
THE SENATE DEBATES

(UNOFFICIAL REPORT)

PARLIAMENT 2013 – 2018

THE SENATE

Wednesday, October 18, 2017

Senator Carol Lady HAYNES: It is coming at a time when we are bombarded externally with matters relating to sexual harassment. I see in the New York Times Today there are pages of lawmakers with these problems. I saw yesterday that the French Minister of Gender Equality is looking at putting in place legislation against sexual harassment on the streets, and so this Bill has had a long gestation. As I look back, as long ago as 2004 I saw where Mr. Ralph Boyce who was then the President of MESA was commenting how happy he was that their organisation had had an opportunity to input, however, Senator Byer Suckoo when she led off described this period as long as it was of being one of engagement and sensitisation both of which are critical to the success of this Bill. Consensus building process is always important and the collaboration equally so.

I myself, Sir, have had the opportunity to be part of a tripartite policy in a workplace document as long ago as the late 1990s where at the suggestion of Ambassador Evelyn Greaves, who was then I believe the Deputy Secretary of the Barbados Workers' Union under the leadership of the then Mr. Leroy Trotman now Sir Roy Trotman and under the guidance of Mr. Gabby Scott, a very significant piece of policy was put in place which was ratified by the then Cabinet and it came together under a tripartite discussion between the unions, Government and the private sector, so I am a firm believer in the importance and usefulness of tripartite policies and collaboration.

I do believe that despite the long gestations that we are still maybe among the first few in the Caribbean to have specific legislation. I know Belize has standalone legislation as does The Bahamas. Guyana and St. Lucia addressed it but under anti-discrimination legislation. My ears truly pricked up when Senator Byer led off this discussion and I heard her say that anti-discrimination legislation in Barbados is coming right after this one and I

will of course be listening for this and looking forward to this because anti-discrimination legislation is critically important, it has been promised to us from 2008, and I look at it from the perspective of how it protects the populations at risk and vulnerable populations, people with disabilities, people with illnesses and of course in the front of my mind always people with HIV, so Senator Byer Suckoo I await that legislation with great anticipation.

Mr. Deputy President, as I was thinking about this and reading through this law, I was reading to get a better idea for myself of what were the requirements in this kind of law and I made reference to a paper by Tracy Robinson who is a Lecturer in the Faculty of Law, I believe when she wrote this paper she was a Lecturer here at Cave Hill but I believe she is now at Mona Campus, an excellent paper called "Sexual Harassment in the Workplace: Let the Conversation Begin". She defined four important areas. She said such legislation should define harm and Senator Byer Suckoo did that for us, the quid pro quo and the hostile work environment. It should define the workplace, it should determine who is responsible and who should decide disputes. Having gone through the Bill in front of us, it clearly deals with all of these things.

I am going to just particularly put a marker though on defining the workplace because in today's world we always have to remember that the workplace is so much wider than where we sit and work. Tracy Robinson herself said at the time in this paper: Work is increasingly not a single place. Whenever increasing methods of communication the workplace has become less physically bounded. Many employees are given smart phones from their employers and are expected to respond to and address work matters wherever they happen and outside traditional work hours, so legislation must cover sexual harassment in this wider work environment by focussing on relationships and conduct and not on venues." I think that is very important.

Our legislation on page 7 at Clause 2 does say that the workplace means any location or place where persons work and includes, it says, any other location or place where an employee is required to conduct the business of the employer. Sir, I would implore that in any training that we do that we bear in mind in today's world the importance of the virtual workplace, the whole Internet and all the extensions of that.

In Clause 3 (1), on the same page, under defining the Meaning of Sexual Harassment, subsection (e) speaks to transmitting sexually offensive writing or material of any kind, and I would also hope that we can ensure that that too applies to any virtual communications, but I do have a concern about (f) under the same 3 (1), and (f) speaks to making sexually offensive telephone calls to a person. I fully understand what that is saying, but what I am not sure of is how we legally police that because it becomes one person's word against another unless we are going to be thinking about recording telephone conversations which I am sure we are not thinking of, so I just have a concern about that particular subsection (f), but there is no question that it is a very comprehensive Bill and I would want to congratulate the Ministry of Labour on putting together such a comprehensive and effective Bill.

