
THE SENATE DEBATES

(UNOFFICIAL REPORT)

PARLIAMENT 2013 – 2018

THE SENATE

Wednesday, February 17, 2016

The Senate met in the Senate Chamber, Parliament Buildings on Wednesday the February 17, 2016 at 11.00 a.m.

PRESENT

Her Honour Senator Miss K. F. IFILL, B.Sc. (Hons.), M.B.A., (President)

His Honour Senator the Very Reverend H. E. CRICHLLOW, G.C.M., B.A. (Hons.) Dunelm, (Deputy President)

Senator the Hon. Miss M. P. O. McCLEAN, B.Sc. (Hons.) M.A., M.B.A., (Minister of Foreign Affairs and Foreign Trade) (Leader of the Senate)

Senator Dr. the Hon. E. R. BYER-SUCKOO, M.B.B.S., (Minister of Labour, Social Security and Human Resource Development) (Minister of Commerce and Trade)

Senator the Hon. D. W. BOYCE, B.Sc. (Econ.), M.B.A. (Fin.), C.M.A., F.C.A., (Minister in the Office of the Prime Minister with responsibility for Energy, Immigration, Telecommunications and Invest Barbados)

Senator the Hon. P. M. T. TODD, B.Sc., (Minister of State in the Office of the Prime Minister)

Senator Mrs. V. I. SANDIFORD-GARNER, CIM, Dip. Mng., M.B.A., (Parliamentary Secretary, Ministry of Tourism and International Transport)

Senator H. A. HUSBANDS, M.L.I.R., B.Sc., (Public Administration) (Hons), Ed. Cert. (U.W.I.), (Parliamentary Secretary, Ministry of Education, Science, Technology and Innovation)

Senator J. INCE, J.P., BB.A., M.B.A, Dip. (Mgmt.), (Parliamentary Secretary, Ministry of Finance and Economic Affairs)

Senator R. A. HUNTE, J.P.

Senator Rev. Dr. D. L. DURANT, D.D. (Hon.)

Senator A. R. WORRELL, B.A. (Hons.)

Senator Miss V. A. G. DE PEIZA, B.Sc. (Hons.), LL.M. (Merit)

Senator Dr. J. X. WALCOTT, J.P., M.B., B.S., F.R.C.S

(Edin.)

Senator W. A. ABRAHAM, LL.B. (Hons).

Senator Sir Roy TROTMAN, K.A., M.A.

Senator Professor Emeritus Sir Henry FRASER, K.A., G.C.M., C.M., B.Sc., M.B.B.S., Ph.D., F.A.C.P., F.R.C.P.

Senator Dr. Sir Trevor CARMICHAEL, K.A., L.V.O., Q.C., B.Sc., (Econ.), M.A., Ph.D.

Senator A. A. ADAMS, J.P., B.A., Ed. Cert., M.Sc. Ed.

Senator J. A. WATSON

Senator Carol Lady HAYNES, M.B.B.S.

Prayers were led by Senator the Very Reverend H. E. CRICHLLOW.

MADAM PRESIDENT: This Senate is now in Session.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR-GENERAL

ANNOUNCEMENTS BY HER HONOUR THE PRESIDENTS

EXCUSES OF THE LEAVE OF ABSENCE

MADAM PRESIDENT: I am in receipt of excuses for Senators McClean and Abrahams. They will be unable to join us today. Senator Fraser and Senator Byer-Suckoo will both be joining us later in the day.

PRESENTATION OF PAPERS

Senator the Hon. D. W. BOYCE: Madam President, I am commanded to lay the following documents:

1) the Annual Report of Cave of Barbados Limited for the year 2005

2) the Annual Report of Cave of Barbados Limited for the year 2006

3) the Annual Report of Cave of Barbados Limited for the year 2007

4) the Annual Report of Cave of Barbados Limited for the year 2008, and

5) the Annual Report of Cave of Barbados Limited for the year 2009.

MOTIONS RELATING TO THE BUSINESS OF THE SENATE

INTRODUCTION OF BILLS

PUBLIC BUSINESS

ORDER NO. 1 – DOMESTIC VIOLENCE, PROTECTION ORDERS (AMENDMENT) BILL, 2016

MADAM PRESIDENT: Senator Adams you have the Floor.

Senator A. A. ADAMS: Thank you, Madam President. It is wise to give contributions to this Bill to amend the Domestic Violence, Protection Orders Act, CAP 130(A). I believe, Madam President, that having had two tutorials last week, the legal luminaries or the legal lions, I perhaps will not try to delve too much into the legal aspects of the Bill, but nonetheless the Bill is so multifaceted and so complex that it is possible for us to be still relevant to deal with various aspects of it as it relates to inaudible???. Now this Act, Madam President is very important because it allows us to discuss, examine and indeed address an aspect of Barbadian life which for most of our history did not fall as a part of either ??polite??, public discourse or even political public discourse. I think, Madam President, this was because of the cultural norms of the times and the prevailing attitudes. There were such that a topic like domestic violence was actually taboo and kind of swept under the carpet. Madam President, this was so particularly where and when victims of domestic violence kind of assumed some measure of social standing or social respectability. Last week a case and point was made which I refer to and this was an incident related by Senator Abrahams in relation to a law student. She remained in denial even though and even when her perpetrator inaudible??? violence against her, ?inaudible?? virtually thought that and we want to ask the question: What does this tell us? It is telling us that domestic violence knows no social bounds. We can infer that it affects all classes and it

also tells us that few victims are bold enough either to seek or to accept help. The third point I would want to make is that fewer still will report to the official any incidences of domestic abuse. That, Madam President, tells us quite a bit about the nature of domestic violence, but what is even more egregious is that victims are often so afraid of being stigmatised, marginalised and indeed discredited that they prefer to suffer in silence.

Many years ago when I was a lad, students think there was a lady named Patty Hearst... It was called the Stockholm Syndrome, I think, where you take on the character of your captors. I want to say here that this state of affairs has a bit of history to it, and I will go briefly to it, and it is that even though all of this was happening it was not addressed in Parliament, I said in public discourse, until some 30 years after Independence, which was in 1992.

I want just to say that piece of legislation was a step in the right direction, but as the old people say, the proof of the pudding is in the eating, and so it is fair to say that it fell short of its major objective of protecting women and children and other helpless persons from being abused, of all places, in their homes where they ought to be safe.

Indeed, Madam President, this is borne out in the first paragraph of the Explanatory Memorandum of the Domestic Violence (Protection Orders) Act, and it says this:

“Came into force on 13th February, 1992 to provide for, inter alia, the granting of Protection Orders in circumstances surrounding domestic violence.”

This is very laudable.

It goes on to say that:

“However, certain deficiencies in the law have become apparent.”

It is not surprising therefore that the Act did not live up to expectations. What we find or what was found in the interregnum, the period between 1992 and now, was actually that domestic violence, including some very serious incidences like murders against women and other very violent acts against our children and dependents actually went up.

It is my contention, Madam President, that both incidences aroused the collective conscience of the Barbadian public, and particularly the acts of horrific violence led to the heightened level of moral outrage. In other words, what we had in Barbados was that people were no longer prepared to remain silent because of that moral outrage.

In my opinion these Amendments which we are discussing here today is our way of saying to the victims through their families and children and indeed the communities where they live, that we feel their pain. I think that is what these Amendments tend to say, and it is for that reason that I want to say that I support these Amendments.

Madam President, there are other reasons why I want to lend my name in support of this Bill. One is that I do believe that we need as a Parliament to send a strong message to perpetrators of this nonsense that it must stop and that each female citizen and their children, and I want to include our senior citizens, have a right to feel safe in their homes and in their communities. They should not be subjected to this level of violence.

I therefore, Madam President, want to record that for both of these reasons, I also support the enhanced powers given to the Royal Barbados Police Force in this amended legislation. I know there have been concerns ably stated particularly in relation to individual human rights and we understand that, but I do not think that on its own that is sufficient. I cast my mind back to the United States of America to the Wiki Leaks problem where the President in speaking to the nation indicated that you have to make a choice between security and the rights of individuals. Where people's lives are at stake, I believe that there is a case for ensuring that they are protected and safeguarded.

Madam President, let us face it, no one I believe would disagree with the saying that prevention is better than cure. I do understand those concerns, as I mentioned. It is essentially about the powers of the police to arrest and enter a house without a warrant and so on, but on advice received from one of the legal lions in this Chamber, I understand that the police already have that kind of power and that it does not really infringe the Rule of Law, the rights of individuals or the tenets of the justice system in Barbados, so since these powers already exist, I do not think that we should really hold up this legislation on that matter.

What I would say though, however, is that since there is a concern, and perhaps a legitimate concern, that we ought to kind of suggest or recommend that special provisions be made perhaps in the future that the Royal Barbados Police Force ought to get some kind of special training particularly those officers that have to deal with this matter. I think that is something that ought to be looked into because legislation alone will not actually effectively deal with domestic violence, so there are several other relevant areas that perhaps would need to be addressed either simultaneously or in the future, so we believe that is something that we ought to look at.

Madam President, so long as the legislation is going to enhance the protection of our women, children and their

families we believe that the legislation is worthy of our support.

I also want to say that there is another important point that I want to mention, that is, that if the safety of those disadvantaged persons in our society is being threatened in any way, particularly in their homes, that the person or persons responsible should be made to face swift, stern and effective response from the relevant authorities especially. I do not think there should be any delays in dealing with those matters.

Madam President, as we have heard, these amendments give adequate powers and procedures to the police to move post haste and to act expeditiously. That is important because there have been a number of cases that have been highly publicised in the United Kingdom where as a result of delay of the police there was the situation where, for example, the Mrs. Stabbin's case, a very high profile case. Essentially what happened was that Mrs. Stabbin called the police several times to come to protect her against a lover who had just came out of prison for having committed murder. What do you think happened, Madam President? The police delayed, they did not come. As a result, Mrs. Stabbin was murdered in her home.

The point I am making here, and there are several other cases, for example, there are cases in Barbados, I do not like to call them because this is a small society, where similar things have happened. Therefore, it is of the utmost urgency that the police move expeditiously. This Act actually demands, it is a duty that they do respond with that level of alacrity.

Madam President, there is yet a third reason which I want to put forward, that is, that here in Barbados we have a rule of law and we have to rely on the justice system to do, really, three things: to give a quick response, to apprehend perpetrators, and to protect the weak, the frail and the defenseless. Essentially, Madam President, those persons that profile, that demographic, really, who happens to be our women: mothers, sisters, cousins, aunts, children, the elderly, our handicapped. We believe that they ought to be protected.

Madam President, I do not think we ought to forget our children and I would want to spend a little time, given my past history, that we ought to focus a little bit on our children. I want to say that when we look at official statistics in relation to domestic violence, sometimes we are prone to stay there and say that they were less this year than last year or that there was more this year than last year. Sometimes, what we tend to forget is that very often children are involved, and even when or if the children are physically abused, just the fact that they have witnessed the abuse have a profound and long-lasting negative impact upon their lives, therefore we need to ensure that we

protect our children. I think, as one Roman writer said, they are the harvest field we are duty-bound to protect.

Madam President, what do we find in our schools? We find that students who are exposed to domestic violence that there is a deterioration in their school work; you have aggressive behaviour, the inability to concentrate; sometimes you find a student who would have been previously doing quite well at school and if you are discerning teacher you may notice a difference in behaviour. Very often if you have a relationship or if you call the child, ask the Form Teacher, or ask the guidance counsellor to have a word with the child, very often you will find the problem is not all the time domestic violence, but several times. Madam President, this domestic violence really has a persuasive impact particularly on our children.

Madam President, we find that these students sometimes have very few friends, that they are loners. If they have friends, they are attracted to friends of their peers and again that is something that we want to prevent. We therefore feel that we need to take steps, we need to bring in counsellors who a lot more than the legislation says in this sense, because as I mentioned before, we need to look at it in a holistic way. Therefore, several other agencies ought to be brought in. This, of course, will require money and so on but the notion of coordinating the legislation, taking advice from other agencies is of great importance.

Madam President, therefore we believe that is something that should be done, particularly in order to save our children, because these incidents of domestic violence do leave a negative stain on our children which has proven to be exceedingly difficult to heal or to erase.

Madam President, there is something that we need to mention here, even if in passing, that is the notion of human trafficking where our young people are often victims of that. What you find with young children sometimes in our country, because these things happen under our noses and we often do not know, but certainly we have had organisations in Barbados who have been looking at that. Also the United Nations has been here in Barbados and has indicated that although we are doing reasonably good work here, that there is a lot more to be done. Indeed, here again would be a case where maybe additional legislation may be needed in that area to complement, to go along with the legislation that we are discussing here today.

Madam President, very often we find that students are whisked away and have no access to their parents, again they have no friends, they are prevented from playing, they have no access to education, they are engaged in work not suitable for children, often they are dressed up as sex objects, for want of a better word. We believe that again we are trying in this Honourable Chamber to highlight these things and to call for steps to be taken to

deal with them. Sometimes it may be that more legislation is needed, sometimes it may be pointing out training that people should take so that they can deal with these things.

In my preparation, I came across a most egregious case in relation to child abuse and human trafficking, and though it was not in Barbados, it could be in Barbados. Here are the facts: A respected gynaecologist, 61 years old, and his wife. His name was Dr. Emmanuel Edet, his wife's name was Antan. She was a senior nurse in Ealing Hospital in London, a hospital which I believe I have visited once or twice. They were convicted by a jury in November 2015, only last year, for bringing a Nigerian teenager, a boy in this case, illegally into the United Kingdom, putting him to work as an unpaid cleaner, cook and bottle-washer looking after their two children. They kept him in the home without allowing him to come out for 24 years, and installed security cameras to track his movements and so on. Luckily, he was able to get out. The case was brought before the court and they were jailed, maybe for about 15 years or so. These are the type of things that we would want to ensure never happen in our country; therefore, this legislation and the discussions that are going on in this Chamber, I am saying, are one step in the right direction to ensure that if these things are happening they ought to come to an end and measures should be put in place to ensure that they do not happen again.

Madam President, I just want to add this point: There is a school of thought which says that, given our history of some 300 years of slavery, a history of violence and degradation and beatings, these could account for the incidence of domestic violence in Barbados. I think that this ought not to be dismissed, for there is now scientific evidence carried out, I think in Denmark and the United Kingdom, to show that persistent bombardment of violence, degradation and abuse of persons over a long period of time can in fact be attached to their DNA, and as a result, be passed on from generation to generation. Therefore, this is particularly difficult and it brings to mind Bob Marley asking us to emancipate ourselves from mental slavery, and that no-one else but ourselves can do it. When we consider what we have been through, and that we have come out of that perdition, we have a right to put in place a level of education that would try to break that cycle wherever it exists.

Madam President, I must say that the degree to which our civilisation has progressed has to do not so much with our Gross Domestic Product or standard of living, but with the manner in which we treat our women, children, elderly and each other. It is in that demographic that we find the defenceless, that we find the marginalised, that we find the poor, weak and vulnerable. To the extent that this piece of legislation and these amendments begin to address those doubts in our system, I have absolutely no hesitation in giving them my wholehearted support. I thank you.

MADAM PRESIDENT: Senator Sandiford-Garner, you have the Floor.

Senator V. IRENE SANDIFORD-GARNER: Thank you very much, Madam President. I stand here once again feeling very, very proud of this Government and for the work it has done in the area of gender affairs in this country, and I take great pleasure in seeing these amendments come to fruition. Madam President, as has been said earlier, this legislation is some 24 years old, and it has taken us from 1992 to 2016 to get to the point where we could now implement the 13 amendments. Madam President, I always believe that legislation has to be adapted and amended to conform to the societal norms, and to be apace with the society in which we function. I would like to take the opportunity as well to congratulate the current Minister responsible for Gender Affairs, Minister Steve Blackett, who is one of about four or five male Ministers with gender within their portfolios within CARICOM. The issue of gender has always been seen as a female domain or the domain of women. Madam President, this goes to show that the domain of gender is not the preserve of women alone and that the sex does not really denote the level of interest or passion for the area of gender and gender equality in any country, Madam President. As we know as leaders and policymakers, there are sometimes women in some senior positions in society who may not even have a gender agenda. They have absolutely no interest in women's affairs. Ma'am, it shows that wearing a skirt does not necessarily mean that you have a gender agenda.

This Minister is also seeking to have a gender policy wrapped up. I understand that it is well on its way to becoming a reality, and I really do believe that Minister Blackett deserves kudos for the work that he has been doing in this area.

Madam President, before I start my presentation, I also would wish to congratulate and compliment the various agencies which would have had a hand in ensuring that these amendments would have come to this Chamber: Agencies such as United Nations Women through successive leaders such as Dr. Rosina Wiltshire, Roberta Clarke and Christine Arab; the National Organisation of Women; the Inter-American Commission for Women, of which I am an executive member, also known as the Comisión Interamericana de Mujeres (CIM). It is an Organisation of American States (OAS) commission just as the Inter-American Commission for Human Rights is. The Inter-American Commission for Women looks at women's matters throughout the Caribbean and Central and Latin America.

Madam President, I would like to see that this is where I would like to call names after reading former debates within this Assembly and the Other Place of 1992,

when we would have first brought these amendments to the House. Madam, people like Senator Carmeta Fraser, this legislation and these amendments stand on the shoulders like Senator Fraser, people like Dame Mazie Barker Welch, people like Dame Billie Miller, people like Marilyn Rice-Bowen and people like Olive Trotman. I do not know how many of you know Olive Trotman or know of her but let me tell you that Olive Trotman was the founding member of the Barbados Public Workers Credit Union Limited which would have been responsible for many working-class women to realise economic progress under her leadership, people like Undene Whittaker who today looks after female entrepreneurs in Barbados and has always been a very advocate on behalf of women in this country. Madam President, people like Ralph Boyce, who founded MESA, the first men support group in the country and who would have undergone severe criticism, and endured it, in pursuit of its objectives in recognising that men were part of the gender equation and, Madam, people like Carol Taylor. Madam, again I may be bit too for some on both sides but Carol Taylor was columnist that I used to read when I was a very young person, I had not left secondary school yet, who was a vocal and strong advocate for women's rights in this country. Carol Taylor was probably the only Barbadian woman I knew at the time besides Senator Fraser, who used to ensure that every single woman's issue was articulated in the public domain in the 70s and the late 60s.

Madam President, these amendments and the original legislation stand on the shoulders of those Barbadian advocates who would have pushed to see that women recognise some level of equality and equity in this society.

Madam President, I would also like to thank the Committee that poured over the amendments for five months or so, who volunteered their time and skills and gave it selflessly to ensure that this legislation was fine-tuned and ensured that the various stakeholders' interests were represented.

Madam President, this piece of legislation now is one of the more comprehensive pieces of domestic violence and protection legislation within the Caribbean. I can say that because I have seen many. I actually have St. Vincent's legislation on me today because St. Vincent and the Grenadines would have pursued this matter only last year whilst we would have introduced our legislation in 1992, they presented their first piece in November 2015. I remember sitting with the Minister, who is also male of gender, in St. Vincent pouring over what he would have brought to one of the many forums that we attended every now and again but, Madam, ours has broader definitions. This current incarnation that we are discussing today has broader definitions than previously obtained and I am pleased to say that the police powers of arrest would be one

of the amendment which I take pleasure in piloting, the quality of the wording and the behaviours that can be classified as abusive are the major areas that I would have wanted to focus on.

Madam President, the discomfort that some persons may have when we speak about this type of legislation and we continually refer to women and girls should be discussed here today because I have heard apologies being made in some instances to the fact that we revert to talking about women and girls when, indeed the legislation is gender neutral and it encompasses men and women and boys and girls but the reason why we sometimes default to speaking about women and girls, Madam, is because women and girls would represent the demographic which is most impacted by domestic violence and the facts are there and the numbers speak to that, so there is no apology to be made when we discuss certain areas and we reference women and girls.

