-ray each and every container coming to this country as I understand happens since September 11th in a number of major ports in the United States of America.

Sir, I see a nexus between a number of these pieces of legislation because the tool of trade of the terrorist is the

firearm and the tool of trade of the drug man is also the firearm. We have to find a way, through legislative methods, to make linkages between these different Bills so that we can better preserve and protect the interest of the average Barbadian citizen that we are here to represent.

Sir, I have said at the beginning and I will repeat it that there is no other insidious threat to our national security than the amount of firearms which are brought in this country illicitly and illegally. I do not think this legislation could have come at a more appropriate time and I want to commend it to all Honourable Senators. I believe we may have to come back to the Firearms Bill from time to time to rethink it because in some regards it may be necessary to do this since we cannot be too severe or too harsh in dealing with this kind of offence because it touches, concerns and offends every sector of social life in this country.

Sir, I thank you.

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SENATOR V. E. NEWTON: Mr. President, just before I came to the meeting this morning, I attended a session at the United Nations Headquarters in Barbados at which Barbados was stated in the Human Development Report 2002, to be the leader in the Caribbean and number 31 on a list of 133 countries. Many Honourable Senators spoke eloquently, especially Senator Symmonds. The glowing reports that are being made about Barbados will all be compromised unless we can do something about crime. Our mainstay, tourism, and other activities which are important to the economy will all be effected.

This piece of legislation is very timely and it is a part of a larger regime on the Government to provide the framework to deal with crime. One of my concerns is whether the persons who should be exposed to the provisions of this sort of legislation know what is being passed in this Parliament. I suspect that many of them do not listen to these debates or read the newspaper. Therefore, I would hope that the Government could put in place some sort of programme to ensure that the stiff penalties which are being made available for firearms offences are made known to those persons who are likely to commit them.

In recent years, many persons who do not read decisions of the Supreme Court or know very little of what goes on in the court have blamed the judiciary for not being tough enough in relation to firearms and other offences. I would say that in the past two years there has been increased reference to sentencing in relation to firearms offenders and the need for the courts to ensure that those

people who have committed firearm crimes are suitably punished. I think that this legislation will strengthen the arms of the court considerably.

Mr. President, I would like to move away from the text of the legislation. I had prepared a speech, a part of which had to be abandoned because the amendments that I was going to speak to were made in the Lower House and the amendments were not brought before the Senate until midway in the meeting although the person whose responsibility it was to have brought these amendments to us, ought to have known that they were made. I am wondering why that happened because it makes for a waste of time for some of us and certainly it is not a very desirable state of affairs. Sir, having said that, I will move back to the amendments and I would read, Mr. President.

Clause 3 of Section 10 says:

“Notwithstanding Section 10 (1) where a person to whom a licence has been granted under Section 7, 9, or 9 A

(a) fails to renew the licence;

and

(b) continues to have the firearm in respect of which the licence was issued, in his possession for a period of not more than one year after the expiry of the licence he is guilty of an offence and liable on summary conviction to a fine of \$10 000.”

Mr. President, it seems to me to be an error in (b) because what (b) seems to be saying is, if you have a firearm in your possession, for which you had a licence, and you did not apply after one year, you are not guilty of an offence, that is the implication. I think that section ought to read “ for a period of one year or more” and not “ for a period of not more than one year.”

Sir, if Honourable Members would look at this section again, they would see that it appears to be a problem with the wording.

Asides.

SENATOR V. E. NEWTON: Mr. President, having made those comments, I wish to give my wholehearted support to this Bill.

Thank you.

Mr. PRESIDENT: Before I call on the next Senator, I must make the point that Senator Newton has referred to the fact that certain amendments made to the Bill which is currently before us were not brought to the attention of this Honourable Chamber prior to the start of the Sitting. This

in my judgement touches on the privileges of the Senate and there is ample authority for the presiding officer to make some observation of the point.

Mays' Parliamentary Procedure, Twenty Second Edition, defines privileges as follows:

“ Some of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament and by Members of each House. Individually, without which they could not discharge their functions.”

Clearly, if an incomplete Bill was brought to this Chamber, then Honourable Senators cannot properly discharge their function.