I have a few other concerns, one is the policy. Within the Bill it speaks to the policy being presented to every employee once the Bill has been in place for six months. I would like to see a process articulated because if we just hand an employee a policy we know that policy most times is not even going to be read so within our training I would want us to see that there is a process where whatever it is, every six months or annually, what the policy actually says is explained to employees and employers so that everyone is very familiar with what it actually says.

Secondly, I have already made reference to the virtual workplace. Thirdly, this one is the cultural aspect of this Bill. I thought long and hard as to whether I would speak to this but I tried to be honest with myself so I am going to speak to it. As I see it there are two sides to the coin. There is the protection of our workers. It is of course a gender-neutral Bill but we know that primarily the workers for the most part who are at risk in terms of sexual harassment in the workplace are female workers like in the Royal Barbados Police Force, the tourist industry and domestics where for the most part it is a female workplace with male employers, CEOs and managers and so I do realise and I am fully committed to the protection of those people.

Sir, I however read on this a bit and I did see as I did that, I am not the only person that has this concern and let me just share first of all a bit of a 2003 Paper from Lindon

Lewis where he said for the most part sexual harassment is widespread in the region...

Senate D14 Sequence 2

11.41 a.m.

Insert s 3 prince

Wednesday, October 18, 2017

Seq. 4

Senator V.I. SANDIFORD-GARNER: ... For generations in this country and, I suppose, globally, we have trivialised issues which relate to gender matters. We have trivialised issues which specifically relate to women, and we all know that the majority of persons who are especially harassed in the workplace are female. It is also important as we continue as a country to move towards being a socially balanced society, where social justice and basic human rights are protected, because sexual harassment is a violation of an individual human right. It is a violation of a person's right to a peaceful and comfortable working environment; a working environment free of tension, free of bullying, free of fear and free of coercion. Sexual harassment was demonstrated against in this country by a group of young women who felt that walking the streets in peace should have been their right; and last year for the first time a group called 'Life in Leggings' decided to walk through Bridgetown and protest the harassment which every single woman in the group, and some men, could attest to when they walk the streets of this country. It was "when I say no I mean no". One of the chants was, "I am not your sexy friend", but to a rhythm, because these are the comments that are made, which we endure every day and which are unwelcome to many of us.

Yes, we understand that women like and appreciate compliments. We all do, but we do not appreciate and welcome compliments and remarks which we feel are offensive to our sexuality. It is important that Caribbean people understand that being offensive sexually is not part of our culture; but I will get to that later.

When we come to this Chamber to debate this matter, I am pleased to hear the comments which were made. I was overseas when the first debate took place, but I listened because it was of great interest to me, and I was proud of how our Members stood up and defended the reason and the rationale behind having this legislation. I would also like to back up now with some history on sexual harassment, because people ask where did this now come from. I remember listening to my colleague, Jepter Ince, when he spoke about the plantation, and talked about women in Barbados back in the day. When I say "back in the day", I am talking about 20 to 30 years ago; not that far

back. This was post-slavery Barbados where there were women who could not receive the pay they should have received or could not work in an environment comfortably unless they had relations with the manager or an overseer. We walk and cohabit and fraternise with friends and relatives who are descendants of those relationships. You got a piece of land if you were friendly with the plantation owner or the overseer. Your children were put into the will if you were friendly with the plantation owner or overseer. Ladies and gentlemen of this Chamber, that was sexual harassment at its worst level. In slavery, we know of the harassment of our female predecessors on the plantation as well; so sexual harassment dates way back in Caribbean and global societies.

Then you came down to the industrialised world of the 1920s when women went out to work with the men, and you had situations where women on the factory floor could not function unless they had relations with their supervisors and their managers; and they were told in the 1920s that if you could not put up with the sexual harassment, leave the job. What is a little harassment? If you cannot deal with it, go home if you could not accept the sexual advancements of your superiors. Sexual predatory behaviour, they call it sexual predatory behaviour, was always seen as trivial and a small matter.