Madam President, the statistics show that in Barbados, black Barbadian women from the lower economic bracket between the ages of 30 and 50 are the persons most impacted by domestic violence in the country. It is said that one in three women in Barbados is impacted but if we were to look at global figures it is six out of 10 survivors, hopefully, who are women, so it tells you that there has to be emphasis on that sector. Madam, violence also is the single most prevalent cause of death worldwide in women between 20 and 24, family violence. Madam, as I have stated earlier, it is not to say that men and boys do not suffer family violence, they do but they do not report it, it is always under reported to the extent that you cannot rely on the data you have because you can be sure that the data you have on abuse of men and boys is under reported, especially in Caribbean culture where to admit that you are beaten by a woman or you are assaulted by a man or woman as a young boy is socially unacceptable, he become the butt of more abuse and you become the butt of jokes; so we do not have the data but under this law all men, women and children will be protected. Madam, I would say here that there is a dire need for a reliable bank of statistics on the abuse of boys and men within the family environment otherwise we cannot effectively address the matter. We have to be able to tell our men that there is no shame in being abused. It is shame in being an abuser and that should be emphasised at every point but there is absolutely no shame in you admitting that you have been abused as a man or as a boy, and we have to come to that place in our culture if we are to address this scourge effectively. There is no shame at all, as the young people would say, we have to flip the script, we have to change the conversation in an effort to turn this on its head so that men understand that there is nothing to be ashamed about and in an effort to ensure that they come forward and then we are able to collect the data and address it in a more scientific manner.

Madam President, another progressive aspect of this legislation is the definition of harassment and the fact the area of harassment encompasses areas that we not have thought of 24 years ago. You cannot now harass a woman by persistently contacting her or him, a man because woman do it too. Madam, this is not scientific but I do find that women are the chief abusers of electronic media and social media when it comes to harassment. Madam, we persistently are accused of it and the data shows that women via emails and text messages or even publicly on the internet do harass and abuse our partners whether they be male or female because understand that this legislation is gender neutral, so it can be same sex harassment or it can be opposite sex harassment. (inaudible) ... communications under surveillance without their consent is now illegal and some persons ask how can you do that. It is easy because you can buy surveillance equipment on line, you can go to any international capital and buy it in a store or you can even get it here. You can buy surveillance equipment that you can insert into a computer and you can track communications of anyone you would wish to track at any time. I see a gentleman to my left expressing surprise, Madam President, but it is true. It can be done and that type of surveillance can sometimes be the trigger or is often the trigger for some of the domestic and family violence that you witness because people read and see what they are not supposed to read and see so the legislation will now protect you from yourself. If you do it, you are breaking the law. It is no longer a misdemeanour and a personal matter. You are breaking the law. This is one of the amendments which I find to be extremely forward thinking. It is called cyber spying. It is now illegal.

Another Clause which I would wish to highlight is the Clause which relates to counselling and provision is made under the current Act, 130(A) for counselling, not only of the perpetrator, but of the survivor and we like to speak of survivors because we would wish to know that every person who undergoes this type of abuse is being a survivor and if I may call names I would like to give a dear friend of mine, the former leader of National Organisation of Women (N.O.W.), Marilyn Rice-Bowen, for teaching us that we are all survivors under the law so the complainant and the respondent is required to undergo counselling through the Family Services Division of the Welfare Department and the Family Services Division is then required under the law to submit a report on their findings so no longer can you get away with having a chat and burying the information. You will be required under the law and this, I think, Madam President, should be highlighted specifically when you speak about the abuse of children because we have had instances where we have known of abuse but yet the reporting seems to have been always after the fact, after the situation has become a situation where that poor child would have lost his or her life. You are now required to report any situations of abuse which you must suspect and the Royal Barbados Police

Force (R.B.P.F.) are required under law to follow up on the report so there is protection encompassing the survivor at every corner. I said the emphasis on child abuse should be highlighted because after all, our children are the ones who are least able to defend themselves and at some point the State has to step in and firmly take hold of a situation and bring it under control as far as they possibly can so under the legislation anyone who has reasonable cause to suspect a child is a victim of domestic abuse can log a complaint and the authorities are bound by law to investigate. Clause 12 imposes sanctions on doctors, psychologists, teachers, day care attendants who are required to inform the Child Care Board and there are penalties -- which the Leader of Government Business would have spoken about before -- for making false reports because sometimes that does happen where you have persons who have an agenda, who have a gripe against an individual or a personal vendetta may be tempted to make a false report and the law covers that as well and there is a penalty. The Commissioner of Police is going to be required to keep a domestic violence register.

Time and time again we have heard calls for training and we call it sensitivity training, Madam President. I would like to share with everyone that there is a domestic violence module taught now at the Police Training School. All recruits are required to go through a domestic violence module at the Police Training School for new troops. United Nations (U.N.) Women has also allocated funds and other non-governmental organisations (NGOs) toward sensitivity training and not only in Barbados but throughout the region this money is spent to sensitise persons about domestic violence. I think it is opportune to thank the Royal Barbados Police Force (R.B.P.F.) for their partnerships with the NGOs because I remember someone had mentioned during the previous debate the fact that you would wish to see a police at every station who is trained in domestic violence issues or sensitivity trained at every police station given the fact that you have police being trained at the training centre it means that all new recruits who come into the environment are trained by there is also a partnership between the Police and certain NGOs and it is called a victims support partnership and it is highlighted in the legislation as well that the Police call in support at their stations and the Police have a family counsellor unit and I can speak to the victims support facilitation because I benefited from it. I had no idea about it, but I was the victim of an incident and the early morning that I was taken from the Queen Elizabeth Hospital (QEH) to the police station, someone who turned up who was a friend of mine and I honestly thought that the individual had heard about the issue through the grapevine that we have called WhatsApp, Messenger and so on, only to learn afterwards that she was on call that morning and was in bed when she received the call about 2.30 a.m. -- 3.00 a.m. that she was to come to the police station because there was a victim on her way there and that is why she was there. That is how I

learnt about the support network. These people are volunteers, they are not paid. They get those 2 o'clock and 3 o'clock calls in the morning because they are committed to a cause. All of the police have their contact numbers and they call them to come to the aid of the Police and the survivors when incidents take place. I just wanted to make sure that was clear.

The issue where police are also empowered to institute protection orders on the behalf of victims is also an area I would like to touch on. It is exceedingly important. I said earlier that sometimes we have to be protected from ourselves and I will tell you why I said that. One Kadooment morning two years ago, in all of the din coming from the Spring Garden Highway a group of us heading along Brighton to get our breakfast at probably 6.30 a.m. or minutes to 7 in the morning, heard the most awful wailing and tumbling coming from a house in that area. We are not talking about houses that are built by people in the lower socio-economic bracket because remember, domestic violence, even though the figures would tell you that black women in a certain economic bracket are most affected, domestic violence affects from the top to the bottom of the society. We heard the noise and one individual with me was an advocate, another was a university professor who we now know has ascended into leadership at University of the West Indies (UWI) who is also a firm advocate and we heard that screaming and automatically as if with one thought headed towards the house. I remember Senator Abrahams giving an example earlier and I applaud him for it when he intervened at U.W.I. because domestic violence, or family violence, or household violence is everybody's problem. It is not the purview or the domain of the family who is suffering. It is a community and societal issue so that when we see it, when we hear it is like what the Americans tell you now at the international airports, if you see something say something. I am saying of you hear something do something because your action or inaction could mean the life or death of an individual. We heard it and we went to the house. It was one man with us who went around the back while we started banging on the front and looking through the louvres of that house we could see this man dragging the girl in a costume, he had a costume too, he was beating her from the time he heard us and he saw us looking through and we started shouting at him, he started to drag her behind the partition of the house so we could not see. You know how the old-time wall houses have a partition in the middle that you would put the phone in in the old-time days, it was one of those types of houses, so when he dragged her behind there he did not stop beating her, but we could not see. Somebody, who shall remain nameless, pushed out the louvres, because you know you can push out louvres, and put their hand inside and opened the door and we all went in and by the time we got in he had taken off through the back. The gentleman who was with us followed him and we went looking for the young

lady and we could not find her. When we eventually found her, she was cowering under a bed. She was hiding between the bed and the wall of the bedroom shivering.

I do not know how many of you have ever experienced or seen another human violating another human being but it is a sight if you have any sensitivity at all that...because you wonder how could one individual be so cruel to another. She was cowering. We eventually had the police come because they were on the highway and one of our group went to the police station with her only for us to learn three or four days later that she had withdrawn the charges, and after all of that we were told by the police that we could have been charged for breaking into the people's house. It is only after the fact that you think about those things but when you are doing it or when you are intervening you do not think. We could have been charged for intervening and she withdrew the charges, so I am pleased that this legislation now ensures that the police are empowered to implement Protection Orders on the behalf of victims because this is exceedingly important.

Madam President, I have another anecdote because I talked about men and the shame men feel. Recently there was a story of a high profile reggae singer who charged his female companion for battery. It was on the Internet whereby the individual would have shown his bruises to the world and he said that she was a gold digger and after, and this is usually in Jamaican parlance, she realised she had copper instead of gold, she began to be unfaithful and she also began to abuse him. He let his picture be shown with the bruises from a padlock that she threw in his face after he accused her and actually waylaid her and caught her with a man. I think these are stories that should be highlighted because when you have high profile persons who are brave enough to highlight their stories, we need to be able to use it for the good of all.

Clause 7 is also another Clause which I flag. This one reads as follows:

“Amend Section 7 of the principal Act to remove the need for the Court to consider the preservation and protection of the institution of marriage or a union other than marriage and the provision of protection and assistance to the family as a natural and fundamental group unit in society, when determining an application for a Protection Order.”

This is extremely forward-thinking because we are now going outside the traditional box of what we term marriage and family. It also mitigates against this prevalent practice of some persons in the legal profession enabling dysfunction because the institution of marriage must always be protected. Madam President, I am pleased that we have made that Amendment. The benefit of having buy-in from interested parties is that you get all types of rules

and all types of contributions which make for a holistic and effective legislation.

The only thing that I wish would have been added here, Madam President, is the banning of media coverage of domestic violence cases. I believe that they should not appear especially in a small society such as this where everybody knows everybody.

MADAM PRESIDENT: The Honourable Senator has two more minutes.

Senator Mrs. V. I. SANDIFORD-GARNER: Madam President, I do feel that we should ban media coverage of domestic violence cases especially when you think of the fact that many of these families and family units have children because this puts them to face more abuse and more vilification when they go to school or walk the street. As a country we are signatories to conventions related to the elimination and the prevention of violence against women and other conventions, so this legislation really and truly goes a long way in validating our international profile, and every Barbadian should acquaint themselves with it.

In conclusion, Madam President, there is a paper that I found done by a United Nations expert named Alison Gibbons. She is a Trinidadian family violence professor at a University of Louisiana, and she said that the family is the first environment where gender roles and expectations are entrenched and where patterns of violence are established and even rationalised. Madam President, that is instructive because it tells us that no amount of legislation really can control human behaviour within the family setting. All the research illustrate that the motivations are the notions of control of men over women or women over men. People are talking about the crisis of masculinity, which is another discussion all by itself, but the unequal power relations in families and all other motivations start within the home.

Madam President, I am suggesting in conclusion that we have to go further than the survivors and the perpetrators. We have to understand why women need protection while understanding that there are women who would wish to have normal relationships with their men and men who would wish to have normal relationships with their women and same-sex unions where people would wish to have normal relationships with their spouses. Every human being would wish to have a normal relationship within a household, so there is no one set that should be seen as an antagonist so that going forward we have of necessity to focus on engaging our children at the primary and secondary levels in our schools.

There is something called Family Life and Health Education, which is on the curriculum at some of our schools. I think that using family life education during

class, we must have some dialogue, constant discussions and lessons in having the children understand themselves and thereby understanding each other, have the children understand what is gender, that gender is not just a woman's thing, that gender is everybody thing and everybody area and everybody concern, have them understand what family violence is and how it can be controlled in their own sphere of influence, because as we have already established a child from a violent household becomes an adult in a violence household, have them understand the family structure and the norms and the challenges in those norms so that Health and Family Life Education - I cannot remember the exact name because my children have left school so long ago - has to be just as important on the school curriculum as Mathematics and English. We need to give it more prominence and importance on the timetables in our schools because family violence cannot be dependent on legislation alone. Education is key and once we have that education established we would then, and to quote my friend again, understand that love and licks do not mix. I thank you.

MADAM PRESIDENT: Senator Haynes, you have the Floor.

Senator CAROL LADY HAYNES: Thank you, Madam President. I rise to support this Domestic Violence (Protection Orders) (Amendment) Bill. We have had a day and a half now of listening to excellent interventions by our colleagues around the table. I have just been reflecting on some history both here in Barbados and globally. As far back as 2011 the Minister of Social Care, Constituency Empowerment, and Community Development, the Honourable Steve Blackett, gave statistics from the Royal Barbados Police Force indicating that domestic violence between 2000 and 2007 had accounted for 21 per cent of our murders. He further said on that occasion that a holistic approach was needed, and I quote: "To eradicate the root of the problem which is often felt by poverty, dependency, lack of education, lack of capacity and the absence of empowerment."

The Honourable Member further went on to outline his Ministry's plan for identifying household intervention programme intended to reduce intergenerational poverty. As I get back to that speech, Madam President, as I was interested in what had been done, the Honourable Member spoke then at the Organisation of American States Opening Ceremony on Horizontal Technical Cooperation and Social Protection and that was January, 2011. He said that in-depth reviews since 2008 preceded by several studies on the subject which had been commissioned over the years, showed that there was need for urgent and significant improvement in service delivery to ensure that:

(a) Both the caring and developmental aspects of our social safety net were brought to the fore;

(b), that the phenomenon of entire families and households tending generations in poverty, despite many years of institutional support should be given urgent attention.

Madam President, it therefore added a new concept with the acronym ISEE, (I-Identification and Assessment), (S-Stabilisation, (E-Enablement) and (E-Empowerment).

Madam President, having read that, I felt that we were on a good footing in terms of looking at the aspects of intergenerational poverty.

Madam President, again in a Paper presented as long ago as 2003 in Martinique on Barbados, referred to the agencies that provide family reconciliation or mediation type initiatives to families in Barbados. They include: The Welfare Department, the Child Care Board, the Judiciary with individual attorneys-at-law, the Probation Department and Network Counselling Services.

At the time of Dr. Watts' Paper back in 2003 there were no organised family mediation associations there, only community-based centres. I see mediation, Madam President, as part of an effective prevented strategy, granted that it comes after an incident but if it is ensured and enforced properly it should certainly prevent further incidents.

Madam President, we have in the Act the protection Order which provides that the parties attend the family services provision of the Welfare Department or such other agency as the court specifies for appropriate counselling therapy, as stipulated by Dr. Rock.

Madam President, my brief intervention focuses rather on how this debate can and should change the context of domestic violence. Our Government needs to ensure firstly that all these referral agencies as referred to by Senator Sandiford-Garner and primarily the Family Services Division of the Welfare Department, that they are adequately equipped both in terms of their training but also in terms of manpower and the skills of the people in those agencies.

Madam President, counselling is a profession all on its own and counsellors have to be available therefore with specific training, within the Police Force, the Welfare Department, and the medical services to cope with these situations.

Secondly, Madam President, the importance of prevention strategies, both in our educational system as has been previously outlined by Senator Sandiford-Garner but also at the community level, and where they are not in place we need to create the necessary programme.

Madam President, last week our Leader of Government Business, Senator Mc Clean, and today Senator Boyce both spoke with feeling and with passion about the importance of not depending clearly on the education system to do everything but the importance of family, instilling values and skills. Whereas I fully understand and support that, I think we do need to accept that there are groups, families, individuals who cannot and therefore I think it is there, that void that we need to fill to ensure that people who may not have the skills that we can provide at the community level the kind of understanding and skills.

Madam President, I looked a little bit at global policy and I became aware, as I suspect that most people around this Table are aware, that it took decades of work by activists around the world to ensure that domestic violence was recognised as a human rights violation under international law, so that States have a duty under that international law to prevent domestic violence. I am proud that in Barbados we have done that since 1990 and that we continue to amend the legislation to make it more current and relevant.

Madam President, in trying to get a more global understanding of the issue, I looked at two surveys, one from the European Commission and one from South Africa, two very different areas of the world. A major survey published in the European Union as recently as 2014 based on 42 000 in-person interviews of randomly selected women from 28 European Union Member States show that one in three women had experienced some form of physical or sexual abuse since the age of 15 and very different to our figures. South Africa's formal response to domestic violence is relatively recent with 1993 marking the introduction of the Prevention of Family Violence Act, further strengthening their Domestic Violence Act of 1998. That Act, I understand, Madam President, is widely considered to be one of the more progressive examples of legislation internationally. It goes further, it incorporates a range of intimate and family relationships within its ambit to include heterosexual relationships, gay and lesbian relationships, marriage and cohabitation, as well as dating relationships and even further, those between members of the extended family. Madam President, this is food for thought.

Madam President, domestic violence for South Africa is broad and it encompasses intimate violence, child abuse, elder abuse and violence between siblings. In addition to the Fire Arms Control Act, 2000, which is similar to what we have in this Act, it seeks to restrict those persons with a history of domestic violence from owning firearms. Further to that, their Protection (of Harassment) Act, 2011, offers protection against electronic harassment.

My final comment on South Africa's policy and legislation notes an interesting intervention with micro finance which combines with a gender and HIV--training curriculum which reduced domestic violence by 55 per cent of in those studies. Madam President, this brings me to the point which I want to emphasise, that I believe that the focus of this Act is to ensure that a multi-disciplinary approach to our response to violence, including health systems, work places, the home, the media, the justice system, but most importantly I believe the education system. All of these responses will requirement protocols being in place, training of selected officers, whether police or welfare officers, counsellors to be exposed at any level. We need to be proactive by putting in place prevention, programmes, policies and strategies, as well providing the essential supports. Madam President, I have no hesitation in supporting the Domestic Violence (Protection Orders) (Amendment) Bill, 2016.

Madam President, I just want to spend a few moments now on the Sexual Offences Act. This is an Act which has occupied much of my time and reading over the many years, as I worked with the National HIV/AIDS Commission. Whereas I fully support the amendment that is before us, Madam President, with respect I would like to suggest that I am not quite sure how we picked up that one amendment and there are several clauses in here which I think that for a thoughtful forward-thinking Parliament such as ours we should be looking at them further.

Madam President, I just want to bring a few of them to your attention. Clause 37, and my intention is not to go into what a reasonable punishment should be, but it speaks about:

"Where any person is convicted on indictment of an offence specified in Sections 3, 4, 5, 7, 8, 12, 14, 15, or 18, the court may, in addition to the punishment awarded by the section, direct that the person, if a male, be whipped."

Madam President, is that where we are in 2016 where we are seriously, in legislation, directing that people be whipped? I have a concern with that. Similarly, under Clause 8 (Sexual intercourse with mentally subnormal persons), reads "where a person, under circumstances that do not amount to rape, has sexual intercourse with another person who is an idiot, imbecile or mentally subnormal". Madam President, I also feel that is contemptible. I cannot see how we can, in this day and age, have legislation which reads like that. Clause 34 under Publication Prohibited speaks to evidence and the publishing of evidence in newspapers or via broadcast, and Clause 35 is similar. I just think that in the same way that in the Domestic Violence Act we addressed traditional, I think certainly that social media and Internet mass media should be in this legislation as well. We should ... (inaudible ??23:51.34).

Madam President, Clause 18, under the Suppression of Brothels. I could not be true to my years of working in HIV-AIDS if I allowed this Act to come through Parliament without speaking to this. In 2004, then Professor Walrond, now Sir Errol Walrond, was commissioned as a consultant to do a report on the legal, ethical and socio-economic issues relevant to HIV-AIDS in Barbados. In that report, one of the things that he spoke to was that prostitution should be looked at as a public health issue rather than anything else. In fact, he actually -- and I am prepared to make this a document of the House if I need to -- had the wording and I am trying not to misquote him -- where he spoke to it through the law to bringing prostitutes into a regulated public health framework while trying to keep them off the street. He proposed there with what we accepted at the HIV Commission at the time as being absolutely reasonable: that the Sexual Offences Act should be have a section named the Regulation of Brothels and amended to read that anybody who fails to register and comply under the Public Health Regulations is guilty of an offence. What would be important is encouraging brothels to register so that you have some public health supervision for brothels rather than driving them underground.

I have gained so much over the years working with HIV, and I had the experience during the mid-1990s when I was chairing the National HIV-AIDS Commission to go into several other brothels with some public health officers... ???(23:53.51) (inaudible) and I became very aware then that sex work is just not brothels. There are so many dynamics ... ???inaudible(23:54.05) streets. It speaks to the home, people can transport it to venues, and most important of all, what I really learnt is that many persons who are sex workers are honest, kind people??? inaudible(23:54.59) Therefore, I cannot not speak to the suppression of brothels or to sex work or prostitution or whatever it is without sharing that and asking for tolerance as we ask for a public health view of these issues.