This is not the first occasion on which a matter of this kind has arisen. It happened a few weeks ago. This is a sad reflection on the functioning of our system and I want to make it very clear that it will not be permitted to happen again. These amendments, I am advised, were made in the other place eight days ago and it certainly speaks to inefficiency at some level.

Further, I was not in my place this morning but I am advised that this was drawn to the attention of the Senate after the Leader of the Senate had made his principal address on the second reading, and after four Honourable Senators had spoken. This is unsatisfactory and I cannot say how strongly I deprecate what were the reasons for this. I intend to fully investigate it but I give Honourable Senators the assurance that we will all see that it does not happen again.

SENATOR Hon. G.S.H. MURRAY: Mr. President, in joining this debate on illegal firearms, I wish to put it in the context of overall crime. I think that it is important to remember that crime like a disease is an issue that has confronted mankind throughout all societies, civilisation and cultures. Therefore, man must have to be battling with crime, how you punish crime and eradicate crime from the beginning of man.

Sir, there are various theories put forward to demonstrate the causes and the origins of crime. Some people see it strictly as a battle of good versus evil and some philosophers advocate that mankind is inherently bad and, therefore, crime is a natural accrual of that badness in man.

Sir, there is a theory that speaks to determinism, which holds that all human actions are necessarily determined by motives regarding external forces' action on the will, that there is nothing new you can do about your life and that your life has been predetermined through a concept of the true force of determinism and the outcome is out of your control.

On the other hand others hold an opposite view and feel that dealing with crime is a question of nature versus nature, not only can you be born evil with a propensity to crime but socialisation and your upbringing make you a criminal.

There are various theories by social scientists and a constant tussle and debate about crime but crime continues to plague societies everywhere.

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Senator the Hon. G. S. H. MURRAY: Mr. President, as we look at the whole question of illegal firearms, as Senator Kerrie Symmonds and some other Senators have pointed out, it represents a change in the culture of Barbadian crime. As has happened in many aspects of Barbadian life, it has changed for the worst. There was a time, Sir, when use of a weapon, certainly, when I was growing up and over the last generation, was very rare. The weapons that would be used would be an ice-pick, a knife or a stone or a scissors or a cutlass and these are very often used not so much in committing a crime. It was a crime in the sense that they led to criminal action but they were not used to rob, rape or to kill but sometimes in domestic disputes or in crimes of passion. Therefore, that has been the tradition.

What we are seeing, Sir, can be described as the globalisation of crime where firearms have become an international tool of trade as Senator Kerrie Symmonds said and the use of these weapons in the commission of crime is now commonplace. While it is commonplace it is also untenable and creates a highly unsatisfactory state of affairs in our society because we had been accustomed to much different modus operandi and different tools of trade in the past. I think that this is what has lead to the abhorrence that Barbadians feel for the proliferation not only of illegal firearms but to the use of firearms in the commission of crime because it runs against a long established tradition and practice that had obtained in the Barbadian society for a long time.

Sir, I think we also have to see that firearms are an extension, associate and attendant on the international drug trade and hence with globalisation. Drugs are now everywhere in every society and to one extent or another and the firearm is not only used as a means of enforcement as Senator Symmonds said but it is also used as a means of payment sometimes. According to information, not only scores are settled but firearms are used as a payment for the provision of services or the provision of goods. Therefore, rather than paying in dollars, they might decide to pay in guns because guns can be used in the commission of crime or hired out for the commission of other crimes. Therefore,

Sir, it really is not so much a sub-culture but a counter-culture which is running against all the norms and values that we have held so dear and is challenging the very roots of our existence.

We also have to remember that the use of illegal guns, particularly when they are used in very callous and cold-blooded circumstances, reflects the ruthlessness that is at the heart of the international drug trade where things are done as business, nothing personal. There is no compunction in brandishing, unleashing or shooting off illegal weapons in any circumstance in any crowd anywhere because they feel that the message has to be sent home for reasons of discipline that they are not to be trifled with, bills are to be paid and scores have to be settled.