It was not a big thing, but there was a lady called Katherine McKinnon, an American lawyer -- I call her a feminist attorney -- who helped to drive the development of key legal theory in the 1970s. She distinguished what sexual harassment was. She actually divided it into two sectors. One type was the quid pro quo, which I heard Minister Byer-Suckoo speak to last week. In Barbados, we call it "wuk fuh wuk" where you gave something to get something. Then there was the other type, which just presented you with a hostile working environment if you did not acquiesce. Due to McKinnon's work and the efforts of others like her, behaviour that was once seen as tolerable and was tolerated became offensive and unacceptable. It was even seen as discriminatory and harmful, because this type of behaviour is harmful to the individual who has to be the recipient of it.

Fast-forward to Barbados in 2017 and you now have legislation which has firmly planted our feet within the 21st Century working environment, where protection under the law is provided for every man and woman in the workplace. This is even more important for us because we in Barbados have now adopted something called gender mainstreaming. Many of you have heard the phrase. Equality is one of the vehicles which we are driving in pursuit of gender equality and an equal opportunity working environment. What people do not mention is that sexual harassment is one of what I term the pernicious elements that are inevitably encountered in workplaces where gender equality and equal opportunities exist. It

comes hand-in-hand. When you have what is called a patriarchal society and then a male-dominated space, you would find that when we try now to have equal footing for men and women in that work space, you would get the sexual harassment coming along with it. This is particularly, as I said, a male-dominated workplace and professions area; from policing to politics. It is no respecter of workplaces. Sexual harassment comes from policing to politics. Wherever you have men and women together, and particularly in a male-dominated space where we are looking at being equal in our roles, you will find it. It is seen almost as a workplace hazard. Workplace sexual harassment is a specific feature of gender equity in workplaces that has been mainstreamed.

There is a lady called Michelle Rowley, who did a study entitled 'Feminist Advocacy and Gender Equity in the Anglophone Caribbean'. She put specific emphasis on workplaces where you have mostly males in control and where women seek to become equal with those males. She actually did a study on the Royal Barbados Police Force. Those of you who are interested, as I am, in that type of academic research, should go and look at that study. I do not know that it has ever been made public, but she even records her presentation of her findings and being very uncomfortable when she had to do so, sitting in a theatre-styled layout in a room where men who formerly would have smiled with her and would have been willing to give her information for her research no longer smiled with her when she presented her findings. It is a very interesting study. These are things I surf and read, because I should have announced my bias when I stood. I am Barbados' principal delegate to the Inter-American Commission for Women, and this area is of particular interest to me.

We could not talk about gender mainstreaming as a Government that is seeking workplace equity without the contemplation of sexual harassment in the workplace legislation, so again I laud the Ministry of Labour and the Minister for ensuring that as we move towards that place where we have equity in the workplace, we protect the workers with legislation that is relevant.

12.00 p.m.

Wednesday, October 18, 2017

Senator Mrs. V. IRENE SANDIFORD-GARNER:
(Seq 5)

... that as we move towards that place where we have equity in the workplace that we protect the workers with the legislation that is relevant. Again, we distinguish ourselves because a vast number of countries are guilty of pursuing gender mainstreaming without pursuing concomitantly the sexual harassment within the workplace. Our colleagues Senator Jacobs mentioned the few

Caribbean countries which have the legislation, much of it is embodied in anti-discriminatory legislation and it is true but not many of them, if any have pursued what we have done and place this legislation as stand alone law, so in the eyes of the world, Barbados shines very brightly.

Mr. Deputy President, I was puzzled either this week or last week when I saw an editorial in an online newspaper. I do not know if I should call the name but it is an online paper, it is not printed, it is an online publication, criticizing the Government of being culturally insensitive, it actually called the legislation culturally insensitive. Sir, Irene decided to read it again because I do not trust my initial perception, and I decided to read it again because the connotations were not pleasing to me, so I read it three times and I was not wrong in my perception. The editorial was entitled, "When Good Intentions Seemingly go Awry". I want it to be quite clear I was not misinterpreting the author. Sir, the use of the language alone was unquestionably patronising and the personalization of the legislation was so blatant, I could not understand why any editorial writer would go down that line. I hope that it was not written by a female because I did not check. You had statements like, "in walks the Labour Minister", and statements like, "based on her own knowledge of what takes place in an office" and statements like, "why we have no difficulty with her moral position in relation to the law". Sir, I am reading this and wondering, where is this going but what appalled me most of all was the paragraph which read and I quote:

"For while we understand the need to draw the line and the importance of stamping out harassment in all its forms, we feel that in the rush to bring this Bill to Parliament our draftsmen neglected on very critical consideration that being our very Barbadian and Caribbean way of life."