Finally, Madam President, I again could not leave the Sexual Offences Act without speaking to the Clause on the sodomy laws; Clauses 9 and 10 which refer to buggery and bestiality. Let me first of all say that it seems very strange to me that the sentence for bestiality is imprisonment for ten years, whereas that for buggery is imprisonment for life. Certainly that is something very strange. Again in the wording of the report, what Professor Walrond suggested and what we accepted was that the wording should be any person who commits buggery during the commission of a sexual offence as defined in the Act. The reason being, Madam President, with all due respect and trying not to be irreverent in this Honourable Chamber, buggery is not purely homosexual. There is buggery, of course, between men and women... inaudible??? (23:56.07) I know this is not an HIV debate so the issues of discrimination and stigmatisation are barely relevant to this, but I would like us to think about all these

areas of the law. (inaudible 23:56.22) I think if this Sexual Offences Act ... clearly something we are proud of (inaudible???)... public health issues. If we do not think about the public health issue, the consequences However, without reservation, Madam President, I support the amendment of both the Sexual Offences Act and the Domestic Violence (Protection Orders) Act. Thank you.

MADAM PRESIDENT: Senator Durant, you have the Floor.

Asides.

MADAM PRESIDENT: Senator Ince, you have the Floor.

Senator JEPTE INCE: Madam President, I rise to support the Domestic Violence (Protection Orders) (Amendment) Bill, 2016, that is before this Honourable Chamber. It is an amendment that is not only critical to our social, economic and financial development in Barbados but it also critical in the management of the domestic affairs of this country. I have heard references being made to 1992 to the year 2016, 24 years later, but as I always said, sometimes there are biblical features that you can make reference to in looking at amendments. It is said, for those theologians, that it took 24 hours to remove the children of Israel out of Egypt and it took 49 years to remove the behaviour of Egypt out of the children of Israel; so I am not surprised that it is the Democratic Labour Party in 2016, 24 years later, that brought this amendment to this Chamber. It does not surprise me. As I said before: 49 years to take the behaviour of Egypt out of the children of Israel. It is the Democratic Labour Party in 2016 that is bringing this important amendment, Madam President, but what is domestic violence?

Madam, as I examined the title and I ponder about this Act, there are sometimes classified behaviour patterns. I see domestic violence as an inherent vice, and I link that inherent vice to a term which we would use in the financial industry. Madam, sometimes we do things on a daily basis without recognising that terms can be linked together. Madam, on the other hand, I always say that side by side does not mean together.

Madam President, why would I want to classify domestic violence as an inherent vice. The financial analysts and those in the insurance industry and the offshore industry would say to you that an inherent vice is a hidden defect. Madam President, domestic violence is a hidden defect. I call it a disease of the mind but maybe those in the medical fraternity would be able to explain but I term it a disease of the mind that is expressed in a behaviour when rattled, or when the environment is not conducive to how that individual may see it that they express that violent behaviour. Madam, violent does not

mean physical beating, you can express a violent behaviour in words that could be just as devastating as if you took a piece of wood or slap a person around with a belt or something. Madam President, if you every day, whether male or female, say to an individual that you are no good, that you are an idiot, why did I marry you, I do not know where I get you from, why do you not go back home to your mother, if those words are used to an individual in a relationship, whether married or not, then that person starts to believe it and become timid. When you say things like, why do you not learn to cook, or you cannot do anything properly, that individual starts to believe that he or she cannot do anything right. Madam, perpetrators of that type of behaviour always want to conquer. Madam, that is why I say it is a disease of the mind that has to be dealt with and as we put these amendments in place what is so sad about it as the clock points to the hour of one, as we speak and as we sit in this Honourable Chamber there is a young woman in Barbados who is being abused, as we speak. Madam, there is a young man in Barbados, as we speak, that is suffering at the hands of another individual who has this mental disease and what we are putting in place in the management of this illness called domestic violence. Madam, I have said it is a hidden defect and Madam, as I sat here today and look at the definition of this inherent vice and I compared it with the definition of domestic violence, they both complement each other. Madam, you can substitute the words in domestic violence because an inherent vice speaks of property or a good and if you substitute that good or that property with a human being, persons who perpetrate that type of behaviour believes that the person is property and sometimes they add no value to that individual. Madam, that is why persons commit murder, that is why sometimes the victims of domestic violence ends up dead at the hands of these individual. Madam, the inherent vice definition says that which of itself causes or contributes to deterioration, damage or wastage.

Madam President, do you know that domestic violence deteriorates an individual damages an individual physically and damages that individual socially because sometimes the individual wants to shut away himself and he does not want to attend functions. Madam, the reason why that happens is because sometimes there is the appearance that everything is well when it is not well and Madam, that is why I have said that we and speak of deterioration, damage or wastage and our objective is to manage.

Madam President, the definition has also extended the class of persons who are considered to be the victims of domestic violence. Madam, domestic violence cuts across all boundaries and sometimes we are deceived by the individual who dresses well, by the individual who has two cars in the garage who says, "Good Morning, ma'am, how are you", and then when the sun goes down that family is

in a lion's den. Madam, that is why we have broadened and do not limit the definition because you cannot identify and that is why I have called it the inherent vice because you cannot identify unless you see that behaviour exhibited in the streets. Madam, I cannot walk down Broad Street and say that he or she is a victim of domestic violence, it cannot be done because sometimes these things look glamorous on the street or glamorous in appearance but then, at the end of the day, when that individual has to move away from that environment and goes to an environment call a relationship or a family is where we see a manifestation of behaviours. Madam, such characteristics as we spell out the definition of domestic violence, those perpetrators always try to make the person feel unacceptable. Madam, I am saying to persons, do not let anyone make you believe you are less important, that you are a lesser human being because they may be providing finances, and that is what we have also spell out. There are persons who would seek to intimidate another individual because they may be the one providing the finance, or they may be the one providing the tuition, or they may be the one looking after the family trips abroad and they believe that if I am the main breadwinner or if I am the financier then it is my way and you must be subjected with some of the most indifferent behaviour that a human being can experience. I am saying that on this day, the 17th day of February, 2016 the people of Barbados are saying no to domestic violence. That is what we are saying in these amendments that this disease, this inherent vice, is not going to be tolerated, is not going to be accepted and that we are going to do everything in our power as a people of this country to minimise the social behaviour. That is what we are going to do.

Madam President, he also outlined, as I said, in managing in the Objectives how the victims of domestic violence are going to be protected and treated. inaudible??? must be protected, but in saying all of that, Madam President, sometimes we see perpetrators as individuals but I put it this way. There is a perpetrator in a bottle that comes in the form of a liquid called alcohol that is one of the main contributors to domestic violence in this country and it cannot be overlooked. People who abuse alcohol in the studies and they are appalled to domestic violence and then sometimes you see persons who drink go home beat their wives, beat their children and the next day it seems as if they cannot remember what happened and they look all decent only to go and consume that liquid again to disturb the family. It is a reality. If you can consume alcohol and maintain your mental faculties and do not exhibit an abnormal behaviour fine, but if you know you are going to consume that liquid and then you are going to disrupt, dislocate and destroy the lives of your loved ones, then you should seek help, because, Madam President, whenever a woman in Barbados is murdered, we have set this country back 15 years in our development. I always say that whenever a single woman, we can talk all we like about

men being mothers, yes. We can talk all we like about single fathers, yes, no problem, Madam President, but a woman plays a critical role in the development of our young people. There is that emotional link. There is something that you cannot explain; science cannot explain it. The series of mathematics, the series of physics cannot explain it, but there is a link that it seems that the young children always cling to that parenting from the sight of a female and as you go through in life, yes, you look to daddy, but 98 per cent of the time there is something about mommy that you want, even when you are married and you have your family, there is still something about mommy that you cling to. You never get rid of it. There is something about mommy so that is why I say when we abuse our women and we murder our women what we are doing is setting the country back and when we start to destroy what I term the female fabric of Barbados -- I know this here covers the whole thing of being gender neutral but what I am saying, Madam President, is that when we start to destroy the female fabric of Barbados it is something that finances cannot replace. It is something that the Gross Domestic Product (GDP), no matter how much Gross Domestic Product (GDP) we have, no matter how much revenue we get from tourism and from international business, it cannot be replaced and that is why it is critical and I am appealing to the men of Barbados that despite your differences, there are solutions and you do not have to solve your solutions through the act of a gun or a knife. I know that this amendment, as I said before, looks at both genders, male and female, but we have to face reality. Yes, there are men in Barbados who are abused. We are not shying away from that, but I always said that statistics and numbers do not lie and we have been indoctrinated with a male behaviour that needs to be dealt with. I am not attacking males, it is a reality, we are not destroying males, but it is a reality that when we destroy the women of Barbados we destroy the fabric of Barbados because no matter how men try, we would never be able to raise a family with the structure of male and female, man and woman. There is that link and we cannot deny it. We should not allow domestic violence to rear its ugly head. Whenever we see a case of domestic violence, hammer it down. Whether or not it is the male that is being abused or the female strike it down because it is not going to benefit any of us. Tell me what happens to children. Daddy murders mommy, goes to prison, 35 years to life. Mommy is somewhere in a box and those children are left with grandma and grandpa who now, at the age of 65 and getting pension and now have to look after two or three children. This is the reality. God forbids grandma or grandpa goes, and daddy is incarcerated and those children are now at the whim and fancy or in the care of a Government agency. Think about it. If there are not adopted by a family, as I said, the Government agency may only take care of them on reaching a certain age and if the environment is not right, those children may be at the mercy of some undesirables, and that is why I say that

domestic violence has absolutely no place in this society. We are not going to embrace it, I do not care who you are, how many titles you have or how many degrees are behind your name. Whether you are a priest, pope, bishop or pauper, we are not in this country going to tolerate any form of domestic violence against any individual, and that is what we are saying.

We have outlined: To facilitate the enrolment of perpetrators of domestic violence in programmes; extended the classes of persons who may intervene in applications; and established the duties and powers of the members of the Royal Barbados Police Force.

Madam President, we are here to love one another despite differences. We are here to appreciate one another. No two individuals are alike. You may be married, like I do for 15 years, but at the end of it you still have to have discussions with your wife. There are still going to be differences and you have to appreciate sometimes the suggestions of your wife because no two persons are alike, but if you want to have the attitude that everything that your wife says makes no sense, you are creating problems. As I said, in marriage you have to build good credit and you could only build good credit in a marriage relationship if you respect the views of the other individual and the other individual respect your views.

Madam President, do not let us stop here. If there are more amendments to be made to the Act, let us do it, let us continue this fight because what we are doing do not only include Barbados but extends worldwide, so this is not just for Barbados alone. Let us live with one another in understanding. Let us love one another as a people. Resorting to violence to answer a problem is the wrong way to go and is going to create more problems. Let us have discussions. Let us tell our young people to have discussions. Let us tell our young men and women that they can solve their problems without having to be abusive, there is no place for it. Once we embrace these things, Madam President, we are going to have not a perfect society but a society that is liveable and an environment where we are going to have peace and some tranquillity.

Madam President, with those words, I am obliged.

SUSPENSION

Senator the Hon. D. W. BOYCE: Madam President, I beg to move that this Sitting be suspended until 2.30 p.m. today.

The question that the Sitting do now suspend until 2.30 p.m. was put and resolved in the affirmative without division and MADAM PRESIDENT suspended the Sitting accordingly.

RESUMPTION

MADAM PRESIDENT: This Senate is resumed.

ANNOUNCEMENTS BY HER HONOUR THE PRESIDENT

(Recommitted)

MINUTES

Madam PRESIDENT: Members, I am in receipt of the Minutes for February 10, 2016.

Senator Dr. the Hon. E. R. BYER: Madam President, I beg to move that those Minutes be confirmed.

The question was put to the Honourable the Senate and was resolved in the affirmative, without division.

GOVERNMENT BUSINESS (Resumed)

MADAM PRESIDENT: Senator Durant, you have the Floor.

Senator Rev. Dr. D. L. DURANT: Madam President, I want to begin my contribution to this debate on the Domestic Violence (Protection Orders) (Amendment) Act, 2016, with a familiar verse under John 1:4, which says: "Beloved, let us love one another, for love is from God; and everyone who loves is born of God and knows God."

Verse 11 says:

"Beloved, if God so loved us, we ought also to love one another."

Madam President, the truth is, if we have that love in our hearts for each other as the Scripture says, then domestic violence would not be something so prevalent in our society, that level of brutality, the inflicting of wounds and so forth.

Domestic violence, I believe not only damages the victims, Madam President, but can also damage the prospects for economic and social development of a nation, especially a Small Island Developing nation like Barbados, this level of activity can also damage those prospects. Studies in both developing and developed countries indicate that quite a significant number or percentage of women globally experience violence in their relationships with men, and that goes across the globe.

This Domestic Violence (Protection Order) (Amendment) Bill, 2016, was not designed to target focus on women and girls only, but includes men and boys also. It actually covers the whole spectrum of the human race.

As a matter of fact, domestic violence today is no respecter of persons, class or creed, children in arms are abused, children as young as infants, two-year-olds, four year olds, five year olds; children in arms are abused as well, not only physical abuse but also sexually molested at a very young age. Adolescent toddlers, teenagers, boys and girls, young adults, middle-aged, men and women, as well as the elderly are not spared. No one is exempt from this nefarious insidious onslaught on human kind, it is no respecter of persons.

Madam President, when we look at the definition of domestic violence, that is why I quoted the Scripture of loving one another in the beginning, because if that is there, then this would not happen but we know that sin abounds and harm, violence, acts of hatred, acts that worked out of jealousy and so forth are as a result of sin.

Madam President, domestic violence is a pattern of abusive behaviour in any relationship that is used to gain or maintain power and control and those words are important, gaining power and control in a relationship over an individual. It is the wilful infliction or threat of harm that includes child abuse, emotional abuse, financial, physical and even sexual abuse which harms the safety and well-being of other people. Madam President, some people seem to have a joy of being sadistic in their attitude in inflicting this kind of injury.

Madam President, apart from the blatant violation of human rights, domestic violence profoundly damages the physical, sexual, reproductive, emotional, mental and social well-being of individuals, as well as families, so it has a far-reaching effect, that is why we want to eliminate this scourge from our society.

Madam President, it is an epidemic affecting individuals in every community, regardless of age, economic status, gender, race, religion or upbringing, it affects everyone. Domestic violence can also result in physical injury, psychological trauma, and in severe cases it can also result in the death of an individual. This is something that we cannot sit by in a nation and allow to continue, hence the reason for strengthening the legislation today so that the police, the courts and so forth can have more power and authority in dealing and trying also to create a deterrent for people who want to involve in this level of activity.

It can be described as systemic and structural, a mechanism of patriarchal control of women that is built on male superiority and female inferiority. Madam President, that is far from the truth but that seems to be cultured. Also included in the study is sex stereotyped roles and expectations, economic, social, political, predominance of men, and the dependency of women, so it seems to be built

around that kind of myth that men feel empowered when they can have that level of control over women.

I think this is something that we have to stamp out in our society because it should not be tolerated, there should be a zero tolerance. I am thankful to God, I have been married to my wife for 35 years and I have never raised my hand against my wife, never did, and any man or father who raises his hand against his wife, even in the presence of his children, that is an act of child abuse, because those children are affected by that action. You would also find that those children would grow up and also begin to manifest the same kind of tendencies.

Gender inequality is at the root of this thing, in my opinion, and it is perhaps best to conclude that violence against wives is a function of the belief fostered in cultures that men are superior and women they live with are their possessions or chattels and they own them, that is why I said we need to note the words power and control. It seems that this is the kind of culture that many of our men grew up with.

When we look at the Barbados setting, domestic violence is not new to Barbados, a study showed that the first eight years of this 21st century, 27 per cent of Barbadian homes experienced the trauma of domestic abuse, the first eight years. Also in that same period it is said that 21 per cent of the murders committed during that same period were related to domestic violence and all the victims happened to be women. Although we know that domestic violence is not relegated just to women, we know that men too are victims of domestic violence, yet with all fairness the vast majority, 90 per cent or more than 90 per cent are women, hence why we stress on women being victims.

In that period, the highest for any one year was in 2003, there were 10 deaths in 2003. Thankfully, last year we had only one death due to domestic violence. In 2014 there were three. I want to commend spouses for their improved discipline during 2015, and that death occurred in December so really, in truth and fact, we can say that the last few years we saw a reduction in domestic violence deaths; three in 2014, one last year in December, so we almost made it throughout 2015 without a death taking place due to domestic violence. The most I can hope now is that this year that zero number will be met. I know, of course, that it is wishful thinking but we can only live in hope, and hope that the same way we almost made it without one death due to domestic violence last year, that this year we can go through successfully. I think in Guyana, in January alone there were already ten deaths due to domestic violence; ten already in one month. Something is working for us. I want to commend our people. I believe the efforts of the dedicated activists and the social workers, and those interventions with counselling, conflict

resolution and anger management are reaping positive results, along with the improved performance of the Royal Barbados Police Force. I commend husbands and wives and others in relationships for that good report in reducing the deaths in 2015. The good thing is that this year we have started and we are already in our second month, and I am hoping that the other ten months can have zero murders due to domestic violence.

However, men are still brutalising their partners, while some women are brutalising their men as well, so there is still a lot of violence happening within our island that we need to continue addressing. That is why we need to strengthen the laws so that this can be reduced. I want to commend the Royal Barbados Police Force for an outstanding job in maintaining the law and order and even stepping up their action in relation to domestic violence. These men and women are well trained, and they carry out their duties with a certain level of professionalism. To me, any police force with a record of solving 95 per cent of homicides in their jurisdiction is worthy of their pay, and the Royal Barbados Police Force has accomplished that. That is a very good record. Also, the Regional Police Training Centre has a module on domestic violence included in their curriculum for new recruits; so from the very beginning now, recruits are introduced to the problem and the dilemma of domestic violence and what to do in handling it, so they are better prepared when they are called.

There are a number of reasons, of course, for the incidence of domestic violence in our island; across the world but we are dealing with Barbados in particular. Studies from a report stated, among other things, that unfaithfulness is one of the reasons, or perceptions of infidelity. It may not be unfaithfulness but just a perception sometimes. Jealousy is another. Then there is the whole spirit of control, that wanton desire to be dominant, the idea or concept of being able to own your spouse or own your children. Some men just want to establish that form of domination and control, and men who are in that frame of mind have a problem because most times they cannot stand up to another man. Yet, they will take advantage of their spouses. There is also the misguided societal belief and acceptance that violence is justified in some circumstances. Nothing could be further from the truth, because we do not accept violence as a solution to problems. We need to make sure... That is why I stress on loving one another. When we love each other, when we have that respect, then we will try to make sure we resolve issues in a very amicable way and let not the sun go down on our wrath or allow things to fester. I also mentioned already gender inequality as a perception that men are accorded certain rights and privileges that are not extended to women. That also is not the truth.

Alcohol abuse is another reason for domestic violence; drunkenness. A lot of men in Barbados drink a lot, and I am noticing that a lot of women are drinking too and beating up men. We have it both ways, of course, but the majority and the most cruel and most painful is coming from men to women. The absence of safety nets to assist women who are dependent on their husbands for financial wellbeing is another reason. I am thankful to the Government for implementing just about two years ago the policy of making money available when a young woman goes to collect alimony or child support and none has been paid up. The Government has made provision for monies to be given to the woman while the Government gets it from the male, so that at least she will not go back home empty-handed but with something to put some food on the table. I think that was a very great initiative and as it continues to work, I trust that our young ladies, out mothers, will be helped.

There are some other Government initiatives to eliminate the incidence of domestic violence in our country. Government has intensified its efforts to reduce domestic violence by embarking on a couple of initiatives:

1. The Family Conflict Unit within the Royal Barbados Police Force, which was established on June 1, 2013, and that is working.
2. A provision of family services under the Welfare Department.
3. Help with the financing of the shelter for battered women.
4. The Partnership for Peace programme, which I think is an excellent initiative. The Partnership for Peace violence intervention programme is a psycho-educational 16-session curriculum for men geared toward decreasing male violence against women and family violence on a whole. It is based on the premise that violence is intentional and that abusive behaviours are chosen methods of gaining control of persons or situations. Here we have 16 sessions geared to help men.

I want to really applaud the Minister responsible for family and gender affairs, the Honourable Steven Blackett, for these kinds of initiatives and putting them on the table so that families can be helped, and so that men who are perpetrators within the confines of domestic violence can be given opportunities for counselling sessions to help change their behaviour. Partnership for Peace helps participants to accept responsibility for their actions and to choose new behaviours that are free from violence. You do not have to resort to violence to settle issues. I believe, and I think it was mentioned earlier, that some of this kind of teaching, intervention and education should begin from our primary schools in order to really help our children to

develop and to be cultured differently so that they will know how to handle problems when they are confronted with them.