Along with this globalisation of drugs, the use of firearms and the globalisation of crime, we have to remember also the role of the deportees in the Barbadian society where crime is concerned. There are some very interesting statistics involved with the question of deportees over the last few years in Barbados. For example, there is information that some 518 Barbadians were repatriated between 1987 and February 2002 and of those 518 Barbadians who were deported some 73 per cent of those came from the USA, 17 per cent from Canada and the remainder from the United Kingdom, Sweden and other Caribbean countries. These persons were involved in drugs, robberies and firearms. So you see the definite linkage.

One has to take into consideration the impact that these deportees who would have come from a different culture of crime and the methods that they have implanted and brought into the Barbadian society changing the nature and context in which crime had been committed in the past. It makes for a different social situation and for a totally different outcome.

While the police have been grappling quite admirably with this issue and while there has been the question of the setting up of an Anti-Gun Enforcement Unit in the same way as we have a Task Force and a Rapid Response Unit and a Unit that focuses on the eradication of drugs there quite logically has been the move to establish an anti-gun enforcement unit whereby the daily life and existence of specially selected officers revolves around battling the existence, the possession and use of illegal firearms in Barbados.

Sir, I think that we have to see the battle against crime in a context where we cannot afford to have knee-jerk reactions and react spontaneously without any thought or consideration to a phenomenon which is not peculiar to Barbados. I am not seeking to make any excuses for its existence but it is a fact that it is not peculiar or unique to Barbados and, therefore, we have to open ourselves to learn from the lessons of other countries and other societies. In

making our contribution and in perpetuating the ongoing battle against crime, we also have to leave ourselves open to borrowing and learning from other societies, particularly those methods which have worked well for them.

In that context, therefore, I want to commend this Government under both Attorneys-General who have held office since 1994 for the kind of scientific, studied approach that they have brought to the question of crime. Battling crime cannot just be seen as “lick and lock up”. We have to see it in an holistic manner where all the social factors, all the economic, sociological and psychological even psychiatric factors are taken into consideration and are weighed in the balance in order to devise the best possible method that would suit the peculiar factors and the peculiar circumstances that are unique to every society.

The police need all the support they can get and we have to get beyond the situation where for a long time it was felt that to give information to the police is an immoral act, that you are betraying somebody or it is something which society will not condone. Where the very existence of the whole society is threatened, I think that people have a responsibility where there is genuine and good information to find means of getting that information to the police.

I know that we are working to establish a forensic lab at a costly sum of money which will add further scientific means by which crime is fought and investigated and prosecuted. No matter how good that forensic lab is, and the techniques and the scientific methods that are used by the scientists operating there, it is a fact that good policing depends to a great deal on good information. Therefore, in neighbourhoods or any situation where people have good information which can work towards the battling of crime it is a social responsibility to pass that information on to the police who have, from all reports, set up a very reliable and confidential system for receiving information without seeking to betray. In fact, when you call on the Crime Hotline there is no need to give your name, number or address. You pass the information on and they assume the responsibility of checking that information for themselves. They can only do so if that information is passed on to the police.

The Task Force of the police therefore has to be reinforced at every possible level by all of the social institutions in Barbados, the schools, the Church, the home above all, whereby the sense of wrong and right has to be re-instilled in children,

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Senator the Hon. G. S. H. MURRAY: particularly when there is not the exposure to a religious upbringing and the ten commandments and the good, right and wrong that have been drilled into us in previous generations. Psychology will tell you that by three years old, a child's basic personality has been formed and is in place. If you do not instill certain values and sense of right and wrong by that age, anything that comes thereafter you are fighting a rearguard action and you are likely to lose that battle.

I therefore think, Sir, that we are mounting a very serious effort against crime. The Government has taken this task very seriously. We have for example had a report on criminal risk factors which was presented in June 1997, and which sought to investigate the causes of crime in Barbados and if I might quote the report which I think has already been made a document of this Senate.

This report says that what has been essentially discovered is that the former processes of criminal justice, apprehending, prosecuting and punishing, have not been very effective in controlling crime. As a result, policy makers in many countries have turned towards the development of proactive measures to prevent crime. These measures usually take the form of various criminality reduction programmes.