Mr. Deputy President, if waiting for this legislation for 13 years is a rush, we are in trouble. We have been waiting since 2004. There was no rush, stakeholders were consulted, there were meetings upon meeting and I myself drove down to St. Peter one night to Maurice Byer Polyclinic to a meeting of MESA, when I read in the newspapers that they were discussing the draft bill and I went to ensure that there was no misinterpretation of the law because I felt it that important to ensure that Bajans were au fait with the intricacies of this legislation.

Mr. Deputy President, the editorial went on to say that someone could be hauled before the Tribunal for singing, "All Salt Fish Sweet", that DJs may never be able to play another Sparrow piece and that taken to its full extent the law would jeopardise our annual Cropover Festival if a man or woman was thought to be using sexually suggested action that annoyed, alarm or abused a person. Sir, talk about stretching!

Mr. Deputy President, somewhere along the way the writer seemingly caught up in their haste to trivial the Bill and patronize the author forgot that the title to this legislation is, "An Act to make Provision for the protection of employees from sexual harassment in the workplace". It has nothing to do with Cropover music, it has nothing to do with our culture unless our culture is that which can be described as sexually offensive behaviour. The legislation, as Senator Dr. Jacobs said is very clear. It defines what is acceptable and what is not and we all know what is acceptable and what is not. Sir, my concern with this type of writing, and why I cite this piece, is because the media is expected to be responsible. They may not agree with legislation, and they may not agree with this legislation but be responsible in their comments so that those who do not have the opportunity to study the Bill are not misled. When you read that type of writing, you will be mislead and you will jump on a bandwagon which goes no where because the wheels would be greased with inaccuracies.

Mr. Deputy President, workplace sexual harassment is an extremely debilitating phenomena for those who fall victim, most of whom are women because women are the one who find themselves as is the norm in spaces of unequal power relations and our vulnerability is compounded by the fact that we are general the sole breadwinners in family and fair game for sexual predators because they know we need our job. They are revolting because many women are silent as we see with the case of Harvey Weinstein and Hollywood right now, that some of the most respected and adored female characters in Hollywood and some men too, who would have been victims of his behaviour and other behaviour because I just read of the gentlemen who was Dad in "Everybody Hates Chris", he speaks now about being sexually molested at a cocktail party. He is holding his wife with one hand and chatting to somebody and his wife feels him let go and in two twos he is up in the face of the person who grabbed at his groin at a cocktail party in Hollywood. This man is a what we call in Barbados a strapping man. I would not have tried that and I do not think any sane man would have tried it either but obviously he was high or drunk but this is the behaviour that occurs in certain spaces.

Mr. Deputy President, women remain silent and he was silent also because he did not feel anybody would believe him because he did not knock him flat at the same time. He said he was so shocked that it took a while for it to sink in.

Mr. Deputy President, our survival as women usually depend on our subjugation. We survive by being silent. It is not something I stand her and say with any pride because it is the truth, so some women do not say much. I have even been sexually harassed. I have even been you would say assaulted. I remember a boss because I answered the phone pleasantly one morning asking if I had relations

the night before. I use relations euphemistically because he used the raw language and I paused. He told me I sounded so bright I thought you had so and so. I paused and knowing me I am very quick with my tongue but he had me speakless because I did not expect it. After I put the phone down, I went to his office though because then I caught myself as the Bajans would say and he did apologise. I remember standing in the lobby of my workplaces one morning and the HRR manager is talking to me and pinching me on my arm and although I told him not to pinch me, he pinched me on my arm. I slapped away the arm and when I got to my desk I called my husband and my husband called him and he came over to office and told me that I had took it the wrong way. I said since I was a toddler I know when somebody pinches me and I do not want them to pinch me, so I do not know I could have taken it the wrong way but, Madam, that is what you go through. I am not a person who is a shrinking violet by no means. I am also a very physical person but sometimes when these things happened, you are so bemused you sometimes wonder if indeed it did happen.

Madam President, I am just saying that we cannot judge women when they do not speak because sometimes there are very good reasons why. Therefore, this legislation is not to be scoffed at nor taken lightly and all Barbadians need to acquaint themselves with the legislation because in this country too only recently victims had to go to the law courts.