The legislation, in the Domestic Violence (Protection Orders) Act 1992 and the Sexual Offences Act 1992 which we have before us today, is a bit archaic. They have been long in existence, and things that are happening I do not believe they would have been able to address because of that era and time, but things have changed. There are quite a number of new initiatives and amendments strengthening legislation within these two Acts, and it is a great improvement from that archaic system. In the area of the Protection Orders and the increased powers of the police, I am happy to see that under the Domestic Violence (Protection Orders) Act the perpetrator, when asked to leave the premises of the victim, still has to pay the rent, the mortgage, the utilities or taxes of the premises or other financial support until the matter is settled in a court of law. I think that is important, because in times past - even among some of those I have counselled - when there is a separation it seems as if money dries up and everything is stopped, and the woman or the wife is left with nothing coming her way.

Madam, until that matter is settled in a court of law I do agree with the fact that those things continued to be played and the children continue to be maintained. Also, the abuser or the perpetrators must pay compensation for pecuniary loss suffered by the victim as a result of acts of domestic violence committed including medical expenses, loss of earnings, cost of accommodation, cost of transportation or any other expenses reasonably incurred by reason of injury for the victim. Madam President, today that is only a fair act that those things be done and, of course, continue paying child support but very importantly another initiative that I appreciate is dealing with the security of the victim. It is said that the perpetrator must surrender to the police for the duration of an interim or final protection order any licences or permits issued under the Firearms Act and any ammunition or weapons in his possession or control whether or not such weapons were used to commit acts of violence. Madam, I think that is very proactive because a person involved in domestic violence activity may have already inflicted injury but should not be left with such weapons because you do not know what else they would do after that, they may have an unfinished job and therefore, having them surrendered licences and permit and firearms or any other weapon, I think is a very good initiatives and I applaud that kind of insight and foresight.

Madam President, this amendment also includes that a protection orders shall ensure that the perpetrator attend the Family Service Division in the Welfare Department or any such agency whether church or any such agency that the court may specify. Madam, not only the perpetrator

goes to that consulting but provision is also made for those who have been traumatised or injured and even the children and spouse will also enter counselling sessions, rehabilitation and there is help for dealing with the particular traumatic situation they have found themselves in. Madam, the victim or any children involved are also to attend counselling session. I think that is commendable.

Madam President, I am also impressed with the level of accountability that is placed on those particular demands because these counselling session entities are to submit to the court a report on the progress of the counselling and therapy sessions, so there is a level of accountability, not that these people are sent there and you do not know what is happening or how they are progressing or if they are even going at all but a record has to be produced to the court, and I applaud that.

Madam President, on the duties of the Royal Barbados Police Force, there is greater responsibility and accountability on the part of the police force because under this amended legislation they are to respond to every complaint alleging domestic violence. It was said earlier that in times past, a police may have been called and they did not respond. One of our Senators mentioned earlier somebody therefore died and in this legislation here, it is important that they respond to every complaint alleging domestic violence. Madam, a record has to be kept and report of the alleged domestic violence complaint so that there would be a paper trail by the police. In case of domestic violence, the police should offer assistance to the victim by seeking medical attention for them and not leaving them to struggle on their own, also being present on the premises if they need to retrieve any property or anything they want to have for their convenience if they are staying at some other relative or somewhere else in the meantime. Also, it is important that the police ensure the safety of all family members and children as well within the confines of that particular area where domestic violence has occurred. They are to prevent, of course, which is basis, any further breaches of the law by that perpetrator or anyone else.

Madam President, I think that the power of the police and the responsibility and accountability of the police department is in place and I know that these measures can only augur well to help reduce the incidences of domestic abuse in Barbados.

Madam President, it says that a subordinate officer may issue an emergency protection order where he has reasonable cause to believe that the issue of an order is necessary to ensure the safety of a person at risk. Madam, that order will remain in force until the court issue a protection order. Madam, to me, this too is a very brilliant initiative and this is an initiative that could save lives because proactive and having that authority to issue an

emergency protection order rather than going through all the red tape and then you cannot get it today, you have to come back tomorrow, you do not know what could happen the same evening and you are not coming back until tomorrow with a Protection Order, and you have to find a judge to sign it and all of that. Madam, the kind of Emergency Protection Order I think is a very good initiative and I like also the level of responsibility and accountability that the police officer has to give. The officer cannot willy-nilly pick up and do it because he knows he has to give an account why it was done, why it was implemented, why he took a particular route and it has to be valid, so they will make sure they do whatever they could to save lives and to bring a level of security and confidence also to those people who are abused.

Madam President, one thing I would say about that aspect is that I hope that both spouses whether man or woman will not end saying, "I will get you, I know what to do to you", and just decide to make a false accusation or false claim because they have the power or authority to do it and have the police come and arrest the other person on a false notion. Madam, as a matter of fact, I think it would be necessary to emphasise because it is very clear under Section 19 (a) that anyone that is found making such a false report will be liable to a fine of \$5 000 or a term of 12 months imprisonment or both. I think that should be known up front and that spouses should be aware of that so that they would not just become vindictive or spiteful and make false accusations just to get the other half whether it be the man or the woman charged and carried down to prison when it is a false accusation because if they are found I think those fines should be carried out, so that they know you are not making sport and playing with people's lives. The Act says that a member of the police force may without a warrant enter into any premises for the purpose of giving assistance to anyone present if he has reasonable grounds to suspect that an Emergency Protection Order or a final Protection Order is being breached. Madam, of course, again accountability comes into play there.

Madam President, we see child abuse which is also a part of this because, as I have stated earlier, child abuse is part of domestic violence, especially when a man or woman is beating the partner brutally or even to the extent of killing in front of the children, that is an act of abuse as well but any form of child abuse must be report and that is in this legislation as well, whether physical or sexual.

Madam President, I am concerned with the number of 11-year-olds who are pregnant from time to time in this island and the perpetrators seem to be going off scot-free. No charge, nobody being brought to the Court, being hush-hush and yet a 10-year-old or an 11-year-old is pregnant. That is not right. Where is the right of that child? This cannot continue. Doctors are a part of this legislation but everyone who knowingly know of such incidences and

does not make a report to the Child Care Board or to the Royal Barbados Police Force (RBPF) first is also guilty of a fine or can be jailed, but the hope is that doctors, lawyers, teachers, principals, neighbours, and other responsible citizens will speak up when things like this happen and not just turn a blind eye and say it is not their business. Any child being molested at this level, it is all of our business. We are our brother's keeper and we have to protect the children of the nation. Statistics shows that between the years 2002 and 2008, 1 594 cases of physical abuse of children were reported and that was only those that were reported. Between 2009 and 2015 last year, 1 656 cases of physical abuse on children were reported. Between 2002 and 2015 those two figures added together, look how much you are ending at, over 3 000. In the area of sexual abuse, between 2002 and 2008, statistics show that 1 306 cases of sexual abuse on children were reported. That is only what we have reported and between 2009 and 2015 there were 1 441 cases of sexual abuse on our nation's children. Now fellow Senators and Madam President, this cannot continue. The (inaudible???? and the pain, the heart, the trauma of our children in this country, they are crying out for help and we have to be the voice for the voiceless. Under neglected children it is said that between 2002 and 2015 statistics show that a total of 7808 were neglected. Over 7 000 almost 8 000 between that period of time of time. When these children are neglected, we wonder how come they are ending up on the blocks, how come they end up with guns and selling drugs because if they are being neglected by the one who are to shepherd them and to be their guardians, parents and so forth, and the dealers on the block decided to take them in and to make them new and to give them a little money in their hands, whatever, then they will come in and grow up in that culture and begin to be trained along that line of depravity and will lead them into that juvenile delinquency and criminal activity; the whole aspect of neglect. Let us save our nation's children one child at a time. It is said: "Behold, children are a heritage from the LORD, the fruit of the womb is a reward. Like arrows in the hand of a warrior so are the children of one's youth."

In closing, I think it is time for us to have some privacy laws, introduce privacy clauses on the social media to protect citizens from defamation of character, cyber stalking, that we heard about earlier, internet harassment and posting of sexual photos. Because you fall out with your partner or your spouse suddenly you gone and fill the news media with photos of sexual activity you may have had with him or her before. I think it time that some privacy clauses be introduced and legislated so that the Royal Barbados Police Force (RBPF) has the right to go and make sure that those postings are taken down and also that computer, laptop or whatever is used taken away. I would like to suggest that we provide a survivors' handbook for all victims of domestic violence. A handbook developed to explain the legal system, how it works in it

relation to domestic violence, explain your rights, explaining the rights of the victim and the children, things they can do in a particular situation, what is domestic violence, when is abuse and battering a crime, all of those things should be explained in that handbook. Child support, protection orders, powers of the Royal Barbados Police Force, early signs of domestic violence, when sexual conduct is considered a criminal offence or rape. I think all of those things should be in a survivors' handbook that is delivered to victims of domestic violence so they can have something to read to educate themselves some information that is much needed to help them on their way forward along with the counselling and all that they are introduced to from the Court to help give them that level balance again or bring them into wholeness. I really give my full support to this Bill, Madam President, both of them together, the Sexual Offences and this and, of course, it was long in coming and I am glad for this day. Thank you, Madam President.

(A rousing round of applause)

Madam PRESIDENT: Senator Worrell, you have the Floor.

Senator A. R. WORRELL: Thank you, Madam President. I rise to support the amendments to the Domestic Violence Protection Order Bill as well as the amendment to the Sexual Offences Bill as well. I think it is these kind of debates that we should really have robust discussion within this Honourable Chamber on an issue that really affects the society and I would want to start by commending all persons who would have gone before me in terms of making contributions in this debate and also to commend the Ministry and the Bureau of Gender Affairs which would have piloted for many years and would have advocated for these amendments to these legislations to be made. This legislation that we are debating was first proclaimed on 13th February, 1992 which is 24 years ago this month and it came into being because at that time it was recognised that there was a need for such legislation to speak out against what was happening within our households, the issue of domestic violence on recognising that it was, indeed, tarnishing our society. This legislation would help to address an issue which some of us would have perceived to be the norm to some extent or almost acceptable within our society in terms of this whole idea or this notion that a man should be able to have some sort of power or abuse the woman that he is in a relationship with and this legislation came about, especially in 1992 when we recognised as a society that this is no longer acceptable and no longer the norm and you needed to put some things in place and bring some sort of restraint or bring some sort of normalcy so more or less this legislation is helping us to do a course correction in terms of helping people to recognise well, there is a certain standard of behaviour which we no longer find acceptable and which we are

seeking to weed out of our society and that is why there is the need for this domestic violence legislation in terms of weeding out an unacceptable form of behaviour which has been a part of our society for many years and we no longer find it tolerable, we no longer find it acceptable and we recognise that for many year there have been victims and families, children who were scarred and who would have lost their lives as a result of domestic violence. It really is something that has put a tremendous bloodstain on our societal fabric, and something which we need to wipe out so I am pleased to be able to speak to this legislation today.

Madam President, even though this legislation was in place 24 years ago, it has now become even more critical and important for us to speak today about amendments to this legislation. The legislation was put in place in 1992 and it dealt with the society and the family structure which we had at that time, but over the years Barbados has changed, our family structure has changed, and our living environment has changed and therefore we needed to bring changes to this piece of legislation to make it relevant as well. Madam President, I am pleased that some of these things have been highlighted and brought into consideration in terms of making this legislation with the Amendments that we are bringing to the table, more effective as it speaks to the family structure and the environment in which we are living.

Madam President, when we discuss this legislation, we also have to discuss the society that we are living in, the norms and behaviours that we are seeing and the type of environment that we are living in in terms of what our children are learning, what they are exposed to in the homes as well and what sort of families we are being raised in or what sort of families we are seeing on a day-to-day basis in Barbados.

Madam President, organisations such as the Bureau of Gender Affairs with the support of a number of community groups and social groups such as the National Organisation of Women, the Men's Educational Support Association (MESA), the SAVE Foundation and other departments, the Welfare Department, the Child Care Board, the Royal Barbados Police Force and the judicial system would have made inputs into what is needed to make this legislation more effective that it can really address the concerns of our families and persons who are victims of domestic violence.

Madam President, after agitating for 24 years, I am pleased that we finally are at the position today where we are discussing the Bill which would amend the legislation and put in place many of the things which they have asked for to expand the scope of this domestic violence legislation by broadening the definition of domestic violence, extending the classes of persons who are considered to be victims of domestic violence and also

strengthening and highlighting the fact that you need to ensure that persons who are perpetrators and also victims of domestic violence are exposed to counselling.

Madam President, this legislation takes into consideration that domestic violence is not just about a man or woman who are in a relationship as was narrowly defined in the previous legislation where it talks about a spouse and so forth, but it goes further where it speaks to relatives and dependents, especially dependents who may be persons with disabilities who can also be victims.

Madam President, we know for a fact our victims of domestic violence, so over the years a number of persons have agitated and brought their voice to the need for changes to this legislation, and I am pleased that the the Ministry of Social Care, Constituency Empowerment, and Community Development, the ministry which the Bureau of Gender Affairs falls under, and also the Bureau of Gender Affairs who would have championed the development of this piece of legislation to begin with, heard these calls and put the necessary changes and legislation in place.

Madam President, I would want to highlight a few things with regard to this piece of legislation that I am quite pleased to see included. Madam President, before that, I would also want to speak in terms of where are we going as a society in terms of the violence we are seeing within our society because this legislation also speaks to that. This is a good opportunity for us to discuss the type of violence that we have been seeing. Many of us would know of incidences of domestic violence. We wake up one morning and we see and hear on the news or read in the newspapers that a woman, in most cases, lost her life as a result of some act of domestic violence. To some extent we may know of some families where this is practised. To some extent, domestic violence within a household does not necessarily remain confined to that household, so I am very glad that this legislation highlights the fact of abuse because you have to take into consideration the exposure of children who witnessed domestic violence.

This legislation nicely recognises and considers that children who are exposed to domestic violence is also a form of abuse and something which needs to be dealt with because research has shown that children who are exposed to domestic violence will later grow up to become victims themselves of domestic violence or even perpetrators of domestic violence. It is a learned behaviour and if a child, especially a young child, is exposed to domestic violence, they will believe this is the behaviour they are learning from their parents and from those around them and they might believe that this is the way to react in certain situations.

Madam President, I believe that further research needs to be done, but it has already started, in terms of the extent to which domestic violence could lead to other forms of violence within society and other forms of criminal activity as well. Madam President, that is why it is very important that we in Barbados are taking seriously the impact that domestic violence has on children because to some extent it would impact on the society that we develop in terms of our children being exposed to thinking that this is the normal course of behaviour and recognising that these children too are exposed to domestic violence and are victims and ensure that they have the necessary counselling.

We need to look at the occurrences of violence that we have in our society. Almost every day when you go on social media you see some fight being highlighted. Oftentimes you see more people trying to record the fight than you see persons trying to stop the fight, so that means to some extent that we have become accustomed to that form of violence so it has become a part of our society, so are we as a society becoming more tolerable and accepting that form of violence or violence as a whole. This is something that we need to be very conscious of.

Madam President, there have always been fights in schools, so I am not even going down that line in criticising our school children and saying that they are the worst people because of the number of fights that you have in schools and so forth. There have always been fights in school. I myself when I was at school was involved in fights, so I would not criticise the children.

Asides.

Senator A. R. WORRELL: You win some and you lose some, but I won the majority.

Asides.

Senator A. R. WORRELL: This is a good example: Did you beat them? It shows that we have become more accepting of this demonstration of violence and this demonstrating of behaviour, so these are things that we need to work around and have serious discussions about as a country in terms of helping our people to recognise that is the basic way in terms of dealing with a problem but you need to expand your means of intervention and how you deal with problems. These are things that we need to start addressing as a society, teaching our children to expand the way how they cope with problems and deal with situations not only to resort to violence. I can accept a child because if you take away a toy or something from a child, the first instinct for some children would be to lash out at you or whatever the case might be but unless you properly train that child in the correct way to let them know this is not the acceptable behaviour, he will never understand that there

are other ways in which you can approach and resolve a problem, so that is what we need to get at as a society, in that, that first instinct for you to lash out, to beat the person or to engage in some form of violence is not the way that you ought to go or the road that you ought to take in terms of dealing with your problem. You need to start utilising more tactful and resourceful ways and your intellectual capacity in terms of dealing with issues.

We need to bring matters to the table and to discuss them in a civilised manner and we could find amicable solutions to our problem. The only way to deal with a problem is not with the fist, the belt, the foot nor anything of that nature but we need as a family, as a people to start discussing our problems and look to find amicable solutions, without resorting to violence. If we can get to that stage in society, we would not need to be filing protection orders in court, because a husband and wife would understand that they can work out their problem, or persons in a relationship would understand that they do not control the other person, that the other person is not their property, that they cannot beat them, abuse them, withhold things from them nor harass them. Instead they will find ways of working out whatever differences that they may have and find ways of solving their problem.

Madam President, we need to get to that higher level in terms of promoting and preaching what is the standard of behaviour that we would want our people to aspire to and to reach towards and the ways that we would wish for them to be able to solve their problems and to live in a society as a family, as friends, as neighbours and so forth. Madam President, to some extent we need this piece of legislation to help to guide us along that way.

Madam President, as a result of all of the issues that we are having in our society, we see bullying in our schools, on the social media and so forth. All of these things we need to speak to and to address, that is why I am encouraged by the many people who so far have spoken in this debate. I know that there are a few others to come and that they will probably lend their voices to this discussion as well. These debates are important, discussing issues that affect the society are important. We need to make sure that we protect our social fabric, the country in which we live, the people that we are around, especially as a country that is going towards its 50th Anniversary of Independence.

We need to set high standards of what is acceptable forms of behaviour from our people, so that when things happen we would not have to bury our heads in the sand or to be ashamed about it, but we should be in a position where our people basically know the standard of behaviour that is expected from them and that they have the channels or the stepping stones that would be able to help them to reach that stage.

Madam President, I would have mentioned that when the first set of legislation was put in place in 1992, it took a very narrow view of the family structure. In fact, the legislation would have said that a spouse includes a party to a relationship where the parties are living with each in the same household as husband and wife. Now, we all know that is no longer necessarily the normal family relationship that we have in Barbados and that we have quite a few numbers of relationships or family settings.

Madam President, for years we have had the common law relationship in Barbados. This new piece of legislation recognises that in terms of speaking about cohabitation relationships. We also know that quite a few of our relationships where people are involved that they do not necessarily live in the same household. What was a shortcoming under the previous legislation was that you could not apply for a protection order if you were not living in the same house as the person who would have been the perpetrator of the domestic violence.

Madam President, this piece of legislation now takes into consideration visiting relationships, so that even if you are not living in the same house as the perpetrator but you are known to be in a relationship with that person, you can apply for a protection order, and we have seen quite a few incidences in Barbados in terms of violence in relationships where this piece of legislation could have possibly saved a life or could have prevented that violence from occurring.

Also, the legislation, as far as possible, goes in terms of trying to be gender neutral, recognizing ... This is the honest truth because we do know of situations where men have been victims of domestic violence, not necessarily by women but also by other men, because we do know of situation where a man might have been in a relationship and might have died as a victim of domestic violence by the hands of another man. This legislation to some extent speaks to that, in terms of expanding the definition of a domestic relationship, where it goes beyond the victim being a spouse, a former spouse, a relative, a perpetrator by virtue of consanguinity or affinity and includes cohabitation and visiting relationships.

Madam President, we do know that there are a number of relationships which exist in Barbados which do not necessarily conform to what the church would accept to be the norm but this piece of legislation brings that into view, so that a man or a woman could be a victim of domestic violence by the hands of another woman. Same-sex relationships can also use this legislation to apply for protection orders. Madam President, that was not necessarily covered to the same extent in the previous legislation so this is, in a way, taking the legislation forward.

I would also want to highlight as well the fact that that the previous legislation narrowed domestic violence in terms of looking at a spouse, this legislation now takes into consideration dependents. We have a number of families where persons with disabilities do live within the family setting. We do know too that persons with disabilities, either physically or other forms of disabilities may become victims of domestic violence. Madam President, under this legislation they too are protected. The legislation also sets out agents who can be advocates for them so that they would no longer have to be victims of emotional abuse in terms of being denied certain privileges because of your disability, that you may have to ask or seek a family member's permission to do, things that you should have been normally able to do.