These programmes allow for some intervention to be made in the lives of children and young people with the hope of altering both the behaviour and the problematic situations which seem to be causing or precipitating aides. This approach is thought to be much cheaper in the long term and appears to offer more promise of success in combatting crime because it aims at keeping young people from offending in the first place.

I think that is a very sensible and realistic approach and that task force came up with a number of findings. It dealt with the community and organisational involvement. It dealt with religious participation of inmates. It was centred around inmates in Glendairy Prison. It looked at their educational background. It looked at the role of unemployment. It also produced a criminal profile of the inmates. It looked at the question of family influences, health and other factors in that survey.

Therefore, I think that, like Senator Kerrie Symmonds said, the basis is there for further improvements to be made in measure and I certainly look forward to other measures accompanying this one. It is also important to remember, Sir, that this measure cannot be seen in isolation but has to be seen in all the other actions that have been taken over the years, in seeking to deal where we have sought to improve the administration of justice. We have had strategic interventions among people at risk. We are seeking to modernise the penal system and there are efforts to reduce crime. Therefore, this measure has to be seen as

part of a cluster of activities which are designed to battle crime in Barbados.

Sir, I know there has been talk, quite rightly so, about the kind of fear that has gripped the society as a result of these phenomena that have erupted on the scene in recent times. I think this fear should be used in a healthy way because if we decide that these will become acceptable and we become immune to these things and accept them as the norm, I think we will be digging a very deep hole for the society to fall into. I feel that the existence of whatever levels of fear, apprehension or disquiet or concern, whatever you might term it, Sir, should impel the society to grapple with this issue in a very constructive and comprehensive manner, so that we could arrive at solutions, which I think will, from time to time have to be altered. Sir, crime, like all other aspects of social life is a dynamic process where techniques, ways and measures and things to be done will be changed. therefore the society will have to be prepared to change programmes and policies and amend the law time and time again in order to counteract the effects of these things.

Sir, before I close, I think it is important that we hold a line and be very firm on crime and that we do not seek to adopt some of the measures which have been implemented in other societies. These might at first seem very attractive and very appealing but might be promoting for those whose very determination it is to undermine the society by offering a contrary position to cultural values and norms. I am speaking, Sir, in the latest instance of what has obtained in Britain with the reclassification of marijuana as an illegal drug. I think that while it might be convenient, it has opened the door to all kinds of problems. It was done in Britain, not so much because it was felt that it will solve the problem, it was done in order to reduce the workload of policemen. It is interesting, Sir, that where it was first tried out, has been in predominantly black neighbourhoods in Britain, Bradford and Brixton and what it has meant, Sir, is that marijuana has now become as acceptable as drinking a coca cola. I think it really destroys the society because while some people often, at their own convenience seek to magnify and glorify the alleged therapeutic or medicinal benefits of marijuana not enough attention I think is paid to the psychotic damages. The fact is that there is not only physical addiction, but there is a psychological addiction such as marijuana psychosis and all other kinds of psychological ailments that have befallen persons who have had this very liberal use of marijuana over a long period of time. I am yet to see any society, particularly in the Caribbean which can point to me in any coherent, cogent, practical, tangible objective manner that that society is better off through having a liberal and lapsed attitude towards the use of marijuana.

Sir, I think that we have to be on our guard and do not fall prey to the pressures or the pleadings of persons

who for whatever reasons would seek for us to follow in those footsteps. I do not think it is an example that is worthy of emulating and I think that Barbados, by saying no to that, will be better off.

Sir, I give this measure my full support and I look forward to other members of the Senate doing the same.

Senator the Hon. J. X. WALCOTT: Mr. President, first of all I would like to thank all Honourable Senators who have indicated and offered their support for this Bill. Certainly, we have had a very thorough and interesting debate. Apart from the intervention of the Opposition spokesman, whom I am under the impression was not listening when I spoke or who has a difficulty in hearing. He repeated a number of the points I had raised in my initial presentation. I have heard Senator Rock's comments about the Green Paper and I can assure him that plans are being made for the White Paper to be laid and debated in the next coming months. In response to Senator Newton and queries about the amendment to the Bill, I have been unable to reach the Attorney General to find out the true feeling behind the amendment that was done in the other place. I have been assured that an amendment can be made under the amendment of the law's Act at a different time.