Sequence 5

Insert s6 juliette

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Senator the Hon. P. M. T. TODD: We see it along any backyard where you have chickens, but in this footage, Mr. Deputy President, it did not end there. Several other male members of the species followed suit, one after the other until that hen had been killed, so obviously, Mr. Deputy President, that would have not been correct. I am saying that we as human beings should not believe that because the male of the species is stronger physically that they have a right to as it were have their way with any woman any time whenever.

Mr. Deputy President, I will touch on some issues that some people may not be comfortable discussing because a number of these issues are taboo, but as I said I am looking at the root cause of some of this behaviour because the legislation talks about being proactive, we want to prevent sexual harassment, and I am saying we have to look at the moral fabric of our society and frown upon those behaviours that we consider to be unjust and inappropriate. I am saying, Mr. Deputy President, that in some religions and in some cultures you may hear that the

man is the head of the household and some people misinterpret that to give them licence to believe that therefore they can have their way with any woman be it their wife so the concept of raping a wife is not possible in their frame of mind because the woman is their property and whenever they want sexual relations the woman has to give in because they may hide behind the biblical reference to the man being the head of the household. This not just limited to Christianity but to other faiths and cultures where polygamy is accepted and acceptable where a man can have as many wives as he wishes. I am saying that that ingrained belief that the male is the one with the power and control then manifest itself in inappropriate sexual behaviour in terms of the harassment of women by some men in terms of sexual harassment and I frown upon this, Mr. Deputy President, because this is inappropriate. As I said, we have to get to the root cause of these issues and deal with them and seek to root out this inappropriate behaviour.

Mr. Deputy President, that is why I said I refer to myself because what is acceptable behaviour by a man within our culture for example. I observed, Mr. Deputy President, double standards as I see it, I am not saying this occurs in all cases but there are some scenarios that follow this example I am setting, where a man having children, girls and boys, and the girl is protected by the adults, both male and female, they must remain pure until they are married and no man could seek to get their way with their precious girl child yet some of the boys in that same household may be encouraged to be promiscuous because that is what being a man is. Some may even be introduced to prostitutes to show that they are a man.

Mr. Deputy President, I am saying that the adults in the society must be very careful what mixed messages we are sending to our young males who want to be accepted as a man and may therefore fall in line with this sort of promiscuous behaviour that would have been accepted and acceptable as other speakers have mentioned dating back to the days of slavery. After the slave trade was abolished, Mr. Deputy President, the village ram, male slave, was a prized possession because the slave trade was abolished but slavery was not abolished and so the male slaves who could impregnate as many female slaves as possible was prized because then those children would increase the population of slaves available to the slave masters. I am saying that slavery has ended and as Bob Marley would have said we have to emancipate ourselves from mental slavery none but ourselves can free our minds. Being a village ram, being promiscuous does not make you a man, that makes you an irresponsible man, so I am saying that sort of behaviour, promiscuity and abuse of women by some men, is unacceptable and we have to look at the root cause of the realities today why some men believe that it is acceptable to abuse women either at the workplace or elsewhere.

I was a teacher, Mr. Deputy President, for a number of years and I would have observed young people interacting, and it gets me very concerned if I pass and see young males as part of the courtship ritual, you are trying to convince the person of the other sex that you would be a worthwhile partner, actually physically abusing these young girls, as we say in Barbados, locking off their neck or bending back their finger and the girl is in pain saying stop, stop, and I really wonder if some of these young girls give in for fear of being physically beaten by some of these preying men. When you hear reports of some young women, when the social workers are doing their follow up work, some of whom may have gotten pregnant for some of these promiscuous men they do not even know the man's name, they only know him by his nickname, it really makes me wonder what really is going on.

Mr. Deputy President, as I was saying earlier about the double standards because I am saying that a young man may want to be accepted by the society certainly by the opposite sex as a worthwhile man and I am saying just as how the adults in the society would protect those young precious women and say no man should have their way with that young woman, do not make the young man feel that if I am not promiscuous therefore I am a sissy. I am saying that sort of peer pressure can create mixed signals and confusion in the minds of some young men who may therefore believe that to be accepted by their peers or to be accepted even by the opposite sex they have to be promiscuous, they have to adopt this aggressive behaviour. I am saying that we as a society, both sexes, the adults in society, must send a strong message that this sexually aggressive behaviour by men is not acceptable, it is not manly, it is in fact perverted and must be frowned upon.