Madam President, under the legislation even persons exposed to economic abuse are protected, because we do have some persons who have a disability and to whom the Government of Barbados have for years been providing them with disability pensions, but these disability pensions are not necessarily spent on those persons with disability, they have no say in how it is spent or if they need certain basic supplies or whatever the case may be. Regardless of how old or the intellectual capacity of the individual, they might not have a say in how that money is spent and the person who is their caregiver or the person with whom they live determines how that is done, that is considered economic abuse as well. Madam President, this legislation speaks to that, it speaks about protecting these persons from that form of economic abuse. In this legislation it is termed as financial abuse.

Madam President, we have extended the scope of the domestic violence legislation so that we can take into consideration that financial abuse. There is also emotional abuse where you hardly see the external scars, but they are there, and we take into consideration how a perpetrator of domestic violence could impose psychological pressure on their victims, either by depriving them of certain things or making them feel like less of a person than they really are, and devaluing their self-worth. All of that would comprise emotional abuse and it is taken care of in this legislation. There is harassment as well. Now that Barbados has come to the age where the social media is our best friend and we spend the majority of our time there, we have seen, especially in recent times, how persons have been harassed and taken advantage of via the social media. That is also covered within the domestic violence legislation.

I really must commend the persons who would have worked toward making the amendments, and I think it is important that we highlight -- I would have done some of this already - some of the things that are new to this legislation. I would have already spoken about the Protection Orders, and under the old legislation it was limited to the spouse, the child or the member of the

household, who were covered by the Protection Order. Now, within the new legislation, it has been expanded in terms of the persons who can apply for Protection Orders, and you have dependents or persons with disabilities, and relatives either by blood or affinity. It also includes cohabitational relationships and visiting relationships, so that is a plus. We have extended hope to a number of people who may become victims of domestic violence and who can apply.

What is also important is who can apply for the Protection Orders. Under the old legislation, you had the spouse or a child of the household or any member of the household or the Commissioner of Police who could apply for the Protection Order. I think that what is important in this legislation is that you have extended the rules of persons who can now apply so that you can have non-governmental organisations (NGOs) such as the National Organisation of Women, if they know of a woman who may have come to them for counselling or help or to say she has been a victim of domestic violence. That person may not have the strength or the ability to actually go forward and make that report, but now these NGOs, as long as they have the permission of the person, can now go forward and make those reports. You also have social workers, probation officers and representatives from the Child Care Board, and also persons who will look after persons with disabilities. Welfare officers, who may recognise that a person with a disability is a victim of domestic violence, can now advocate for that person and go forward and file for the Protection Order.

I believe that we also need, when we speak about this, to address the matter of safe houses for victims of domestic violence. I think that when we examine this, we realise that our family setting has changed, and I know that it is a practice now and that it was mentioned in the debates that some safe houses for victims of domestic violence do not accept children, in particular boys over a certain age. That could result in some families being split up. We need to recognise that our family structure is changing. Yes, these safe houses have their rules and policies because they have to protect those who are using the facilities, so obviously it may not be a good idea to have adolescents from different families within the same safe house. You may have some conflict or different things developing, so it may become necessary for NGOs to somehow, wherever possible, identify special arrangements or houses. For instance, a mother who is a victim and has an 18-year-old son who may still be a university student may not want to leave the child in the environment with the perpetrator of the domestic violence and may prefer to have the child with her. You need to be able to have a safe environment where that family can stay together and not necessarily have to be split up. Barbados has changed. We no longer live in that environment where we have our extended family unit where the grandparents may still be there or be willing to

assist or open up their doors to the family. The mother, for good reason, may prefer to have all of her children with her; but because she cannot take a child with her into a safe house, do not allow her to continue to be a victim of domestic violence. For those persons who provide this sort of accommodation, you might therefore need to look at special circumstances or have some sort of special housing unit developed where these persons can go and take their children, and not necessarily have to have the family broken up.

There are some unique things within the legislation which I would also want to highlight. They are not necessarily unique to the domestic violence legislation but they are also found in other legislation. However, they are new in terms of making provision for compensation for the victims, injury, and ensuring that the Maintenance Orders are still enforced on the perpetrator. It is good that this is brought up specifically in the domestic violence legislation so that it would be there. When the Protection Order is followed, you would not necessarily have to draw on other pieces of legislation but it would also be accounted for under the domestic violence legislation and the Protection Order, so that you can appeal to this compensation in case of injury. The Maintenance Order is also available for the children if the children have to be taken away from the perpetrator or be outside of the household.

One of the things that I particularly like about the legislation is that it advocates for the rights of the victim of domestic violence. This is something that I believe should be highlighted. The way how it is written in the legislation, when a victim applies to the police station, it is the responsibility of the police to inform them of the rights of a victim of domestic violence. I believe this is something that should be made known before so that persons who are victims of domestic violence can be empowered by this to come forward and seek protection or assistance in dealing with the Protection Order. I actually do like this part of the legislation, and it is something that I believe should be highlighted: "A victim is hereby advised of the right to request the assistance of a member of the Police Force in a Protection Order of the victim and the children, if any. You may request the assistance of the member of the Police Force in accompanying the victim and the children, if any, to a place of safety, including the Child Care Board, the home of a family member or friend, a shelter or any other place of safety." This is important, because we have grown up in a society where we sometimes believe that a victim of domestic violence -- and many of us have often said it -- deserves it, or we tend to shame those persons. Oftentimes, those persons themselves feel that they are the lowest persons and have no rights, no say, and possibly deserve what they have been getting, and that there is no avenue they can turn to for assistance. By highlighting to them that they have rights as victims and what should be given to them when they go to the police station and make a

complaint, this is very powerful and it can help to empower a number of persons, who themselves are victims of domestic violence, to come forward, so more or less it takes away a bit of the shame that goes around being a victim of domestic violence by empowering you and saying to that person that I have right and it would encourage them to go forward and seek those right. Madam, if there is one thing I would want to highlight from this legislation is this in the Schedule which abrogates the rights of the victim of domestic violence and it also highlights the duties of the members of the police force. Madam, many of them have been adhering to this duties but I believe that with this piece of legislation this amendment today, I believe that we would probably have to make further amendments to it by being more technological and utilising more technology and so forth but this piece of legislation should help to protect a number of persons and should hopefully help us to change the view or the acceptance of domestic violence as a norm within our society because we really need to be striving to a society which abhors any form of violence including domestic violence. We should also make sure that persons who are perpetrators of domestic violence as rightly highlighted in this legislation by giving them the opportunity that they can receive the necessary counselling that they can in the future learn how to properly approach relationships and deal with people.

Madam President, with those few words I gladly support this piece of legislation and I commend the Minister of Social Care and this Party that first brought the legislation in 1992, now 24 years after seeing it fit to bring amendments which were called for, advocated for and were absolutely necessary. I believe that we do have today a better piece of legislation which would go a long way in addressing something which has soiled the fabric of our society. Madam President, I thank you.

MADAM PRESIDENT: Senator Trotman, you have the Floor.

SENATOR SIR ROY TROTMAN: Madam President, I wish to give my support to the two instruments which are before us this afternoon and which are being addressed in the same way, that is to say, the Bill to amend the domestic violence protection order Act, Cap 130A and the Bill to amend the Sexual Offences Act, Cap 154. I have been very impressed by the excellence of the contributions which have been made by all of those who have spoken so far and I am pleased to see that the Senate is not divided on the matter. I do not have any comments which would be directed against anything I have heard although there are somethings I may have wish that have been presented to this House as part of the general education that we could all have had. I wish to make my observation from the world of work and that is not to say that I have not been impressed by those persons who have spoken so brilliantly on the legal aspects of the matter or those who have spoken from

the position of the health providers but I believe that the perspective of the world of work is one which should remind us of another occasion when we did a similar thing and where we added tremendous value to that discussion and to the battle that ensued in our effort to eradicate the scourge of HIV/AIDS. When HIV/AIDS was first being examined it was UNICEF and it was the Ministries of Health around the world that saw the matter as a matter which related to those two particular international institutions and which sought at that level to address the issue and then some of us within the ILO recognised that there was a dimension which was not being addressed and when once we decided that dimension was one that should be examined then we added greater value to the struggle and we were able to bring it even more levels of interventions to the arena for the struggle and the result was that with the ILO and with the workplace and the players and the workers representatives lending their voice to the struggle we were able to have what I thought was, and is an excellent battle which sometimes we are winning and sometimes we are not winning so much but hopefully, and where we have enlightened people, and where we have in fact overcome several barriers, and hopefully we would remove that scourge in time. We are all hopeful today, Madam President, notwithstanding the setbacks, some of which my colleagues have spoken to, that we could remove this further scourge of domestic violence. We have had some would be priests among us that have spoken to the issue assisting the registered priest who has spoken and I must say that I have been very impressed by the fact that they have been able to bring that dimension to the discussion as well and as some of them are seeming to be telling me all is not lost.

Madam President, nothing that I should say this afternoon should have anyone believe that I would endeavour to justify any level of violence which there is, man against woman, woman against man, man/woman against children or as is happening nowadays in some instances, children against parents. Madam, domestic violence in whatever form it takes is a scourge and we must do everything within our power to eradicate it. Madam, I would wish merely to cause our country to recognise that there is an extraordinary level of fall-out beyond the mere physical fall-out which there is and that fall-out is not merely a fall-out that takes place with the victim or the perpetrator but that the entire country is a loser every time that there is evidence of violence or that there is recognition of violence in intention because violence is not only physical, as we have all spoken but that it takes many other dimensions as well.

Madam President, we have all recognised that the victims can at many levels become a strain to the community and that victim become a strain to the community because she or he is limited in the quality of his or her social and/or social contribution to this country or to

that person's country wherever the person is since one of our previous speaker spoke beyond Barbados to a wider community, a wider arena in which we should have to pitch this particular battle and so I would wish in that same language to say that whatever the community is from which we are taking our stance that that victim of domestic violence is limited in that person's quality of contribution. Contributions socially, contributions to the society as a whole and I am treating those two words as being different in this context and that person is limited, Madam President, in the level at which that person can take care of his or her children for indeed if you are struggling with the trauma, which the challenges and difficulties of domestic violence then you are having not only to deal with the immediate instances of that violence, but you are having to deal with the anticipation of repetitions of those instances of violence and sometimes what is of greater fear or what bothers greater anxiety to the individual is not the actually physical instance that we called upon to or forced to suffer or that they are called upon to suffer but it is the anticipation that within a time that we do not know, but we do know that that time is coming, that within such and such a time that person is going to be subjective to something unpleasant. It reminds us very much of the times of those persons who have been made prisoners of war who have been subjected to all kinds torture and where it was recognised and it still is recognised that the torture did not come from the act of waterboarding or water dripping or the application of some form of electricity to the ends of the individual's extremities or to the points of a person's extremities or to the extremities of the individual. That in itself was not problem. You could take the pain when it came. It is waiting for the pain to come, waiting for the instance to take place that constituted a level of the violence, whether you want to call it intellectual, or you can call it psychological, or whatever other term our illustrious and medical psychological and psychiatric persons might choose to use to term it. That individual who suffers domestic violence is subjected to that same level of constant unbalance because that person is unable to continue that person's existence because of the uncertainty of what is going to happen. Whatever the reasons and all very good reasons that have been put forward by my illustrious colleagues who have spoken before as the basis for the violence. If that person is unable to be well enough balanced to take care of himself or herself then that person is equally well going to be unable to take care of her or his charges so that the individual does not suffer by him or herself, but whoever are the social responsibilities, the aged, or the children or the sick and suffering there are also going to be a part of the suffering that is taking place within the home. It does not end there within the home itself, Madam Deputy President, because we have established that domestic violence is something that is suffered by all levels of society, by the rich and the poor, intelligentsia and the unread, everybody at all levels, and I do not mean every single person, but I mean all strata of

individuals are forced to undergo that particular kind of difficulty and among those persons who suffer there will be teachers, there will be Sunday School leaders, I would not wish to say that I almost said it, even the Church leaders, but I would not say that since we had such splendid sermons here over the last two days of debates, but I merely say that at all levels it is possible for us to be having people who otherwise are responsible for leading this community to higher levels of community commitment but who themselves are being denied the opportunity to flourish and to give of their best because they have to suffer, not merely the indignity, but the fear, the damage and the trauma of ongoing physical and/or other forms of domestic violence. In the world of work, going through the same levels from the managing directorate of business down to the meanest level of worker this also is a part of the damage which takes place in any community. In the world of work we are faced with that problem and indeed when we look at all of the other areas, even including the church, it is a world of work that speaks to the greatest number of people if we try to segment them into communities and it is in the world of work and indeed in a general community involvement that the effects of domestic violence is to be recognised and to be feared because it has such a dangerous effect of removing our capacity to build our community as to make us move from levels of excellence into levels of mediocrity, sometimes to levels of apathy, sometimes to levels at which we become non-contributing in what the society needs from us. We have to see this beyond where ourselves see our immediate interests because in the language of the international labour organisation "an injury to one becomes an injury to all". That is not a truism that applies only to the conditions of work that would be at a workplace where exploitation allowed to flourish will adversely impact the conditions of labour on other workers. It is equally true that we must recognise that the expression in any form of domestic violence allows bias to go untreated will be the level of violence that will take over this community and will cause this same community not to flourish, but in fact, to retract itself and to move downwards along the charts. Where we do not recognise the effects on the community then, there are going to be problems which will result and they will result in the world of work not necessarily because other people may not have started in their positions in the world of work ready and willing to give of their best, but if we allow domestic violence in a workplace so to take over the sinews of that workplace, that victims will conduct himself or herself in a manner that is going to lead "copycatism". That is my word, Madam President, if you use it again you will have to pay me royalties. It will result in their being copycat approaches because people at work are people who will use the herd instinct and if there are recognised areas where other people are slacking in their work, then the individual who may have been giving more is likely to start not giving more but start reducing the level of that person's effort so that it becomes in consonance with the effort of

the lowest producer because nobody wants to be in a position particularly where there is equal pay and everybody gets that equal pay or where that person works twice as hard as everyone else but the management accommodates a situation where nobody understands but everybody can see the result.

There is a responsibility in my view, Madam President, for us to be able to treat to the dimension of the world of work with this issue because the entire contribution of all work communities may be damaged beyond proper repair if we are not careful in the way we deal with it. I would say that particularly at this time of the year we would be concerning ourselves with a week of activities which are intended to remind us that we are committed to giving always of our best to the world of work.

Next Sunday, as you know, Madam President, being the beginning of that week we will commence with a church service, and this is not intended to be an advertisement, Madam President, at the Whitepark Road church. I believe that those who believe in the excellence of work would join with us then, but it begins an occasion where we recommit Barbadians at all levels, and those who live in the country with us and who want to see us do well, to excellence in our work not merely for that one week but for the entire week, the entire work year and into the future.

Madam President, at a time like this it is proper for us to understand that if we allow any forms of weaknesses to present themselves, then those elements of weaknesses are going to bury themselves into the barrel because it is still true today that one bad apple is able to spoil the whole bunch. Unfortunately, when I speak about a bad apple, I am not referring to the victim as a violence but I am referring to the violence itself being allowed to go untreated and undealt with.

Madam President, it is very important that we recognise that domestic violence is not merely one person against another person but it is one person or his or her action stepping out in opposition to the entire community and what the community as a whole stands for and that that action might in fact adversely affect the productivity levels of our country, levels which have never been anything to boast about, and efforts which need to be improved but efforts which would not be improved but will suffer because of these kinds of violent actions and these scourges which they are in our world of work, and so we have to do something about it.

Madam President, among the other things we have to do about it is that we have to clean up the lunchrooms and the playing fields. The lunchroom and the playing field can be very cruel arenas for those who engage in taunting and in dehumanising. In the lunchroom colleagues may have

the rumour or may in fact have certain knowledge that there is a member in that workforce who is a victim of domestic violence. Those of us who are old enough to have been at work, and I am not referring necessarily to anybody in this room, I think we have all passed that stage, we know that people in a lunchroom can be as cruel as a hungry air in winter and they can say things knowing quite well that they are saying them within the hearing of a victim but because the crowd appeal is there and the herd instinct takes over, then those violent comments will be made in such a manner that the individual might be forced to lose his or her equilibrium and possibly not even go anywhere near that lunchroom for the rest of the day or indeed for the rest of the time the person is going to be working at that place and the person may prefer to take lunch elsewhere.

The playing field is even worse because the children are hearing their parents and unfortunately in many places there is no separation of what is discussed at the table between what adults should be dictating discussion in and what should be general discussion and so the children very often know more about what is happening in the area of domestic violence but they hear it from unfeeling and uncaring parents and they become uncaring children who in the playing field will taunt the children who are the children of those parents or those adults, or if the child himself is in fact a victim then the child may be forced to accept not only the domestic violence from the parent but the violence of his or her peers in the class, who then make that person's life so miserable that the child has hardly any opportunity to learn anything because that child will know that whenever there is a break she or he is likely to be suffering from the laughing at, the besetting, the taunting and the criticisms by those persons who should be in fact their friends.

Madam President, education is going to be very critical to our entire community in this exercise. I do not think that education in there being a radio programme once a week or education in a seminar or in a town hall meeting is going to be what would satisfy the need in our country. I believe that all of us, we in this Chamber but beyond us in the Chamber, our leaders in the church, our leaders in the non-governmental organisations, our leaders in the schools, and our leaders in the trade union movement, must change the mind-set and the attitude of a public that has a particular attitude or approach to matters of the weaknesses of individuals.

Madam President, what happens as a normal practice in this country, I do not wish to be anecdotal at this time but I merely wish to give you an expression of what happens, is that if somebody is walking along the street and that person slips and falls, the immediate reaction of John Public is not to be appalled and to rush to assist but to exercise a certain kind of 'cynistic' pleasure at the discomfiture. There is more to it but I will not say it in such

a forum regarding what else might be the immediate responses. What I am suggesting is that we have to move beyond the instinctive reaction that gives us a little jolt that carries joy in it to recognising that that person who fell may have been ourselves or our children or our parents and that our immediate response should be one born out of love that tells us that anybody who suffers any injury at any level is somebody for whom our hearts should reach out and we should be following our hearts in an effort to help those individuals.

Madam President, what I am suggesting is that we have to move beyond the instinctive reaction that gives us a little jolt that carries joy in it, from recognising that that person who fell may have been our children, our parents, or ourselves and that our immediate response should be one born out of love that tells us that anybody who suffers any injury, at any level, is somebody for whom our hearts should reach out and we should be following our hearts in an effort to help those individuals. Our human attitudes must change, our attitudes to how we respond to those people who are victims must change. That change, I submit to you, Madam President, has to reflect itself in the way that we will respond to some of those remedies that we have been so bold to speak about.

We have spoken about how great the legislation is, because it now empowers caregivers of one kind or another, but particularly because of the levels to which it gives authority and power for implementation to the police, and while I join with those who are pleased with the legislation and the extent to which the legislation is going to put a very heavy responsibility on the Royal Barbados Police Force, I wish, Madam President, through you, to ask the same public that is so pleased, to protect the police from comments which sometimes run to the asinine and very often to the irresponsible in trying to judge any action by any member of the Police Force, without having enough knowledge to be the basis for those asinine comments.

The police are being relied upon us to do a tremendous job, we have to be ready to support the police, and while I do not say that there are all police persons who exercise the right levels of responsibility, I am saying Madam President, that we have all to be ready to recognise that the intentions of this legislation are sounded and we want to correct our community by giving certain powers to the one body of people that is on the ground and that we are going to be looking at to give us that support, but if we do not publicly give support to the Police Force and be ready where the Police Force is wrong to be critical, but not to want to decapitate the person and the institution, then we are going to be building institutions but we are going to be taking the heart out of those institutions, even at the same times that we build them.

I speak as one who have authority in these matters. The Trade Union Movement has been equally well-called upon by the people of Barbados, the working-class, to uplift them and to raise them beyond the levels of exploitation which they have had, and yet the moments that they do this, they find themselves under the gravest kinds of criticisms very often by persons who do not seek to know, to discover, or to discover the reasons for the actions. Madam President, I have seen far too many examples where, though some of their colleagues may be wrong, the entire Police Force is stigmatised and whatever good they are doing in their action is brought to naught by negativity on behalf of the broader society.

It is my hope, Madam President, that this excellent piece of legislation which I hope will be passed, that it will be upheld and uplifted by all of us because we give credit and support to all the institutions responsible for making it live. I am grateful to you, Madam President.

Madam PRESIDENT: Senator Husbands, you have the Floor.

Senator H. A. HUSBANDS: Madam President, like all Honourable Members, I too rise to give my support to these amendments to this legislation and I am confident that at its passage it will advance the interest of all of us present here and the entire nation.