I want to say again that the root cause of crime goes much further than drugs and you have to address the socio economic factors as we said earlier, education, community services, social services.

I must say again that this Bill is just part of a composite number of things which the Government plans to enact in the next coming months to deal with crime in this country and we look forward to the support of all Senators as we debate these issues in the coming months.

With these few words I want 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. J. X. WALCOTT, the Senate resolved itself into Committee on the Bill, His Honour Senator C. L. BOLDEN, in the Chair.

3.20 p.m.

Wednesday, July 24, 2002

COMMITTEE

Mr. DEPUTY PRESIDENT: The Senate is in Committee.

Clauses 1 - 6 inclusive, were called and passed.

Clauses 7 - 12 was called.

SENATOR Mrs. V. E. NEWTON: Mr. Deputy President, I wish to draw attention to a possible error in Clause 10 and to draw the attention of the Chair to section 8 J of the Law Revision Act Chapter 2 of the Laws of Barbados to see whether there could be a possible amendment to the section when the Law Revision Commission reviews the Act.

Senator J. E. D. WILLIAMS: Mr. Deputy President, it is my understanding, I am reading from what is presented before us, that if an individual has a licence but fails to renew it and continues to do so in essence for a period of up to a year then that individual would be guilty of an offence and liable on summary conviction to a fine of \$10 000. Therefore, if he has it over a year without renewing the licence, obviously, the person would be subject to the same fine as someone who has an unlicensed firearm.

SENATOR Mrs. V. E. NEWTON: Mr. Deputy President, the Clause makes the provisions at 3 (a) and (b). The first line in Clause 10 (3) says: "Notwithstanding section 30 (1)", which would be the governing provision in relation to 3 (a) and (b). I have checked section 30 (1) and to my mind it does not address the point.

Thank you.

SENATOR C. K. LAURIE: I think if we just remove the word 'not' that the amendment is very clear. It means that if you have not renewed your licence up to the period of one year after it is due then you get a fine. You cannot remove 'not more' and say 'less' otherwise the amendment will really be rubbish.

SENATOR T. E. BARKER: Mr. Chairman, I am of the view that the amendment is clear. As I understand it, it is saying a person who has a licence but failed to renew it and at the same time has the firearm in his possession for a period of not more than a year. It is clear to me. The person is a legitimate holder of a firearm. The time for renewal has come and for some reason the person did not renew it. If not more than a year has passed, he is not subject to imprisonment as the other provision of the law was saying but would be subject to a fine. In other words, the penalty for not renewing a gun licence is a fine because it is anticipated that the person is still in good character but the offence would simply be failing to renew.

SENATOR Mrs. V. E. NEWTON: Mr. Chairman, in my view if any provision in a law is subject to conflict of interpretation and the draftsmen have an opportunity to look at it again, I think they should do so.

Mr. CHAIRMAN: Since no amendment has been proposed, based on my experience I would suggest that it

be passed as it is because this Chamber has not been privileged to the debate on this particular section which forced the amendment in the first place, and therefore, I think it would be inappropriate for us to seek to amend something which is there without knowing the reason why the amendment came into law.

The Law Revision Act makes provisions for typographical errors and errors of omission or addition which makes the law unreasonably to be dealt with and I would beg to suggest that this Chamber leaves the amendment as it came from the Other Place to us and draw to the attention of the Attorney-General's Chambers, the difficulty in interpretation which is being experienced by this Chamber and seek to have it dealt with either via the Law Revision Act or by it being referred to the Other Place for correction.

The question that Clauses 7 - 12 stand part was put to the Senate and agreed to.

Clauses 13 - 18 inclusive were called and passed.

Clauses 19 - 24 inclusive were called and passed.

The Schedule was called and passed.

On the motion of SENATOR the Hon. J. X. WALCOTT, 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. J. X. WALCOTT the Bill was read a third time and passed and cited as the Firearms (Amendment) Act, 2002.

3.30 p.m.