Mr. Deputy President, Senator Watson would have mentioned the whole issue of dress and as others would have mentioned we should never think or send any hint of suggesting that those persons, let us say in this case women who may be sexually abused, would have contributed to that abuse in terms of how they dress because people have rights.

Mr. Deputy President, as I said I was a teacher for many years and I remember that on one occasion at one of the schools I taught at we brought in resource persons to counsel the young students in terms of preparation for the world of work and on one of these occasions one resource persons well-versed in the issue of etiquette was asked well what about the whole issue of what is appropriate dress for females in the world of work...

Senate D14 Sequence 7

12.30 p.m.

Insert s8 prince

Insert s9 ricky

Wednesday, October 18, 2017

MINUTES

ORDER NO. 1 RESUMED (2:55)

MR. DEPUTY PRESIDENT: Senator Durant.

Senator Rev. Dr. D.L. DURANT: Thank you, Mr. Deputy President. I too would like to give my brief comments on the Sexual Harassment in the Workplace Bill, 2017. I believe that there are many simple-minded young ladies and young men out there in the workforce that needs to fully understand what is sexual harassment in the workplace so that they can be better equipped and confidence with the boldness to break the silence that have them kind of imprisoned and feel trapped, feel enslaved, feel abused but yet has to continue because they want to keep some bread on the table and to help to meet the bills they have to meet in life.

Mr. Deputy President, sexual harassment according to this Bill which I am very glad is being brought to the table and brought before Parliament -- I think it is long overdue -- is the unwelcome sexual behaviour which could be expected to make a person feel offended, humiliated or intimidated. It can be physical, verbal or it can be written, especially now through social media and communication like WhatsApp, texting and so forth but it goes much wider as well which I am happy to see it covers a very broad spectrum which is relevant and very beneficial to the working class individual. It includes the use of sexually suggestive words, comments, jokes, gestures or actions that annoy, alarm or abuse a person. It also includes the initiation of uninvited physical contact with a person and young men and young women need to know this within the working environment. I really applaud the Minister of Labour and other staff members in bringing this to the fore. It also includes the initiation of unwelcomed sexual advances or the request of sexual favours from a person, asking a person also intrusive questions that are of a sexual nature that pertain to that persons private life. It also means transmitting sexually offensive writing or material of any kind, making sexually offensive telephone calls to a person.

Mr. Deputy President, only recently, and as pastors we are in a position where sometimes we are confronted dealing with situations like this and we have to use a lot of wisdom and we do not have nothing to refer to because this Bill was not on the table before. I remember a young lady texting me sometimes and saying, pastor, look what was sent to me at 3.05 a.m. this morning and it was really a sexually oriented WhatsApp message to her. She said she could not go back to sleep after that and she felt so unsafe and abused by this young men. He had sent this message to

her but there was nothing I could have referred to apart from telling her to go straight to him and letting him know that you do not accept this, it is abusive, you are not going to take it and let him know that next time you are going to the police but she told me she wanted her job. Sir, people are afraid to make intervention in these situations because they want to remain employed and they feel if they come forward the next thing they know, they will be dismissed. I think she went forward, did what I said and I also told her to let him know she had spoken with a pastor. I think that she did that, so since then she has not returned.

Mr. Deputy President, these are situations that are out there, sexual harassment in the workplace that needs to be addressed and I am glad that this is out there. Sir, every individual regardless of colour, nationality, whether Bajan or foreigner, every person is entitled to employment that is free from sexual harassment. Sir, in other words, sexual harassment should not be considered a norm like it is happening in some places like the moment, where you go for a job and you know you are expected to succumb to these advances if you want to get the job. Sir, that should not be the norm as happens in some places. It should be a situation where that person is able to go to a higher authority to get some kind of understanding and satisfaction to the level of abuse they have been subject to and the kind of solicitation that is being offered to them.

Mr. Deputy President, what I like about this Bill is that it forces the employer to be committed to take appropriate disciplinary action against a person under their stewardship, under their direction. It makes the employer committed to taking some kind of action and not just laughing it over and dismissing it as nothing. It also states that prior to this Bill

: (Seq ...)