Madam President, let me in my opening comments remind you, and I draw to Senator Trotman's attention, he suggested that if you may use that term in the future you would have to pay some royalties. Let me remind him that I was one of the originators of the Week of Excellence of which he spoke about so eloquently and I am yet to see any royalties coming in my direction. I would also like to advise Senator Trotman that while I would like to join him in cleaning up the playing field, we would both have to be very careful of those people who we would ask to pick up the wrappers, least we find ourselves in a bit of trouble.

Madam President, I think sometimes in Barbados that we do not credit ourselves enough for the discussions that take place in the society and in chambers such as these. We are dealing with a topic that we all know of, while growing up in villages. We all know that in our days growing up domestic abuse, I would contend, was even much more prevalent than it is now, but little would be said publicly and certainly nothing would be said in a chamber such as this about domestic abuse, but we find ourselves in a position today where we have had very extensive discussions, very extensive debate and some very enlightening presentations have been made and not today only.

Madam President, last week we had some very good presentations, today we had the presentations of Senator

Sandiford-Garner and Senator Lady Haynes. Senator Lady Haynes' presentation was quite revolutionary. As a matter of fact, at the break I assured her that when persons on the call-in programmes descended on her, she can depend on me to hold her back, but I only listen to the call-in programmes one day a week. I am sure the issues that she raised must have taken some bravery on her part, but these are issues that we have to confront.

Madam President, I am one of those people and from my own experience working in HIV/AIDS, whenever you work in the area of HIV/AIDS, you have always sometimes to suspend your own personal sometimes religious and philosophical beliefs, because the wider question that you have to confront is saving lives and you have to decide whether you are going to put your own personal philosophical views before saving lives or not. In that context and certainly based on the experience of Senator Lady Haynes, her comments were very well made.

We also ought to place congratulations and thanks to the Honourable Minister, Steven Blackett, who has responsibility for this area, for bringing these issues to our attention in the form of these amendments and in legislation. I think that we owe a debt of gratitude to him, the staff in his Ministry and those persons who were in the working group for what they have done in this regard.

Madam President, we are into the area of conflict resolution, and I want to make just a few comments about what the Ministry of Education has done in this area. It is widely believed and widely said that even at the primary school level, we need the intervention of social workers and guidance counsellors, and so on. The Ministry of Education is fully aware of this need and has taken various steps. Many of the children in our schools, at the very early level, nursery and primary, present with all kinds of problems which, as one speaker said earlier, sometimes and in a large measure are related to domestic abuse issues which these children confront at home. It is the role of the Ministry to deal with some of these issues and challenge some of these issues in some of our primary schools. I have said repeatedly here that, with the assistance of the Sandy Lane Trust, we have social workers who are doing an extremely good job. We do not have enough. We certainly need many more. We need at least one per primary school. We are moving toward a position where schools can share; it is not the ideal situation, I know, but we are going in that area. In the Ministry of Education, there is the Student Services section. There are a limited number of people working in that area, and we would like to do more, but there is the financial situation. I am not talking only about the financial situation since 2007 but generally, even before then, we could not do everything, purchase everything and pay for everything that we know is necessary. The Student Services section in the Ministry of Education has some very dedicated people there who go out to primary and

secondary schools dealing with conflict issues, and they attempt to deal with the students who present problems, as I said, from their homes. Many times, these problems are related to the issue of abuse, domestic abuse and issues with their parents.

I took the step yesterday to leave my office to go to the Student Services section. Fortunately, many of the staff in that area were present there yesterday. They were not out in the field. They had come back, because they were having meetings with parents and so on. I wanted to hear from them what are some of the issues and what are some of the challenges facing them on a daily basis. Regularly, I like to have those discussions with them, and they described a multiplicity of problems that our young people in the schools, whether nursery, primary or secondary, present, but every single one of them went back to the same issue: The problem is not the children. They are children, they will do certain things and they will get involved in certain things. The problem, they said repeatedly, are the parents. We were taking bets on how many parents, whom they were to see that evening, would actually turn up to the Ministry of Education. They knew that this one and that one were not going to come, and they gave me all the excuses that parents present for not coming forward and taking advantage of services that the Ministry of Education has in the area of conflict resolution. Yes, the services are limited but they are there.

We also use the services of psychologists in the private sector. Some students are assigned as clients to psychologists who work in the private sector but are also paid by the Ministry of Education to deal with some of the challenges that these young people confront. The Ministry has its Schools Positive Behaviour Management Programme; again, very dedicated, hardworking individuals with limited resources who go out into the schools with a prepared plan involving the Parent-Teacher's Association, attempting to involve the parents again, and dealing with the challenges and issues that the students present in the school environment. Just by way of brief summary, these are all the activities that the Ministry of Education participates in so as to assist in this area of conflict resolution and dealing with the issues that children present in the schools as a result of everyday domestic challenges, domestic abuse, domestic violence, and so on.

Madam President, when I listen to the staff when they report and tell me about some of the challenges that some of these young people have to go through, I realise how privileged my own upbringing was. I am sincerely indebted to my parents and my teachers, and people who worked with me, because, as you can imagine, Madam President, I was rather troublesome myself, so I am extremely pleased about the experience I have had to put me on the straight and narrow.

If you go directly to these amendments and the legislation as it stands today, I consider this to be a revolutionary piece of legislation. Taking the point which I think Sir Roy made, there are several ways in which you can look at this legislation. We had the privilege last week of hearing the legal side. The lawyers challenge each other on various points; and whenever we come to issues of legislation, that is also a key component. With legislation such as this, Sir Roy used the position, the view and the perspective of the world of work. It is also possible to use the position of a victim. It is possible to have the perspective of a perpetrator. It is possible to have the perspective of a social worker, of an advocate; and having spent a lot of my working life in advocacy, that is the perspective that I have used to arrive at the conclusion that this piece of legislation is a revolutionary approach.

We need only look, I think, to make my point, at one specific area. There has been much said about the involvement of the police, and if you look at it from the perspective of the attorneys, one might see constitutional issues, but if you look at it from the perspective of the advocate, there are other issues that arise. What is the position as we speak? We all recognise the deficiencies that the police have had. My father was a policeman in the days when there was a house provided for the sergeant, so I was raised around a police station. Much of my life was around police stations, playing table tennis in the recreation room and so on, and I always remembered my father saying that he did not mind dealing with all the issues and challenges that policing presented, but he never liked dealing with domestic situations; in his words, “with man-woman situations”. He always told the story about a time he went to a scene involving man/woman situations and he had to put his hands on this man, who was beating a woman and as he put his hands on the man rather aggressively... Madam, as you know, these men who indulge in domestic abuse - the reverend said it - are in many ways cowards and they run away from a challenge from other men. Madam, the point is, he put his hands on this man rather aggressively and the woman that he thought he was defending put her hands on him and this is why the police say that they have problems always when dealing with domestic situation and that they do not like it but generally speaking, social and welfare professionals I imagine do not like dealing with domestic situations.

Madam President, this legislation, which I describe as revolutionary now put all of that on a completely different plane, once a call is made, that call could be made by the person who is being abused or it could be made by someone else as was so clearly outlined by Senator Worrell, once that call is made to the police, this legislation sets certain things in trend and some of them, it does not say that explicitly but because you are using the perspective of an advocate and of a social worker, some of these things that are immediate put in train when a call

about domestic abuse, that call is made to a police station, some of these are really protecting the police, for example, they have to record it and that record goes even up to the Commissioner of Police. If nothing happens, it will be a short report but the police in many instances in the past have been guilty of going to a scene involving domestic abuse, being in their view, incapable of acting, returning to the station and saying that people will quiet down themselves as one person said earlier, she call here every Friday night, so it is Friday next and we expect her call, so we either do not go or if we go, we go and then the man quiets down but what has happened, not only in Barbados, other Senators spoke about it, they have been instances when the police left and that man... Madam, let us be frank, it is true that domestic abuse involves both gender, it is gender neutral and all us that but if we are realistic, the majority of cases, 99.8 per cent of the cases, we are talking about a man beating a woman, so the police goes, they may know the man or whatever and so on and so forth, and they go back and then after they go, that man injures that woman or worse, kills her and the police has to face the charge from the public that they refuse to act. Madam, this legislation sets certain things in train from the time that call is made reporting the incident, and now the police has the authority to take away the perpetrator. Madam, we say arrest and so on and so forth but that is for the purpose of making sure that a lot of this is recorded, so the police at some future date can say clearly what actions they took. Madam, in many regards, this also protects the police against the whole system that we heard many Senators talk about where the two parties can kiss and make up. Madam, they say that make-up sex is the best sex, so I have heard, and then the police are left out feeling as though they are the bad guys.

Madam President, it happens sometimes when people steal from businesses. The business place calls the police to use the police to get back the money but once they get back the police they do not bother with the police anymore. Madam, not that the two are the same but I think I have made the point. Madam, a new regime is in place, that is what this is about, that is what these changes are about. We have put a new regime in place that will protect both the police and the victim. Madam, once she has made that call, the police has come, the reporting procedure has started and she cannot say now that she is not pursuing it. They are other agencies involved and the police in their own judgement can take certain actions, so both sides are, in a sense, protected. Madam, that is really what this is about.

Madam President, it is part of international best practice and what brings me to the point of the revolutionary nature of these changes is that it is a new plain that we are on, and it is going to take some time. Madam, certainly, it will not pass this evening and tomorrow the police and the victim of domestic abuse

understand it clearly and all is well, it will take some time. Madam, we talked about training and the module at the training school will have to be modified to make the police understand their new powers and how these powers are to be used, and understand what conditions they are to be used and so on and so forth. Madam, women groups and non-governmental-organisations (NGOs) that deal with domestic abuse will have to educate their members and clients about the new situation that it is not totally dependent on you but there are other agencies that have a role to play in these changes.

Madam President, there are one or two other changes that I think fall into the same category. This idea that the perpetrator must participate in psychological testing and so on. Madam, domestic abuse repeatedly has been shown it is possible to overcome the challenge but very rarely can the perpetrator of domestic abuse overcome the problem without professional help. Madam, we have a tendency in the Barbados, and in the Caribbean and in developing countries to underestimate the value of counselling, going to a psychologist and going to psychiatrist and so and taking these methods, these are seen as signs of weakness. Madam, it is a real fear. You do not want your workplace to know that you are attending a psychiatrist because immediately they would say, "You are a madman" and then that may have effects on your employ so it is a real fear, but we have now the issue is and the drafters of these amendments clearly understand that perpetrators of domestic abuse cannot overcome the challenge without some professional assistance and the same applies to victims and especially -- speaking from the point of view now of what I have been told by the professionals in the student services section of the Ministry of Education that -- when there are children involved, they too need the professional help and advice to be able to deal with the challenges which arise out of this.

I am convinced that this legislation is revolutionary in nature. It sets us on a new plain. It puts new protocols in place that the Police and the rest of us in this society have now to become aware of and not fearful that the Police will misuse their power of arrest. I have every confidence that it will be used to protect victims of domestic abuse, obviously with the right training and so on and so forth, but do you know, Madam President, this Democratic Labour Party (DLP) has brought and I always like to put these issues and these changes in a particular context. Since this Honourable Chamber has been sitting in this term we have brought, not only this legislation as being revolutionary, as I said, that is my view, but, for example, the Employment Rights Bill which was created for the first time in Barbados' legislation that provided rights at work and the Employment Rights Tribunal, the much malign employment rights tribunal is a creature of legislation that was brought to this Honourable Chamber and the activity that is taking place there now and broadcast some aspects

of it -- you know we may have a little issue with -- but that activity that is broadcast there now where workers are appearing before a tribunal arguing that they were unfairly dismissed, I do not know what is going to be the outcome, whether the tribunal is going to agree or is not going to agree that is another matter, but that itself and broadcasted live on television, that itself is revolutionary. We brought to this Honourable Chamber, not only this legislation, Madam Deputy President, but we brought the Safety and Health at Work legislation here. We proclaimed into law the Safety and Health at Work legislation that was hidden away for a long time and that previous to the Safety and Health at Work at being proclaimed, safety and health at work was limited to factories and it is now every workplace in Barbados. Every workplace in Barbados is now covered by the Safety and Health at Work legislation. We have done some revolutionary things in this country and this one, the changes we have outlined here, Madam Deputy President, put the domestic violence legislation on a new plain so that it offers protection both to the Police and for victims of domestic abuse and their families. I want to say that based on the discussions that I had with the student services section we need to do something. I am going beyond. I am saying what we have done in those areas, what this legislation means to me and what we have done in two other areas, but we need to start to put our minds together to do something. It may not necessarily be in the form of legislation, but something to deal with these delinquent parents. We have to take some action and we are convinced that the folks in the Ministry of Social Care, Constituency Empowerment and Community Development and so on responsible for this area, because if the staff in the Ministry of Education in the Student Services section are constantly reporting that the challenge they confront with the students, not so much what the students are doing, but the lack of parental support then we are going to have to take some kind of action in the future and this would be keeping with steps that this Democratic Labour Party (D.L.P.) has taken to advance the social conditions of people in this country. I have mentioned three and, Madam Deputy President, I look forward to the day when, I am not sure what it is, but based on what I hear from those people every day or every time I talk to them, we need to do something to deal with parents who allow their children to roam our streets at night and so on and so forth. Something more has to be done and I want to loudly proclaim my support for this legislation and I am confident that we are on the right path in dealing with the issue of domestic abuse. I thank you.

(A rousing round of applause)

Madam PRESIDENT: Senator Todd you have the Floor.

Senator P. TODD: Thank you very much, Madam Deputy President. I rise to support the passage of these

pieces of legislation namely the Domestic Violence Protection Orders (Amendment) Bill, 2016 as well as the Sexual Offences (Amendment) Bill, 2016 and I lend my support to those Honourable Senators who have spoken so eloquently before me thus far towards the passage of these very important pieces of legislation.

Madam Deputy President, looking firstly at the Domestic Violence Protection Orders (Amendment) Bill, I remember being raised by my grandmother in Chelston for the first four or so years of my life and I remember there was a neighbour next door who we believe was a victim of domestic violence. This debate conjures up my early recollection of domestic violence so close to me where, on evening when the male occupant of the house returned, maybe under the influence of alcohol we would hear the female occupant of the house bawling for murder being beaten. She was a brown-skinned woman so it was difficult for passersby not to recognise the results of this violence against her person in the form of lacerations about her face, arms, legs, feet and when they healed you would have the dark marks, or to see the black eye or the swollen face. This was common place throughout many districts in our country decades ago. Thankfully, we do not see as much of it as before, but one incidence of domestic violence is one too many, and therefore I congratulate this Administration for continuing the great track record of the Democratic Labour Party who introduced the Domestic Violence Bill many years ago and who now come with this Amendment that would help to ensure that any loopholes in the current legislation are filled so that we heighten our national response to fight the scourge and remove and eradicate the scourge of domestic violence in our society.

Madam President, first of all, I would wish to identify with Senator Irene Sandiford-Garner in terms of the point she made about the excellent victim support facilities available through the Royal Barbados Police Force in the form of volunteers who respond very quickly to scenes of crime to counsel and give that emotional support to victims of crime. I recall when we had the tragic Campus Trendz incident on Tudor Street where a number of young women perished in that fire caused by would-be robbers, that as I responded as Member of Parliament for the City at the time to that event and I arrived on the scene well into the early hours of the morning, that we had members of the victim support team of the Royal Barbados Police Force coming on the scene and taking the parents and siblings of those deceased women through the back entrance of Central Police Station and taking them to a more private area and rendering that assistance to these persons which was much appreciated. I witnessed that myself so I know what I am talking about and I congratulate those volunteers who go beyond the call of duty to counsel these victims in their time of need.

Moreover, Madam President, I know that the National Assistance Board also provides counselling services to persons. I remember when there was a house fire at 8th Avenue New Orleans which occurred a foreday morning and when I went to the scene the then Deputy Director of the National Assistance Board was there on the scene counselling the parents and relatives of the young lad who perished in that house fire, so I congratulate these persons. Of course, we have a number of consulting firms that provide counselling services throughout the Government services to respond to cases of crime and trauma at workplaces and so on in a timely manner, and this must be applauded.

Madam President, I am very happy that one of the Objectives of this Domestic Violence (Protection Orders) (Amendment) Bill is to ensure that victims of domestic violence receive the appropriate counselling or therapy. This is again another aspect of society providing the counselling to these victims of domestic violence. Even members of the disciplinary forces, the Royal Barbados Police Force and other first responders, sometimes have to be counselled when they have to respond to violent crimes and they have to witness corpses and badly injured persons, be they victims of crime or trauma situations in terms of accidents and so on, so counselling is very, very important.

Madam President, as I continue my presentation, I would wish to say that I get the impression that many men unfortunately engage in violence against a partner because there may be masking their inadequacies, their deficiency, be it a lack of the command of the English language or numeracy. In fact, some researchers argue that a number of inmates at penal institutions around the world not just in Barbados admit that they engaged in crime and violence because they have low self-esteem because they are illiterate and they do not know how to deal with it, and so I think it is very important that this legislation seeks to look at these perpetrators of domestic violence and that we are seeking to facilitate the enrollment of these perpetrators of domestic violence in the appropriate rehabilitative programme so that you do not get repeat offences after the perpetrators have been apprehended, incarcerated or what have you, but that we break this cycle of perpetual violence against the person, in this particular case domestic violence.

Madam President, I know that traditionally a number of these women have been trapped in those households where their male spouse has been persistently and consistently beating them because they were dependent upon these men for financial support to run their households and to feed themselves and their families especially children. Sometimes the man would come in 'blind drunk' as we say in our vernacular and because the woman may be asking where is the rent money or the money to buy food or to send to school the children and he

has spent it all out womanising or on liquor and so on, he gets annoyed and then he beats the woman, and the woman feeling that she has to endure this beating because there is nowhere else to turn or if she leaves the man, she does not have any source of income as she may be a housewife.

Madam President, I am very happy that many women in recent decades have taken full advantage of the taxpayers' funded education up to tertiary level provided by successive Administrations including this Administration where over 80 per cent of the economic cost of university education is still provided by taxpayers and so the contribution made by students at the university is minor compared to the vast majority of that bill being covered by taxpayers. Of course, this Government is providing hundreds of bursaries and other financial grants and students' loans to assist those students who need the assistance.

Madam President, what I am saying is that I am happy that women in recent years have taken advantage of these educational opportunities to the extent that sometimes their husbands, boyfriends or what have you or their brothers or fathers would drop them off at the University of the West Indies or the Barbados Community College or wherever they are studying to get their Associate Degrees, their Bachelors and Masters Degrees, their PhDs and the accounting qualifications and so on while the men go back to binge drinking and carrying on and are being left behind, not all men, but too many men are not man enough as it were.

The point I am making, Madam President, is that as a result of our women folk taking advantage of these educational opportunities, they are able to empower themselves and therefore they are less dependent upon that financial support from the male in the house and therefore if the man is crazy enough to beat that woman she can resort to packing up and leaving him because she has an alternative and she can go and survive on her own taking herself and her children away from that domestic abuse.

Madam President, this is one avenue that I would encourage women to continue to take full advantage of, so that they are not potentially dependent upon that abusive man and feel that they have to endure that abuse, because they are totally dependent upon that man for existence or subsistence.

Madam President, therefore I really support this amendment which among other things ensures that the abusive man or the abusive partner cannot use their financial control of the relationship to pull that partner into remaining in that household to endure that repeated violence, so that if there is a need for a cooling off period where the perpetrator of that domestic abuse is asked to leave the precincts of that home, it is not that as other have

mentioned that the perpetrator if he or she owns the house that he or she would lose rights to the house, but at least it gets them away where they are asked to move out for a cooling off period so that that violence is not repeated to the ultimate unfortunate case of death.

Madam President, this may seem to be a very aggressive piece of legislation but it is necessary because if we can save one life as a result of this legislation that life is worth it, so that we must assure the public that this is not draconian but that it is absolutely necessary, that the legislation is reacting to the realities of what has been occurring and the need to, as I said, to close those loopholes in the current legislation, whereas other Honourable Members mentioned while members of the Royal Barbados Police Force may turn up at the scene of a domestic violence scenario, only to be turned away by the perpetrator of that domestic violence act, who may be the owner of the home and may order the responding police officers off their property, because of the fact that the police may not have been able to secure a search warrant because it may be the weekend or what-have-you. Madam President, this legislation allows those members of the Royal Barbados Police Force to be able to act decisively and in a timely manner to save the lives of those persons who are being abused in that domestic situation.