Wednesday, July 24, 2002

ORDER NO. 4

TO MOVE THE PASSING OF A RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION BY THE CROWN OF PARCELS OF LAND SITUATE AT HIGHWAY 'W' IN THE PARISH OF SAINT GEORGE FOR THE PUBLIC PURPOSE OF ROAD IMPROVEMENT.

SENATOR the Hon. J. X. WALCOTT: Mr. President, this Resolution seeks the approval of this Honourable Senate for the compulsorily acquisition of 108 parcels of land which totals approximately 34 251.6 square metres to facilitate for road improvement on Highway 'W' in the Parish of St. George, which is between Mapps Hill and Salters. Notices in accordance with the Land Acquisition Act were published and the required

authorisation has been executed. This is part of Government's continued work on improving the road network and the state of roads throughout our island.

I beg to move that this Resolution do now pass.

SENATOR Miss P. E. RICKINSON: Thank you, Mr. President. I am supporting this Resolution for road improvement but I would caution that what they need to do is go through the same process for road improvement on everyone's land.

For example, this morning I visited Maxwell where a road was built on someone else's land without the Rural Development Commission going through the process of acquiring that land. They not only built the road but left debris on the compound. I sincerely hope when they acquire these lands they would not do the same thing to other people. It is wrong. It is bad management. It is against all sense of justice. It is very difficult to get one's money back when Government acquires people land without giving any compensation for it. I hope the matter is corrected quickly and does not happen to others.

SENATOR Miss J. C. ODLE: Mr. President, I rise on point of order. I do not think it fair to say Government acquires people's land without compensating them. I believe there is a practice in place and is functioning where lands that are acquired, the owners are compensated at the market value.

I think the Senator might be misleading the Senate by suggesting that persons do not get compensated for lands that are used for road improvement.

SENATOR Miss P. E. RICKINSON: Mr. President, I mean that exactly. They have acquired my land and to present I have not been compensated for it.

Mr. PRESIDENT: Senator Rickinson, I was saying to Senator Odle that she would have an opportunity to expand on that or any other points. Please continue.

SENATOR Miss P. E. RICKINSON: Mr. President, my land at Batt's Rock was acquired by the Government and to now I have not been compensated. I have not sued them. I am not saying that it is done by one particular government but by all governments. It is a practice that should be abhorred.

Mr. President, this has also happened in St. Patrick. They were told the land was not Government's, yet they went ahead and built the road, then left it in a state of disrepair, thus reducing the value of the persons' property. And this is wrong.

SENATOR C. K. LAURIE: Mr. President, I would like to support one part of what Senator Rickinson has said about Government department acquiring lands.

A farmer called me one day and said that while driving down his front gap he saw a bulldozer bulldozing the side of the road. When he spoke to the workers he was told that his land was acquired, to which he had never been notified. In fact, the Government had intention to acquire but had not done so as yet.

Sir, I have spoken on this before. The Government has acquired land from time to time and the first time land owners would be notified would be by the Gazette or in the newspaper.

Sir, I would say that the Rural Development Commission has acquired a piece of my land. They came to me before the road was being built and informed me as to what was going to happen, then I gave them permission. When they were finished building the road I called them to come and to replace the marks which were now further out into the road. They came immediately and was most apologetic. I am not sure that in Maxwell it is the Rural Development Commission. Sir, I do support the Rural Development Commission. I thank you.

SENATOR the Hon. G. S. H. MURRAY: Mr. President, I want to deal briefly with the manner to which Government acquires land and how it treats such acquisitions.

I was very heartened to hear the comments made by Senator Laurie regarding the Rural Development Commission. In fact, the activity and the approach by the Rural Development Commission is the norm by which the whole Government should operate. At sections 3 and 4 of the Act, there is a step-by-step process where, unfortunately not every department follows.

Sir, I want to erase any belief or indication that it is Government's attitude to be high-handed, cold-blooded or insensitive to people's rights and compensation about land acquisition. There is a clear procedure which Government departments should follow and Government, as the administrator, should encourage such an approach. I thank you.

SENATOR L. H. McCLEAN: Mr. President, I will return to the old theme which I have raised in this Honourable Chamber from time to time with respect to the acquisition of land. I know that most of this land is not going to be owned by small people but there are going to be some lots which are going to be acquired from some residents in the area.