Velda???

S11

To be completed reporter not finish

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Senator Rev. Dr. D.L. Durant, 6.

SPEAKERS IN THIS ISSUE

- DURANT, Senator Rev. Dr. D.L.**
- HAYNES, Senator Carol Lady**
- SANDIFORD-GARNER, Senator V.I.**
- TODD, Senator the Hon. P. M. T.**

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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. Opening. The source opens without the convening sentence (Pursuant to the adjournment ... met at ...). The date is taken from the heading of the source.

Q3. Whole record. The source is a fragment of the Sitting. It opens in the middle of a speech by Senator Carol Lady Haynes, with no PRESENT list, prayers, Minutes, papers or order heading, and the speeches that led off the debate (Senator Byer-Suckoo is mentioned as having done so) are not included. Please confirm whether a fuller record exists.

Q4. Take-slips throughout. Several reporters' takes are missing and only typists' notes stand in their place: 'Insert s 3 prince', 'Insert s6 juliette', 'Insert s8 prince' and 'Insert s9 ricky'. As a result Senator Lady Haynes's speech breaks off at '...sexual harassment is widespread in the region...', and the speeches of Senator Sandiford-Garner and Senator the Hon. P. M. T. Todd begin and end mid-passage. Printed as in the source.

Q5. End of record. The record stops in the middle of Senator Rev. Dr. D. L. Durant's speech ('It also states that prior to this Bill'), followed by the notes ': (Seq ...)', 'Velda??', 'S11' and 'To be completed reporter not finish'. There is no record of the rest of the debate, the vote or the adjournment. Please confirm.

Q6. Heading before Order No. 1. A heading 'MINUTES' appears after the take-slip about 12.30 p.m. and directly before 'ORDER No. 1 RESUMED (2:55)', with no Minutes business under it. Printed as in the source.

Q7. Senator Sandiford-Garner, take-slip about 12.00 p.m.. The second part of Senator Sandiford-Garner's speech is headed by the label 'Senator Mrs. V. IRENE SANDIFORD-GARNER' with the text '(Seq 5)', and it opens by repeating the end of the previous take ('...that as we move towards that place where we have equity in the workplace...'). In that part she addresses 'Madam President' once although Mr. Deputy President was in the Chair. Printed as in the source.

DEBATE SUMMARY

(Editorial summary — not part of the record.)

The surviving record of the Senate's Sitting of Wednesday, 18th October, 2017 covers part of the debate on the Sexual Harassment in the Workplace Bill, 2017, with Mr. Deputy President in the Chair. It begins in the middle of a speech and ends in the middle of another; the opening of the Sitting, the speeches that led off the debate, the vote and the adjournment are not included.

Senator Carol Lady Haynes said the Bill came at a time of international attention to sexual harassment, recalled a tripartite workplace policy of the late 1990s involving Ambassador Evelyn Greaves, Sir Roy Trotman and Mr. Gabby Scott, and noted that Belize and The Bahamas had standalone legislation. Citing a paper by Tracy Robinson, she urged that the definition of the workplace in clause 2 be understood to include the virtual workplace, raised clause 3(1)(e) and (f) on offensive material and telephone calls, and asked for a training process rather than simply handing employees the policy after six months.

Senator Mrs. V. I. Sandiford-Garner traced the history of sexual harassment from the factories of the 1920s to the legal theory of Katherine McKinnon, who distinguished the quid pro quo form, and linked the Bill to gender mainstreaming. She rejected an online editorial that had called the legislation culturally insensitive and suggested it could threaten Crop Over music, saying that Barbados had waited for it since 2004 and that stakeholders had been consulted, and spoke of her own experience of harassment.

Senator the Hon. P. M. T. Todd, a former teacher, spoke of the root causes of the behaviour, the double standards applied to young men and women and the messages sent to young males, and agreed with Senator Watson that a woman's dress should never be treated as contributing to abuse.

When Order No. 1 was resumed, at 2.55 p.m., Senator Rev. Dr. D. L. Durant welcomed the Bill as long overdue, described harassment by WhatsApp and text message brought to him as a pastor, and approved its requirement that employers take disciplinary action. The record ends during his speech.