Madam President, I believe it was Senator Durant who talked about certain norms or trends that occur in various societies in terms of what is perceived as the role of a man, what it takes to be a man, or to be respected as a man. I am saying that we as a society must reflect on this, the double standards that can exist in some situations where there may have a father of a female child in a household ensuring that their girl children are protected from boys who may be promiscuous. The father sees his girl child as important and an angel, yet in the same household -- I am not saying this happens all the time but it happens too often -- you may have a young lad who is being encouraged to learn the ways of the world; quietly the lad is encouraged to be promiscuous because that is what it takes to be a man, because no women even would want a man who is a big adult and does not have a track record of being promiscuous.

I am saying that we must ensure that we do not encourage peer pressure to the extent where some young men believe that to be a man you have to be promiscuous and aggressive and violent, that you have to beat the women if they do not submit to you. Madam President, that happens, there may be the situation of a young man who may be in a relationship where he tells somebody that he cannot control his wife, that she is not listening to him, then an older man may tell him that he has to prove that he is wearing the zip in the front of his pants and not at the side or the back, that he is the man of the house and therefore he should beat her into submission.

Madam President, that is what a man means, according to some people and we get these perceived roles of what a man is being very convoluted. I believe we have to look within our society, as our Right Honourable Prime Minister asked us as we celebrate the 50th Anniversary of Independence of our country, and look at any negative behaviours that are perpetuated from generation to generation and eradicate them from our society as we move forward into the next 50 years of the Celebration of the Independence of our country, Madam President.

Madam President, I really would wish to say that we are not animals. As I said, I studied Biology up to "A" level. In nature you may see, for example, walruses, where the male have to fight, sometimes to the death, in order to be able to mate with females in the various social groupings of those animals but we are not animals, we are human being, Madam President, and therefore I encourage us all to behave as such.

I was a teacher for many years, Madam President, and would have observed that as some young people interact, socially, for example, you would see a young man bending back the fingers of a young girl, to the extent that she is screaming in pain and trying to pull away from him, or sometimes he locks off her neck, then all of a sudden it ends in playful banter, as it were. I really ask myself, Madam President, what is going on there, is it that the girl is afraid of that young man, that if she pulls away he might beat her?

Madam President, I am saying that we have to watch this very carefully. Madam President, a lot of this is perpetuated even in the entertainment area, on television and on the big screen in the cinemas. You see a situation where a man may be trying to win the heart of a woman and he physically pins her against a wall or against a couch and she is saying no, but then all of a sudden the no turns into a yes and then they end up in passionate lovemaking and they live happily ever after.

Madam President, I am concerned that when young people innocently see this, they then go out in their social interactions with others and sort of live it out, because they believe that if that happens on television that it is really normal and acceptable and so they end up forcing themselves onto that person.

Madam President, we have to be very careful about these mixed signals that we are sending to young men especially in our society because a lot of this domestic violence occurs when the dominant male, for example, is not respecting of the views of the female, so that if the female says stop he does not accept that because he uses his brute force to get his way, be it sexual or otherwise. Therefore, I am saying that we have to make sure that we

do not perpetuate this unacceptable behaviour in these modern times.

Madam President, I also support the calls by other Senators to the whole issue of looking at conflict resolution. We have often heard people say a quiet word turns away wrath. I remember a number of years ago we had public service advertisements on television where in one scenario we had two young people on a basketball court, I believe, and they were about to get involved in a fist fight and they remember some advice and counsel and it ended up with the persons instead of engaging in violence but giving themselves a friendly knock on the fist and being able to resolve that situation peacefully. Madam President, this is a very, very powerful message and I believe that we are able to encourage our young people, and people in general, in how to resolve any differences in an amicable way. For example, Madam President, even again on the same entertainment media on the television and the big screen, you have scenes played out where somebody tells a person about their mother, and then the person who feels insulted beats that person and gives them a big punch. You see it on the Hollywood screen and that is supposed to be acceptable. That is what a man does. "How dare you insult my mother?" Now, you see it played out even in the schools and other parts of Barbados where that is acceptable. That is not acceptable, Madam President, because that person who throws that punch could end up being charged for assault and battery. Of course, I am not condoning persons insulting people's mothers, but you should take the legal recourse. It does not mean you are a coward if you go and report that person to an authority figure -- if it is a child - or through the various legal channels. Sometimes, to take that route is considered being a wimp or a coward. You take matters into your own hands; or if somebody insults you about your mother, you beat them and then sometimes the other person retaliates and you have a big fight that could even give rise to death. This occurs in domestic situations because this act is not just referring to spouses, but to siblings and so on.

When people live in close quarters, there is that opportunity for violence to flare up at a moment's notice because you are really interfacing and interacting, and when people are in a physically confined space their immediate area of control and influence is bouncing into others. If you are talking to somebody and there is a big argument and you come right into their face, the natural instinctive response is to defend yourself because you are coming too close physically to that person. I am not a psychologist but I know there is a view in the area of psychology and science that the closer you are physically to a person, the greater the likelihood of that sort of friction if that interaction is not positive. Therefore, when people live in a confined space, the need for maturity in terms of handling conflict so that it does not give rise to violence is very important. Sometimes people need to be counselled so

that they get those life skills that would enable them to remove themselves from such violence.

Madam President, as my time ticks away, I would then wish to go on very quickly to allude to the second Bill before us: The Sexual Offences (Amendment) Bill, 2016. There is some overlap with what we talked about in the other legislation, but again, just to focus on this, I understand from the scientists that many rapists, perhaps all rapists, actually perpetrate these heinous crimes and cowardly acts - I must say, in terms of rape - not necessarily for any sexual pleasure but again, because of this urge to dominate and overpower and physically control the victim. Therefore, any legislation that seeks to stamp out this scourge in our society must be supported, and I fully congratulate this administration for pressing ahead to ensure that no husband who wishes to take advantage sexually of his wife can be protected by being married.

Madam President, as I understand it, although husbands currently can be charged and convicted for raping their wives, they have to be not actually living together. In this legislation, you are again making sure that that loophole is cleared up. Madam President, because a man is married to a woman, it does not give him the right to have sex with her against her will. Again, as Senator Durant and others mentioned, there is the perceived role, and this occurs sometimes and is augmented even in certain cultural norms and religious practices. Some men may believe that because they are married to a woman, she is his property and if he wants sex at any time of the day or night, that woman has the obligation to submit to him. They use that word "submit" in some religious circles, and you hear that the man is the head of the household, and some men get the wrong impression that the woman is their chattel and once he is married legally to that woman, he has a right to have sex with her at any time against her will. This is not acceptable, Madam President. She is a human being. Some people may argue, "Okay, maybe the wife is deliberately not allowing the man to have sex with her to get back at him", but I am saying she has a right, Madam President. She has inalienable rights as a human being to say no, whether she is married or not. If the man is dissatisfied, divorce her. There are other women out there. Try your hand there, but a man has no right, whether he is married or not, to force himself physically, in this case sexually, on his wife, Madam President. Therefore, I fully support the passage of this Bill, Madam President.

I would wish also in closing in my final minute, notwithstanding what Senator Lady Haynes mentioned in relation to sex industry workers, to say that I have found that a number of these persons, I agree, are only engaged in this trade to support themselves and their families. I interact in the City of Bridgetown with many persons professionally; not buying sex from anybody. When I say professionally, I am talking about being a politician and

people coming to you asking for work and so on; that is why I am being very pellucid about this. I am saying, Madam President, that these sex industry workers, both male and female, actually indicate that they would wish tomorrow to get out of that industry if they were given an opportunity in terms of gainful employment or self-employment. My position is that we can encourage more and more of these persons to be empowered to get the necessary skills to be able to get out of that, because they do not want their children to engage in that activity, I can assure you. I believe that is the way to go; to really encourage these people, and I encourage businesspeople to give them an opportunity to get the necessary experience so that they can hold down a decent job and so that they can desist from getting involved in the sex industry. Associated with prostitution is the whole issue of human trafficking, and the prostitutes can be violated and even killed by their clients, so this is no Sunday School, Madam President. Therefore, I fully support these pieces of legislation and I thank you for your time.

MADAM PRESIDENT: Senator Byer-Suckoo, you have the Floor.

Senator Dr. Hon. ESTHER BYER: Thank you very much, Madam President. The honour is mine today to stand to wrap up these two cognate Bills: the Domestic Violence (Protection Orders) (Amendment) Bill and the Sexual Offences (Amendment) Bill. As I do so, I am actually quite excited about us having had this debate over the last two days. For me, it is exciting because, not that the topic itself is particularly exciting, but this kind of debate is what defines politics for me. Yes, all the legislation that we have done in this Chamber, all the legislation I have done in the eight years that I have been a member of the Parliament have had some impact on people, but then there is some legislation that touches the vulnerable more than others and touches them when they need help most. This type of legislation, the domestic violence legislation does that and it intervenes and help people when they need that help most. Madam, this is where, to my mind, what we do in this Chamber has the greatest impact. Madam, as I have said, I have sat in both Chamber and in the last eight years since the Democratic Labour Party came to office, we have done a significant amount of this social legislation that have had that impact on person. Yes, we have done financial legislation, we have done environment legislation, economic legislation, tax bills and so on but we have also done a lot of socially impactful legislation as well. I am glad that Senator Husbands' time ran out because I thought he was looking at my notes when he started going down the line of some of the legislation that we have done since coming to office.

Asides.

Senator Dr. the Hon. E. BYER-SUCKOO: He copied my notes, yes, but he ran out of time and he did not give Madam President any trouble as he usually does and he sat down. Madam, he did mention the Employment Rights Act which does have that impact on individuals lives and we are seeing that playing out, as he mentioned in the Employment Rights Tribunal. Madam, somebody earlier today mentioned the Maintenance Act, that allows for persons who expecting to receive maintenance through the courts and who are not doing so because the partner who is to provide it, has not been forthcoming with the maintenance to allow for something to be there so that the parent does not come away empty-handed because, as we know that can have a great impact on the lives of family. Madam, it is this type of social interventions that has allowed me to make up my number one priority when I came to the Ministry of Labour. It is going to be six years that I have been in the Ministry of Labour but I made it my priority to get some of this legislation moving. Indeed, the labour department reported to me that in the last few years, we have done more labour legislation than we have done in the last several decades, and this is what drives me to do legislation because I have seen sexual harassment in the workplace and that is the kind of thing I want to get rid of, in the same way that we want to get away from domestic violence. We see how that affects people and it affects every aspect of their being and everything that they do.

Madam President, this Sexual Protection Order amendment is also personally very important to me. I know everybody here in Barbados has seen some form of domestic violence and have experience it in their neighborhood and so on. Madam, certainly where I grow up in my village, the walls are very thin in the chattel houses so there is not much that went on that I did not hear. I experience a lot of that and then I became a doctor in the same community and I saw first-hand what happened. I saw the bruises that Senator Todd referred to. I saw the gashes, the cuts and the broken bones. I saw those things first hand and I have seen the affect that it has had on workers, who are not able to go to work because as Senator Trotman referred to, the loss of productivity when workers, even if they do get to work, they cannot function in the workplace because their minds are elsewhere, Madam, this is something that I know we have to deal with.

Madam President, indeed, I have mentioned why this legislation is so important to me. Madam, when I was 10 years old, I was very emotional and I was actually the only witness to the brutal slaying of my next door neighbor. She died at the hands of her partner and it was a life-changing experience for me to have seen that at 10 years old. I did have to go to court because I was the only witness to the crime.

Asides.

Senator Dr. the Hon. E. BYER-SUCKOO: Madam, as I have said, it was life-changing me it has driven me in a lot of my work as a doctor, in my community working with people, and then standing her to do this legislation. Madam President, for me doing this today is very significant in a personal way.

Asides.

Senator Dr. the Hon. E. BYER-SUCKOO: Madam, as I have said, it has been a long time. I am far from 10 years old now, I will not say how far but it is for me very significant that I have the opportunity to stand here today. I want not in this Chamber in 1992, when the Democratic Labour Party passed the first Bill but that I could be here today to do this is... It defines why I am in politics and I have sworn that wherever I am, I will protect people. Madam, at 10 years old there was this man with a 'collins' and there was nothing I could do then except go to court afterward but I swore then that I would do what I could to help. I worked as a doctor in the community, then working as the Member of Parliament and working in other capacities in the community and I did what I could but to be able to stand here and wrap-up this Bill, for me, I have achieved something I came here to do.

Madam President, I want to congratulate the Minister responsible for bringing it. I know that he too is motivated to bring social change. Indeed, the whole Democratic Labour Party has this ethos that drive us, a new philosophy underpins the Democratic Labour Party to bring this type of change. Madam, we had a contract the people in 2013 and we committed to creating a Barbados that is socially-balanced, economically viable, environmentally sound and characterised by good governance. Madam, socially-balanced means that we are not just looking out for the financial interest of big business, the wealthy or even the middle class but we are looking after those things that speak to the quality of life of the vulnerable.

Madam President, when it comes to domestic violence, anyone can be vulnerable. I talked about domestic violence in the context of my village and hearing blows in the thin chattel walls but domestic violence lurks in not just in the homes of the poor or in the homes of black people but domestic violence is found in all types of homes and in all types of communities across the entire globe. Madam, we came to office determined that there are some things we change, that we would change some of the social situations that we have found.

Madam President, as I have mentioned, it was the Democratic Labour Party that in 1992 brought the original Act that we are amending here today and it is because of that same mandate for social just that the Democratic Labour Party brought for us the National Insurance Scheme and free universal education and the Barbados Community

College. We also brought the Employment of Women Maternity Leave Act, so that women who were pregnant and took leave would be paid for it as well. Madam, there are other social things that this Democratic Labour Party has committed to doing and that we have done. Madam President, as a Party we want to continue to work for our society to become better and more just for us and that is why it bothers me that in other places there are some representatives who chose not to support this. Madam, I really cannot fathom that because every politician, every Member of Parliament certainly and every one of us working in the community, we work for people who goes through this. I do not think there is a single Member of Parliament who does not face domestic violence at some point in time and so, Madam, as I have said, it boggles my mind that in the other place there were Members of Parliament who chose not to support this. In fact, the absence from the debate boggled my mind but, Madam, all I can say is "anyhow".

Madam President, the Domestic Violence Bill fits into our mandate and so, as I said, I am pleased to support this Bill today. I give it my full support and along with this is other work that the Ministry of Social Care, Constituency Empowerment and Community Development is doing and we will be hearing more of that. I know there is a draft Gender Policy that is being refined and that will come and I am sure that will be laid in Parliament and we would have an opportunity to discuss that gender policy, but there is a lot that is being done and then in other ministries we have mentioned already that the Office of the Attorney General, they are working with, I think it is the United Nations International Children's Emergency Fund (U.N.I.C.E.F.) or United Nations Development Fund for Women (U.N.I.F.E.M.), they are working with the perpetrators of domestic violence to ensure that they get the kind of assistance and counselling and other assistance that they need and, of course, the Office of the Attorney General is also working with the Royal Barbados Police Force (R.B.P.F.) to sensitise them to their role in preventing domestic violence and in treating to domestic violence, but they are also working with them in the context of this new Bill and that is important. We did hear concerns raised about the Police and how they are going to take up their new responsibilities, but I am pleased to know that the Office of the Attorney General is working with the Royal Barbados Police Force (RBPF) so that they are prepared to take up these new roles and responsibilities.

Likewise, there were other interventions that were mentioned in this Honourable Chamber and those that I really support as well. I missed a few and I am told that I missed a few revolutionary ones as well today, Senator Haynes, and that is using the terminology of Senator Husbands. He described your intervention as revolutionary and then there are common sense ones, but I support the interventions that are going on and many that I have heard

presented. The interventions to ensure that there is a holistic approach to domestic violence because what we are doing here today is but one aspect of dealing with domestic violence. This is prevention and it is also perhaps after the fact, after someone has been hit then they go to the Police, but there is a lot of other work, a holistic approach to be achieved and this includes education from an early age and conflict resolution. Senator Husbands did speak about conflict resolution and this is something that has to be taught from an early age. It has to be taught in school, it has to be taught in Sunday School, it has to be taught at home and I support all of the interventions that are being done, whether it is at church or whether it is at school. Many interventions Senator Husbands outlined are being done by the Ministry of Education. He referred to the Schools Positive Behaviour Programme and so on. The other interventions they are all a part of this holistic approach in dealing with domestic violence, having persons understand the dynamics and understand interpersonal relationships and how to deal with conflict when it comes up and understanding that you do not have a right to hit anybody. There is nothing anybody does to you that gives you the right to hit them, whether, as Senator Todd said, they talk about your mother, whether they look at your wife, whether they take your property, whatever, nothing gives you the right to hit another person but that is something you have to teach children from an early age and it is also the education that has to go on from early too, is understanding and appreciating gender differences. From very early, boys and girls understand that they are different and boys and girls compare how they different. If you ever have little boys and little girls in the same place, it explored their differences and from that stage and beyond you have to teach children to respect gender differences, not taking the differences for weaknesses or for power or strength as the case may be because we have been told time and again and I have certainly heard it today in the Honourable Chamber that it is that power relation that is seen as being at the root of most domestic violence and most gender-based violence. The man, for example, in thinking that he is more powerful and he is entitled to more than the woman so it is having the change that and then we heard of other factors like this ownership, feeling like I own you or because you live in the house that I own or because I provide for you I own you. Those are things that we have to address, the belief that violence is justified in a society that allows one to think that violence is justified. Senator Todd referred to the fact that a man is expected to be able to do certain things and to be violent just to assert authority. Those are things that have to be changed. I think Senator Durant refer to the perceptions of infidelity and jealousy as other triggers that can cause domestic violence but whatever the trigger is we have to get to the root cause and let us teach persons from very early that whatever that trigger is, it might give you the right to be upset, it might give you the right to even be angry, but it does not give you

the right to hit another human being. We have to train our children very early so that they understand that.

Other interventions that are ongoing and some do need strengthening, but other interventions that I support includes the training of medical staff in the legal and criminal aspects of domestic violence so, for example, there is proper collection of information, proper collection of materials, proper documentation of a victim who comes for attention because these are things that would be very important when that person presents to the Court. A case can be built but it is very important that those responders, the medical personnel, know that to look for and know what to document and that type of training is also very important.

Also, and I speak from a perspective of a family physician, and index of suspicion because sometimes a patient may come and complain of one thing, complain of a headache, complain of a backache, something that is seemingly innocuous but that index of suspicion, "oh you know the thing. I walked into a wall, or I bumped into a door knob" or something like that, but that index of suspicion that leads you to ask a question and then help the process to be carried from there.

Other work that I support is work with the unions and with employers so that, for example, workplace violence is not tolerated and that the workplace is inaudible??????? occupational safety and health and that we did finally proclaim that legislation. It is because the workplace is to be a safe environment, and not just safe from falls or accidents on the job, but we want the workplace to be an environment where a worker feels safe. I believe too that, for many victims the only place they can go unchallenged may be to work because if you go to the supermarket and stay too long, there may be questions asked. If you go out, you know, you are not supposed to be out at this time, there may be questions asked, but the place that is probably not questioned is the workplace. It is safe to go to the workplace, it is expected so that is where the employers, co-workers, should again be sensitised and be encouraging, not ridicule a person who is a victim, but allow that person to get help and maybe because the workplace is the one place that they can go and be able to seek help and to get that assistance there. Perhaps, rather than having to make a separate appointment at a separate time of day to go elsewhere, but to be able within the worktime to go and get that help so that it would not raise any concerns within the workplace because yes, I do know a lot of victims who live in fear of doing something that would offend the perpetrator and lead to more incidences of violence. Many of our workers suffer in silence and it does lead to a lack of productivity. It leads to workplace accidents because they are not focussing on what they doing, their minds are elsewhere and they are operating machinery, they are not watching where they are going. All

of these things have an important dimension as far as labour and the workplace is concerned as well. I think it is important that a workplace interventions provided by the unions and employers to assist workers in this regard. This year, 2016, actually is proclaimed by the Productivity Council as the year of productivity so my mind is thinking all things productivity and certainly I can link this discussion back to the productivity inaudible???????? as well but I would not go any further in that regard.

I support providing employment to the victim because I know that some of the victims in shelters are being trained and being put into work programmes and so on, but that is important. We have to empower victims because many times the victim stays in a situation because they do not have the power to go and do something. They may be unemployed, totally dependent on another, totally dependent on the perpetrator for their very existence, their meals, the clothes that they wear, everything they have, there is nowhere else to go. They cannot go anywhere else because all the money they have is given to them by the perpetrator. Sometimes, the kind of emotional abuse that attaches itself to this situation is such that the perpetrator checks what clothes they have on and all the calls in their cell phone. This is the kind of fear that people live under. They are totally dependent on other persons, but if empowered through employment then they can work their way out of that situation, because those persons are very vulnerable.