Sir, I must reiterate the need to use the mechanism whereby persons are given the option to get land in return for acquired land rather than being paid for that land. In most cases, persons cannot get the equivalent amount of land for the payment they have received from Government for the sale of that land.

Sir, regarding the methods used by Government in the acquisition of land, there is one department which I would hope Senator Murray checks on because they seem to be notorious in the manner in which they acquire people's land; that is the Urban Development Commission. They went into Clapham and a man had to come out and stop them from cutting a road across his land. They went into Brathwaite's Land, Dayrell's Road and cut a road across a piece of land, to the extent that the lady can no longer use any part of the land because the piece that has been cut off has now left a piece that is too close to the road and therefore, she cannot build anything on that land and neither has she been compensated for it.

3.40 p.m.

Wednesday, July 24, 2002

Senator L. H. McCLEAN: There is also another case where they went into St. Michael North East and built a massive road on lands which are supposed to be in Zone One and this Chamber has recently approved the acquisition of land to resite those people.

Sir, while we speak of these matters and trivialise them, it is a serious matter for the people who own this land but I have no difficulty with people making fun of the matter because the owners of the land will deal with them accordingly.

Mr. President, I hope that the matter of land acquisition will be carefully examined and that the rules will be followed wherever necessary. I support Senator Rickinson on this matter because these matters are not always dealt with in the correct way and people should be more sensitive in the way they deal with poor people who lose possession of their lands.

I thank you.

HIS HONOUR SENATOR C.L. BOLDEN: Mr. President, it was not my intention to speak on this Resolution but I think we have to look at what is happening in Barbados today and recognise why there is urgency sometimes in developing a particular area.

Sir, whether there is an election or not, people have to understand that when the Democratic Labour Party abolished the vestry and all the semi-government institutions, it threw the load of looking and caring for the

people on central government and its individual representatives. Therefore, Governments are under pressure, whether it is the Democratic Labour Party or the Barbados Labour Party to provide good roads and housing for the population of Barbados.

I have always said that there should be a time limit upon which Government should pay the owners of lands which have been acquired. I understand that some people have died before they were paid for lands which were acquired by Government and we should look at the Land Acquisition Act and have a specific time period in which to pay for land that is acquired.

Senator McClean raised a question where Government went in and put roads through areas of land but left the remainder of land unuseable. There are cases in law which says that Government should pay for the entire area of land and this is why I am saying that there should be a period of time for compensation so that persons are not disadvantaged by losing their lands without receiving money for that land.

Mr. President, I thank you.

SENATOR the Hon. Dr. J. X. WALCOTT: Mr. President, I beg to move that this Resolution do no pass.

The question was put and agreed to.

ADJOURNMENT

SENATOR the Hon. Dr. J. X. WALCOTT: Mr. President, I beg to move that this Sitting be adjourned sine die.

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

3.50 p.m.

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SPEAKERS IN THIS ISSUE

BARKER, Senator T. E.

BOLDEN, HIS HONOUR SENATOR C.L.

LAURIE, Senator C. K.

MARSHALL, Senator D. D.

McCLEAN, Senator L. H.

MURRAY, Senator the Hon. G. S. H.

NEWTON, Senator Mrs. V. E.

ODLE, Senator Miss J. C.

RICKINSON, Senator Mrs. P. E.

ROCK, Senator the Rev. L. W. B.

SYMMONDS, Senator Dame Patricia

SYMMONDS, Senator K. D.

WALCOTT, Senator the Hon. J. X.

WILLIAMS, Senator J. E. D.

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EDITORIAL NOTES — NOT PART OF THE REPORT

Prepared with the transcript; for checking against the recording and the Minutes.

EDITORIAL QUERIES

Points noted while preparing this report from the edited transcript. The text has not been altered except where stated.

Q1. Masthead. The session is not stated in the source, so no session line is printed.

Q2. Messages from His Excellency the Governor-General. The second message is headed 'From Buckingham Place', presumably Buckingham Palace. Printed as in the source.

Q3. Papers, item 1. The title has an unbalanced bracket: 'Value Added Tax (Refund) the Barbados Military Cemetery Association) Order, 2002'. Printed as in the source.