I know we speak of these persons, especially women, when we talk about HIV/AIDS because it is a single unemployed dependant woman who again is not able to call the shots and sometimes find herself at the hands of a partner who is not practising safe sex and puts her very own life at risk. Such a woman also needs to be empowered so she can get out of that situation. Sometimes these are women who have children. I say women even though we have established clearly that it is not just women who are victims. Sometimes the victims have children and the support of the children depends on that same person, so I am suffering but I cannot take my children out of this situation because if I do, how could I provide for them, and I cannot leave them here because he would be angry if I leave and he would beat the children. I have seen this so often as a doctor in my practice.

As I mention children, another programme I support is the counselling for the affected children. We were talking at lunch and then Senator Husbands mentioned it again that parents too need to be encouraged in this holistic approach for treatment because a parent who has a child who has a gash that they got in a domestic violence will not hesitate to take that child to the doctor to get it attended to, but then when you say you know this is abuse, this is domestic violence, this child needs to talk to somebody, all of a sudden the dynamic changes and the parent say no, no,

I do not want her to go to any psychiatric or psychologist to get any counselling not realising that is an important dynamic of the treatment as well. We have this thing in our psyche that we do not want to speak to any psychologist or any psychiatrist.

As we were saying at lunch, there is the example of an amputee. An amputee will take the medication that is required for the wound to heal, will go to rehab and physiotherapy, will try on the prosthesis trying to get back up and about but then when you say to them we also need you to get some kind of psychological counselling - because you have lost something, depression can set in, this is a loss - they say no, no, I good, I do not need counselling, I do not need that part of the treatment.

We as a society have to come away from that realising that man is more than body, we are body, soul and mind and we have to treat to all of the various aspects to it. Domestic violence and abuse is no different, that is a very important aspect of training.

Finally, there is the training for judges especially, I think it was alluded to as well, so that matters are handled discreetly. This is a small society and it is important that our judges support what we are doing in this legislation, which is sending a strong message that domestic violence is not to be tolerated. Gender abuse is to be taken seriously.

Madam President, I have no qualms about supporting these two Bills. Indeed, it has been a great debate here and in the past few weeks since the debate started and it has addressed many of the concerns that folks had when we said that we were going to have this domestic violence debate. I am glad to say that I did not have men, for example, arguing that we should not strengthen our legislation which was a concern that was raised at one point. People may wonder why we are strengthening this, a man should be able to, but I am glad as a society that we are not doing that. When we talk about sexual harassment, at one point I was saying you cannot do that, a man would never stand for sexual harassment legislation but we are moving away as a society from that, I am not getting that kind of comment anymore.

Madam President, there is just one other area I want to mention as I wrap up this debate. During the last few weeks in the debate we have been getting support from the public for what we are doing here, but there is one thorny issue that keeps coming back, and I hear it in different corners. We have said that this legislation is gender-neutral, meaning that we have not spelt out if it is male on female violence or female on male violence. The legislation is gender-neutral and that means that the victim could either be male or female and the perpetrator could either be male or female, and that is understanding what we have actually seen borne out in our society. Of course, I have been

hearing concerns, and I just want to speak very briefly to the concern that making our legislation gender-neutral is opening the doorway for same-sex marriages. I have had people come to me as a Minister and as a Member of the Senate saying what are we doing, we are opening the door for same-sex marriages.

Madam President, I want to explain that this legislation has always been gender-neutral. We have had other legislation. The sexual harassment legislation when it comes will be gender-neutral again because we understand in the dynamic it is not a male employer and a female employee, it could be a female employer and a male worker as well, so it is gender-neutral because to try to see it differently is just going to be too convoluted. As I said, that means it treats men and women equally in the eyes of the law, that is what it does. It is not a roundabout attempt to open the doorway for that same-sex discussion.

Madam President, I know, and I have been reminded, that the LGBT agenda is very strong. Everywhere we turn it is in our face, be it in the songs desensitising us. I found myself singing a song one day which was playing on the radio and my son said: "Mummy, do you know what you are singing, mommy". It was a nice song. He said: "Mummy listen to the words" and then I said 'oh shoot' is that really what I was singing. There is a song called "I kissed a girl and I liked it". It is a really catchy song and I was singing along and my son said: "Mummy, do you know what you are singing." As I listen to songs, I realise the lyrics are in a lot of our songs. You cannot watch television nowadays without being exposed to that agenda. Every show there is somebody in there who is in a same-sex relationship. It is in the television shows, it is in the movies, it is in the magazines, it is everywhere that we look. Madam President, I am told that it is not the LGBT agenda, it is the LGBTTTTQQIAA. Let us look it up. LGBT is lesbians, gays, bisexual, transgender.

Asides.

Senator Dr. the Hon. E. R. BYER: Do you want me to go through all of that. It is the LGBTTTTQQIAA, write it down and look it up. I do not think the Dean is going to go and google it. LGBTTTTQQIAA is the lesbians, gays, bisexuals, transgender, transsexual, two-spirited, queer, questioning, intersex, asexual, ally. Then there are other terms, transsexual, the a-gender, the gender queer, but that is a discussion for another time, and Madam President, is going to tell me just now that I am out of time. I just mentioned that to say that I know that it is all around us.

Madam President, this debate here and the gender neutrality of the debate is ... when a week and a half ago we saw on the front page of the newspaper this same issue of same-sex marriage. It was on the front page and page 3 of a recent newspaper, and some folks have said is this where

we are going to, is this what the Government is doing, is the Government allowing this, are we opening the door, are we caving in to pressure because it is in our face everywhere we look. As I said, it is gender-neutral.

First of all, when we say gender some people think we are talking about the LGBT agenda, but when we say gender in our work we are speaking about those issues of boys and girls, men and women that ensure equality and equal access to education, jobs, health and to opportunities for their full potential, that is what we are about. Now, it is true, I do not think we can hide from that debate much, and I am not afraid to bring it up in these hallowed chambers of this Senate, and pardon me Dean Crichlow, I mean no offence in bringing up the same-sex agenda, but it is all around us and some day it may actually come to this Honourable Chamber, but as a country I think it is important that we start to think about it because we have to determine what we want to see in Barbados and we have to start to think about it now.

Madam President, reference was made to it, I think, twice for this afternoon, that six weeks ago our Right Honourable Prime Minister challenged Barbados at the launch of the 50th Anniversary of Independence to think about what kind of Barbados we want, where do we want to be as a nation 50 years and beyond. The Right Honourable Prime Minister asked us to think about those things that we have, what we want to keep, those things that we do not have but we need to get, and those things that we have that are not serving us any good, that as a nation, individuals and family we need to jettison. He asked us to think about that and I have been thinking about it a lot and by the repeated references here in this Honourable Chamber, I gather that many of you have been thinking about it also, those things that we want to keep.

I imagine that at some point as part of our Independence activity we will be having a Parliamentary debate on Independence and I do hope that we can come to this discussion in this Honourable Chamber as well, not only about our 50 years to this point, but where do we want to go from here, as indeed this celebration of Independence is all about.

Madam President, to my mind, one of the things that has served us well is our Christian principles and our Christian values and I think we want to get back to that, that we do not want to jettison that. I have defined for my family and myself but I think that as a nation we are going to have to do it. As I said, the concern was raised that there are international agencies like the International Monetary Fund, other entities and other Governments that might want to offer assistance but this may be tied to it. Again, I know there are church groups that are concerned that because we need aid, assistance or financing, we may sign onto this, but this is Barbados and we did not let foreigners 50 years

ago tell us that we could not govern ourselves, we had a vision that we could and now we are a sovereign State and we are craftsmen of our own fate. In the 1990s we did not let the International Monetary Fund tell us that we had to devalue our dollar to get out of a situation we were in, we found our own solution and we took a tough stance. Members of this Honourable Chamber were there at that time and we will have to do it again on this same-sex issue and on other issues.

Just a couple of years ago we had issue with our financial situation and we found solutions, we called it our homegrown stabilisation and growth plan. We found our own solutions. We can govern ourselves. We can make decisions for ourselves. We can say to the international community, yes, we understand what you want but this is what we as a sovereign State want and this is what we are going to do. We can do it.

Madam President, I do not think that we have to legalise an issue because the rest of the world is doing it. Indeed, it is not even the rest of the world, my reading suggests that it is about 20 nations that are doing it, albeit 20 influential nations. Again, if as a nation we do not have a philosophy, an ethos or a guiding principle, we will be tossed around by every old north wind, if you understand my meaning. We will be tossed about by every wind of change, so we have to ask ourselves what do we believe, what do we uphold and what are our core values.

Madam President, in every group, every organisation, every non-governmental organisation, every church, every ministry they are all defining their visions and their missions and are making these statements. Sometimes you go into some churches and you see this Vision Statement or Mission Statement posted on the wall; you go into places and they have a plaque outlining their Mission Statement and their Vision Statement, therefore as a nation we have to determine what our vision is, we have to determine our mission.

Madam President, as we look at our society in the next 50 years, I think it is important that we think of what we want and who would we want to be. Would we become a people that cannot think for themselves? Madam President, judging from what I see in this Honourable Chamber I do not think that is who we are. Will we stop looking the right solutions rather than expecting easy solutions from somebody else? I hope not. Madam President, the main question is, do we want to be a nation that is upholding morals, respect and family values? Is that who we want to continue to be? We have to think about these things.

Madam President, I know the word family is tricky because I know now, even in some corners in Barbados, it is wrong to define family as a mother, father or children but

that there are other definitions of family that are being used. I am not trying to be holier than thou but I am saying that we have to be thinking about those things that have worked for us, those values that have done us well and those values that we want to hold on to, otherwise we would find ourselves in this Honourable Chamber not saying prayers when we begin our Sessions or we may find ourselves not being able to quote from the Bible as we do in every Session that we come here because it may offend somebody, or it may be where the world is going, that we may be where we are expected to go. I think that we know how to take a stand and we have to take a stand.

Madam President, do not get me wrong, I am not against any individual. I do not hate certain individuals because as a Christian -- and I talked about Christian values - we have to abstain from discrimination, stigma, hatred, violence and expressions of hatred. That is not being Christian, we are called unto the Golden Rule, we are called to do unto others as we would have them do unto us. That is enshrined in our Constitution, it is in the discrimination in the workplace legislation, it is in the Employment Right Act, it is not about discrimination.

Madam President, the truth is, we as a black people cannot talk about discrimination, we all know and understand about hatred and about being excluded and things like that. It is not about hatred or discrimination. We still want to have a society where everyone can live, work, play and feel safe, regardless.

Madam President, I would want to reassure those persons, I call them my constituents because they still call me their representative, but I want to reassure those persons who have been asking me what does this mean for the same-sex agenda. It does not mean anything to the same-sex agenda, it does not mean anything to same-sex marriage, we are not going there with this legislation, that is not what this is about.

I know some of my colleagues may be cringing because what I said may not be politically correct and may probably bring more pressure to bear on the same external and international community that I have been speaking of and I know that it may be safer to say nothing or to do nothing and let everybody hold their breath and wait to see what will happen, when it will happen or if it will happen. Madam President, I have been sitting silently for too long. As I said, I have been waiting to exhale and as folks have been asking me, I said that I have to say something. I am not speaking on behalf of any community, I am speaking on my own opinion, but it is a fact that this legislation is not opening any doorway, it is not giving a crack into any doorway to that we are not dealing with here today.

Madam President, I may probably own myself some titles, somebody may label me as being homophobic, which

as I said I am not. I have some very good friends who have decided to 'come out of the closet' as they say; some who labelled themselves as LGBT and some who just stick to cute; some of them are my patients, I have saved their lives. I have made the Hippocratic Oath. I harbour no ill feelings towards persons of that ilk but where we are taking Barbados as a nation, I can say that as long as I stand here as a policymaker, I know where I will stand and I just wanted to make that very, very clear.

Madam President, I have strayed a little bit from the Bill. As I said, it may be political suicide but my name is Esther, if I perish, I perish. Madam President, I know it sounded a little melodramatic but please forgive me. As I said, people have been asking and I felt that it behooves me to say something on that matter and that is the only area on which I had some reservation with regard to this particular legislation. I just want to give a bit of reassurance because as I said, folks have been asking if Barbados is going to give into the pressure, or is it that we are not going to read the fine prints on certain loan agreements, and international conventions.

Madam President, the three things I want to say as I wrap up is, yes, we do read the fine print, we have conventions. I have a recommendation that was supposed to have been debated in Parliament a long time ago and it has not as yet come because they are reading the fineprint at the Solicitor-General's Office.

We read the fineprint and, even though it is not legally binding, if it is not in concert with our legislation, it is just not coming. That is number one. Secondly, this right now is the Democratic Labour Party administration and we have never given into pressure. All Barbadians know, even at the point of pain of an eight per cent cut or a redundancy of 3 000 people -- not 5 000 or 6 000 as I am seeing some people quoting in the Press now -- we understand doing what we have to do even at the point of pain. Finally, with God still on the people's side, we have no doubts or fears. Righteousness still exalts a nation. God has been our guide for more than 300 years and I know He will be our guide if we let Him. Madam President, with that being said, I thank you for the leeway, and as I said, I stood not only to speak but to wrap up this debate and these two cognate Bills that we have been considering here. With all that being said, I now have no reservation that I can comfortably give my full support to these two Bills. With that, Madam President, I beg that these Bills be read for a second time. I am obliged.

On the motion of Senator Dr. Hon. E.R. BYER, the question that the Bills be read a second time was put to the Senate by Her Honour the PRESIDENT. The question was resolved in the affirmative without division.

On the motion of Senator Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that Her Honour the PRESIDENT leave the Chair and the Senate resolve itself into Committee for further consideration of the Domestic Violence (Protection Orders) (Amendment) Bill, 2016. The question was resolved in the affirmative without division.

COMMITTEE

Mr. DEPUTY PRESIDENT: This Senate is now in Committee.

Clauses 1 -- 4, inclusive, were called and passed.

Clauses 5 - 8, inclusive, were called and passed.

Clauses 9 - 13, inclusive, were called and passed.

The Schedule is the Schedule to the Bill.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that His Honour the DEPUTY PRESIDENT report to Her Honour the PRESIDENT the passing of one Bill in Committee.

This question was resolved in the affirmative without division.

Her Honour the PRESIDENT resumed the Chair and reported accordingly.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that the Bill be read a third time.

This question was resolved in the affirmative without division.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the Bill was read a third time, passed and cited as the Domestic Violence (Protection Orders)(Amendment) Act, 2016.

ORDER NO. 2

Second Reading

The Sexual Offences (Amendment) Bill, 2016.

On the motion of Senator Dr. Hon. E.R. BYER SUCKOO, the question that this Bill be read a second time was put to the Senate by Her Honour the PRESIDENT. The question was resolved in the affirmative without division.

On the motion of Senator Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that Her

Honour the PRESIDENT leave the Chair and the Senate resolve itself into Committee for further consideration of the Sexual Offences (Amendment) Bill, 2016. The question was resolved in the affirmative without division.

COMMITTEE

Mr. DEPUTY PRESIDENT: The Senate is now in Committee.

Clauses 1 and 2 were called and passed.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that His Honour the DEPUTY PRESIDENT report to Her Honour the PRESIDENT the passing of one Bill in Committee.

This question was resolved in the affirmative without division.

Her Honour the PRESIDENT resumed the Chair and reported accordingly.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the question was put to the Senate that the Bill be read for the third time.

This question was resolved in the affirmative without division.

On the motion of Dr. Hon. E.R. BYER SUCKOO, the Bill was read a third time, passed and cited as the Sexual Offences (Amendment) Act, 2016.

ADJOURNMENT

Senator Dr. the Hon. E. BYER-SUCKOO: Madam President, I beg to move that this Sitting be adjourned until Wednesday, February 24, 2016 at 11.00 a.m.

The question that the Senate do now adjourn until Wednesday, February 24, 2016 at 11.00 a.m. was put to the SENATE and agreed to and Madam PRESIDENT adjourned the Senate accordingly.

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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. Order No. 1, Senator Carol Lady Haynes's speech. The passage on brothels contains transcription markers left in the source, '???(23:53.51) (inaudible)' and '???inaudible(23:54.59)', where words were not caught. Printed as in the source.

Q3. Order No. 1, before the luncheon suspension. The President calls 'Senator Durant, you have the Floor', but no speech follows; she then calls Senator Ince. Senator Rev. Dr. D. L. Durant speaks after the luncheon suspension. Printed as in the source.

Q4. Order No. 1, Senator P. Todd's speech. The President calls Senator Todd, who begins 'Thank you very much, Madam Deputy President' and thereafter addresses 'Madam President'. Printed as in the source.

Q5. Order No. 1, closing speech. The Minister's speech headings appear in several forms: 'Senator Dr. Hon. ESTHER BYER', 'Senator Dr. the Hon. E. BYER-SUCKOO' and 'Senator Dr. the Hon. E. R. BYER', and the procedural sentences have 'BYER SUCKOO' without a hyphen. Printed as in the source.

Q6. Order No. 1, Senator Carol Lady Haynes's speech. Quoted passages (two points from a speech and clause 37 of the Sexual Offences Act) are set as procedural lines in the source, as is Senator Durant's quotation from Scripture. Printed as in the source.

Q7. Headings. The source headings read 'ANNOUNCEMENTS BY HER HONOUR THE PRESIDENTS' and 'PRESENTATION OF PAPERS'. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The Senate met on Wednesday, 17th February, 2016 at 11.00 a.m. in the Senate Chamber, Parliament Buildings, with Her Honour Senator Miss K. F. Ifill, President, in the Chair; prayers were led by Senator the Very Reverend H. E. Crichlow. Madam President announced excuses for Senators McClean and Abrahams. Senator the Hon. D. W.

Boyce laid the Annual Reports of Cave of Barbados Limited for the years 2005 to 2009.

The Senate continued the debate on Order No. 1, the Domestic Violence (Protection Orders) (Amendment) Bill, 2016, taken with the Sexual Offences (Amendment) Bill, 2016 as cognate Bills. Senator A. A. Adams said the original Act, Cap. 130A, had fallen short of protecting women and children, and that legislation enhancing their protection was worthy of support. Senator Mrs. V. I. Sandiford-Garner commended Minister Blackett for his work on a gender policy, thanked the committee that had spent some five months on the amendments, and argued that media coverage of domestic violence cases should be banned to protect the children involved.

Senator Carol Lady Haynes spoke of the ISEE household intervention programme against intergenerational poverty, the need for trained counsellors in the Police Force, the Welfare Department and the medical services, and surveys from the European Union and South Africa. Turning to the Sexual Offences Act, she questioned a provision that a convicted male may be whipped, the clause on the suppression of brothels in the light of her years with the National HIV/AIDS Commission, and the clauses on buggery. Senator Jepter Ince described the physical and social damage domestic violence does to individuals. The Sitting was suspended until 2.30 p.m.

On resumption the Minutes of 10th February, 2016 were confirmed on the motion of Senator Dr. the Hon. E. R. Byer-Suckoo. Senator Rev. Dr. D. L. Durant began with Scripture and said the Bill covered men and boys as well as women and girls. Senator A. R. Worrell supported both Bills and said Barbadians had become more accepting of violence. Senator Sir Roy Trotman spoke of the effect of domestic violence on the world of work, and Senator H. A. Husbands thanked the Minister, Hon. Steven Blackett, and his staff. Senator P. Todd said many women had been trapped in violent households because they depended on their spouses for financial support.

Senator Dr. the Hon. E. R. Byer-Suckoo wound up on the two cognate Bills, referring to the Employment Rights Act, the training of medical staff in the legal and criminal aspects of domestic violence, and the homegrown stabilisation and growth plan, and explained the acronym LGBTTTQIAA. The Bills were read a second time without division. In Committee, with Mr. Deputy President in the Chair, clauses 1 to 13 of the Domestic Violence (Protection Orders) (Amendment) Bill and clauses 1 and 2 of the Sexual Offences (Amendment) Bill were passed, and both were read a third time and passed as the Domestic

Violence (Protection Orders) (Amendment) Act, 2016 and
the Sexual Offences (Amendment) Act, 2016.

On the motion of Senator Byer-Suckoo, the Senate
was adjourned until Wednesday, 24th February, 2016 at
11.00 a.m.