Q4. Order No. 4, close of debate. The Leader of the Senate's closing motion reads 'I beg to move that this Resolution do no pass'; the question was then agreed to. 'Do now pass' is presumably meant. Printed as in the source.

Q5. Speech labels. Senator Mrs. P. E. Rickinson is labelled 'Senator Miss P. E. RICKINSON' in the debate on Order No. 4, and the Leader of the Senate appears both as 'Senator the Hon. J. X. WALCOTT' and 'Senator the Hon. Dr. J. X. WALCOTT'. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The Senate met on Wednesday, 24th July, 2002 at 11.15 a.m., with the Deputy President, His Honour Senator C. L. Bolden, in the Chair until the suspension and the President, His Honour Senator Sir Fred Gollop, presiding after it; prayers were led by Rev. Father Errington Massiah. The Deputy President announced two messages from the Governor-General, conveying the Queen's reply to the Parliament's message of congratulations on her Golden Jubilee. Senator the Hon. J. X. Walcott, Leader of the Senate, laid four papers, among them the National Insurance and Social Security (Miscellaneous Amendments) Regulations, 2002 and the Take-Over Bid Regulations, 2002. Standing Order 45(2) was suspended, and the Firearms (Amendment) Bill, 2002 and a Resolution to approve Protocol 4 for the implementation of the social partnership 2001-2004 were read a first time.

Under Order No. 5, Senator Walcott moved the second reading of the Firearms (Amendment) Bill, 2002,

which amended the Firearms Act of 1998 to regulate the export of firearms, extend the exceptions to licensing and the disqualifications for holding licences, relieve holders of the need to carry their licences if they could produce them within 24 hours, and give a legal basis for collecting fees. He recalled a 1992 newspaper report of tougher measures that did not come until 1998, and spoke of the social and economic cost of gun violence among young men. Senator L. H. McClean, for the Opposition, questioned how far such measures reduced crime, drawing a point of order from Senator the Hon. G. S. H. Murray, and raised the needs of fishermen; Senator C. K. Laurie corrected him on the original Act. Senator Dame Patricia Symmonds spoke on education and values, and Senators Laurie and D. D. Marshall exchanged views on the definition of a firearm.

Before the suspension Senator Walcott rose on a point of privilege to read amendments made to the Bill in the other place, among them a new section 10(3) making it an offence, with a fine of \$10 000, to keep a firearm after failing to renew the licence, and revised wording for sections 21 and 21A. After the sitting resumed at 1.50 p.m., Senator Mrs. P. E. Rickinson, Senator the Rev. L. W. B. Rock and Senator K. D. Symmonds, who spoke of the nexus between gun possession and serious crime, supported the Bill. Senator Mrs. V. E. Newton cited the Human Development Report 2002, which placed Barbados first in the Caribbean and 31st in the world. The President then ruled that bringing an incomplete Bill to the Chamber touched on the privileges of the Senate, citing Erskine May, and said it would not be permitted to happen again.

Senator Murray placed illegal firearms within the wider question of crime and of religious upbringing. Senator Walcott replied that the root causes of crime went beyond drugs and that the Bill was part of a wider package of crime measures, and the second reading was agreed to. In Committee, with Senator Bolden in the Chair, Senator Newton pointed to a possible error in Clause 10(3); Senators J. E. D. Williams, Laurie and T. E. Barker differed on its meaning, Senator Laurie suggesting the word 'not' be removed. The Chairman advised that, since no amendment had been proposed and the Senate had not heard the debate behind it, the clause should pass as it stood. The Bill was read a third time as the Firearms (Amendment) Act, 2002.

Under Order No. 4, Senator Walcott moved the Resolution for the compulsory acquisition of 108 parcels of land, about 34 251.6 square metres, for improving Highway 'W' in St. George between Mapps Hill and Salters. Senator Rickinson supported it but said her own land at Batt's Rock had been acquired and she had not been compensated, which drew a point of order from Senator

Miss J. C. Odle. Senators Laurie, Murray, McClean and
Bolden spoke on how the Government acquired land and

paid compensation. The Resolution was agreed to and the
Senate was adjourned sine die.

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